



Ref. No.: UPMSCL/MD/2021/27

Date: 09 April, 2021

Office Order

Firm M/s Himalaya Meditek Private Limited has rate contract no. 201801467 (26.10.2018 to 25.10.2020) with this Corporation for the supply of "Inj Ceftriaxone ;1 gm Powder vial", rate contract no. 20180146801 (26.10.2018 to 25.10.2020) with this Corporation for the supply of "Dobutamine HCL 50mg/ml in 5ml ampoule; rate contract no. 20180146001 (26.10.2018 to 25.10.2020) with this Corporation for the supply of "D/Lignocaine HCl with Adrenaline Inj (Lignocaine HCl 20mg/ml Adrenaline Bi-tartrate eq. Adrenaline 5mcg/ml) in 30ml vial."

Notice to Firm M/s Himalaya Meditek Private Limited was sent on 23.12.2020 (letter no. UPMSCL/MD/2020/9647) regarding supply of Not Of Standard Quality drug "Ceftriaxone ;1 gm dry Powder vial;" Batch No. HDI546F to different District Warehouses U.P. Medical Supplies Corporation Ltd. against Purchase order no. UP/UP/HQ/19/528/1(10281909964) dated 28.05.2019 but Firm had not provided a response to notice dated 23.12.2020.

Notice to Firm M/s Himalaya Meditek Private Limited was sent on 16.03.2021 (letter no. UPMSCL/MD/2020-21/10153) regarding supply of Not Of Standard Quality drug "Inj Ceftriaxone ;1 gm dry Powder vial;" Batch No-HDI219B to different District Warehouse U.P. Medical Supplies Corporation Ltd. against Purchase order no. UP/UP/HQ/20/131/1(10282001536) dated - 28.02.2020.

In the response dated 20.03.2021 (Ref. No. HIMALAYA/UPMSCL/L-5) which was received to UPMSCL on 22.03.2021, Firm has mentioned that they have GMP certified plant with NABL approved Laboratory. Firm has supplied items and batch after standard quality report. Firm also stated their disagreement with the report issued by the Government Analyst and written that the report submitted by Government Analyst is not conclusive and not final for initiating any action against firm, once firm have availed its right to challenge the test report of Government analyst under section 25 (3) read with Section ' 25 (4) of the Drugs and Cosmetic Act, 1940. Firm has stated that they have valuable right to challenge the test report of Govt. Analyst within a time frame of 28 days from the receipt of Form no 13 from concerned Drug inspector to the Central Drugs Laboratory Kolkata. Firm has written that they have challenged the test report of Government analyst in proper time frame; Copy of letter of challenge in the test report is attached but no such attachment was received to UPMSCL till date. Further firm stated that they have the right to adduce the evidence of test report of Government Analyst & The moment it is done conclusive evidentiary value of the report of Government Analyst Lucknow is denuded and the statutory right to get tested and analyzed by the Central Drug Laboratory Kolkata gets Frustrated and the Analysis Report of CDL Kolkata shall be conclusive to take any action against firm.

The letter of the firm dated 20.03.2021 was given due consideration but not found satisfactory. At this juncture it would be worth mentioning that till date, the report of Government Analyst dated 08.01.2021 sent by Drug Inspector Bulandshahr has neither been cancelled nor annulled by any higher authority and therefore the same is still operative.

Firm Himalaya Meditek Pvt. Ltd have supplied two "Not of Standard Quality batches i.e. Batch No. HDI219B & Batch No. HDI546F of the "Inj Ceftriaxone ;1 gm dry Powder vial;" thus Firm has violated the tender clause No.13 (i) of tender No.UPMSCL/Drug-002/261 dated 29.05.2018 i.e. " If two batches of any drug supplied by a Vendor/Supplier/Firm is found "Not of Standard Quality" ,then the Vendor/Supplier/Firm shall be blacklisted for that particular drug for a period of three year. Hence Firm Himalaya Meditek Pvt Ltd is, hereby, blacklisted for the drug "Inj Ceftriaxone ;1 gm dry Powder Vial;" for three years from the date of issue of this Office order.



Earlier Firm M/s Himalaya Meditek Private Limited was blacklisted for Drug Lignocaine HCl with Adrenaline Inj (Lignocaine HCl 20mg/ml Adrenaline Bi-tartrate eq. to Adrenaline 5mcg/ml) in 30ml vial for three years from the date 18.10.2019 (Order no UPMSC/MD/QC/2019/13967 dated 18.10.2019) and Also blacklisted for drug Dobutamine HCL 50mg/ml in 5ml ampoule for three years from the date 17.10.2020 (Order no UPMSC/MD/2020/8888 dated 17.10.2020).

Firm Himalaya Meditek Pvt Ltd have been blacklisted for three drugs { Drug Lignocaine HCl with Adrenaline Inj (Lignocaine HCl 20mg/ml Adrenaline Bi-tartrate eq. to Adrenaline 5mcg/ml) in 30ml vial, Dobutamine HCL 50mg/ml in 5ml ampoule and Inj. Ceftriaxone ; 1 gm dry Powder Vial" } thus Firm has also violated the tender clause No.13 (iii) of tender No. UPMSC/Drug-002/261 dated 29.05.2018 i.e. If a Supplier is blacklisted for more than two drugs for quality issues, then the Supplier is Debarred as whole for a period of three years. Hence Firm Himalaya Meditek Pvt. Ltd is, hereby, Debarred as a whole for a period of three years from the date of issue of this order.

Managing Director  
UPMSCL

Endorsement No.; UPMSC/MD/2021/ 27

Date: 09 April, 2021

Copy; To the following for information & necessary action:

1. Additional Managing Director, UPMSC.
2. Finance Controller, UPMSC to kindly ensure that payment is not processed for drug batch found not of standard quality.
3. Drug Licensing & Controlling Authority, UP, Office of Commissioner, Food Safety & Drug Administration, Sec-C, Aliganj, Lucknow.
4. Consultant, Drug, UPMSC.
5. General Manager, Quality Control UPMSC.
6. General Manager, Drug Procurement, UPMSC.
7. General Manager, Supply Chain, UPMSC.
8. Manager, Legal, UPMSC.
9. Project Manager, DVDMS, UPMSC.

Kanishk  
Managing Director  
UPMSCL