

No. PMBI/order/2023/Ridley

Dated: 15/12/2023

ORDER

Pharmaceuticals & Medical Devices Bureau of India (PMBI) had published tender vide reference no. BPPI/DRUG/RC-156/2020 dated 17.07.2020 and PMBI/DRUG/RC-166/2021 dated 30.09.2021 through e-procurement process for procurement of drugs on rate contract basis for Two (2) years.

2. Whereas, M/s Ridley Life Science Pvt Ltd (hereinafter M/s Ridley) registered office at D-1651, DSIDC Indl. Area, Narela, Delhi-110040 and factory at D-1566, DSIDC Indl. Area, Narela, Delhi-110040 had participated in the above-mentioned tender. M/s Ridley were declared L1 for twenty-one (21) Drug code (DC) i.e. 197, 582, 592, 655, 656, 668, 884, 951, 1252, 1449, 1450, 1542, 1636, 1654, 1655, 1698, 1701, 1768, 1777, 1805 & 1841 against tender no. BPPI/DRUG/RC-156/2020 and for eighteen (18) DC i.e. 104, 232, 470, 487, 582, 592, 643, 655, 668, 833, 1248, 1449, 1636, 1654, 1655, 1759, 1768 & 1777 against tender no. PMBI/DRUG/RC-166/2021. As a result, the firm was awarded with Letter of Acceptance (LoA) for Rs. value 176947344.00 vide LoA Ref. no. BPPI/DRUG/RC-156/2020/LoA-1 dated 11.02.2021, for Rs. value 307633872.00 vide LoA Ref. no. BPPI/DRUG/RC-156/2020/LoA-2 dated 26.02.2021, for Rs. value 10561500.00 vide LoA Ref. no. PMBI/DRUG/RC-166/2021-LoA-1 dated 07.04.2022, for Rs. value 71135000.00 vide LoA Ref. no. PMBI/DRUG/RC-166/2021-LoA-2 dated 29.04.2022 and for Rs. value 73942960.00 vide LoA Ref. no. PMBI/DRUG/RC-166/2021-LoA-3 dated 03.10.2022. Subsequently, the purchase orders (POs) were issued to the firm to supply the drugs as per clause 19D of tender document.

3. Whereas, M/s Ridley has failed to execute the supplies against 121 POs out of 301 issued POs. Out of these 121 POs 93 POs due delivery date has already expired. Upon which, PMBI had issued a Show Cause Notice dated 27.10.2023 to M/s Ridley through mail/post, seeking their explanation on non-supply and failure in execution of supplies in reference to clause no. 19G, 19P, 26H, 27A & 27E of tender document.

4. Whereas, M/s Ridley has not submitted any contentions/explanation/clarification to the Show Cause Notices dated 27.10.2023. Also, failed to execute the supplies against 120 POs out of 121 non-supplied POs and the due delivery date has been expired for against 120 POs. Hence, M/s Ridley is liable to be penalized and blacklisted for a period of 02 years from the signing of this order as per clause no. 26H, 27A and 27E of tender document.

5. Whereas, M/s Ridley was also found defaulter for supplying Not of Standard Quality (NSQ) medicines by the Drug Control Authority for DC 655 & 1655 apart from this National Accreditation Board for Testing and Calibration Laboratories (NABL) failure for DC 1248, 1449, 1698 & 1841. Hence, the company is not found tenable to supply the medicines as per the mandate of PMBI i.e., quality generic medicine for all through PMBI being regularly in defiant due to non-supply as well for NSQ products.

6. Therefore, in view of the above non-execution of supplies and supply of NSQ medicines to PMBI and the provisions of tender clause no. 26D, 26H, 26I, 27A, 27B(b)(iii)/(iv), 27B(b)(iv)/(v), 27C(ii) & 27E, the M/s Ridley

is hereby blacklisted for 02 years from participating in PMBI tenders from the date of issuance of this order including following actions: -

- i.Recovery of 5% penalty of non-supplied quantity as per tender terms and condition.
- ii.All active rate contracts and purchase orders shall be closed/cancelled at the risk and cost of supplier.
- iii.Forfeiture of performance security deposit as per tender terms and condition.
- iv.PMBI reject their bid in future tenders considering their unsatisfactory performance of supplies.

This order is without prejudice to the legal and criminal action to be taken if any, by Pharmaceuticals & Medical Devices Bureau of India, New Delhi in the matter.



(Ravi Dadhich)

Chief Executive Officer

Pharmaceuticals & Medical Devices Bureau of India, New Delhi

Copy to: -

M/s Ridley

D-1651, DSIDC Indl. Area,

Narela, Delhi-110040