



# ODISHA STATE MEDICAL CORPORATION LTD.

(A Govt. of Odisha Undertaking)

*Assuring Quality, Saving lives*

Order No. : 3753 /OSMCL/QA/I/082/2019

Date : 31/03/2020

## ORDER

M/s. Pushkar Pharma, Bhandariwala, Kheri, Kala-Amb, Sirmour (HP) – 173030 was placed with orders to supply Gentamicin Sulphate Eye/Ear Drop (0.3% w/v of Gentamicin) vide Purchase Order No. CR19423 dt.26.02.2019 & CR19791 dt.18.05.2019 of Bid Ref. No. OSMCL/2018-19/DRUGS-DHS-GEN/04 and rate contract valid till 17 Jan 2020. The firm supplied the drug in a number of batches, out of which three (03) number of batches were declared as **“Not of Standard Quality” (NSQ)**, on the basis of test reports received from the empanelled laboratories of OSMCL in terms of PO Clause No.5(d). Enclosing the copies of test reports, the result of the test reports was communicated to the supplier vide this office letter No. 8903 dtd.29.07.2019 & No.13155 dt.16.11.2019.

The details of batches of subject drug and the reason for declaring the said batches as NSQ are mentioned below.

Sl. No.	Batch No.	Mfg. Dt.	Exp. Dt.	Status	Reason	Ref. PO No. & Dt.	Supplied By
1	GNT-204A	03/2019	08/2020	NSQ	Doesn't Comply Test for pH as per IP	CR19423 26.02.2019	M/s. Pushkar Pharma, Bhandariwala, Kheri, Kala-Amb, Sirmour (HP) – 173030
2	GNT-206A	06/2019	11/2020	NSQ	Doesn't Comply Test for pH as per IP	CR19791 18.05.2019	
3	GNT-208A	06/2019	11/2020	NSQ	Doesn't Comply Test for pH as per IP		

In view of the above M/s. Pushkar Pharma was issued with Show Cause Notice (SCN) vide this office letter No. 13278 dtd.18.11.2019 seeking explanation within seven (07) days of receipt of the letter as to why it shall not be derecognised/debarred for the item Gentamicin Sulphate Eye/Ear Drop (0.3% w/v of Gentamicine) as per PO Clause No.5(h)(ii) read with Clause No.6.39.1(ii) of Bid Reference No. OSMCL/2018-19/DRUGS-DHS-GEN/04.

In response to the SCN, the supplier vide his letter dtd.23.11.2019 disputed the genuineness of the test reports as they do not bear the names of the Testing Laboratories or the signature of the laboratory representative. In response to that the supplier was supplied with the copy of original test reports vide this office letter dtd.22.01.2020 so as to enable him to submit his explanation, if any on the test results.

In response to that the supplier vide his letter dtd.13.02.2020 explained that they are supplying Gentamicin Eye/Ear Drops and not particularly Eye Drops and also have mentioned that Eye/Ear Drops are of acidic pH which is not given in Indian Pharmacopoeia (IP).

In this context it is mentioned that M/s. Pushkar Pharma has obtained drug approval from the Licensing Authority as Gentamicin Sulphate Eye Drop IP and has claimed the same in the label. The pH range for Gentamicin Eye Drop as

mentioned in IP 2014 is 6.5 to 7.5 and the pH of the subject three batches is not within this range. Hence, the claim of the supplier regarding pH is not acceptable.

Therefore, as per PO Clause No. 5(h)(ii) read with Clause No.6.39.1(ii) of Bid Reference No. OSMCL/2018-19/DRUGS-DHS-GEN/04, **M/s. Pushkar Pharma**, Bhandariwala, Kheri, Kala-Amb, Sirmour (HP) - 173030, is hereby, derecognised/debarred for the item **Gentamicin Sulphate Eye Drops**(0.3% w/v of Gentamicin) for **one (01) year** from the date of issue of this order.

The Performance Security/ EMD amount submitted by the firm for the said item is hereby, forfeited & the firm shall not be allowed to participate in the tender process of Odisha State Medical Corporation Ltd. for the said item.

*Yamini Sarangi*  
31/03/2020  
**Yamini Sarangi, I.A.S.**  
**Managing Director, OSMCL**

**Memo No. 3754 /Dt. 31/03/2020**

Copy forwarded to M/s. Pushkar Pharma, Bhandariwala, Kheri, Kala-Amb, Sirmour (HP) - 173030 for information.

*Yamini Sarangi*  
31/3/2020  
**Managing Director,**  
**OSMCL**

**Memo No. 3755 /Dt. 31/03/2020**

Copy submitted to the Principal Secretary to Govt., H & FW Dept. Odisha, for favour of kind information.

*Yamini Sarangi*  
31/03/2020  
**Managing Director,**  
**OSMCL**

**Memo No. 3756 /Dt. 31/03/2020**

Copy forwarded to DHS/DMET, Odisha for information and necessary action.

*Yamini Sarangi*  
31/03/2020  
**Managing Director,**  
**OSMCL**

**Memo No. 3757 /Dt. 31/03/2020**

Copy forwarded to the GM - Operation (D & S)/GM (F & A), OSMC for information.

*Yamini Sarangi*  
31/03/2020  
**Managing Director,**  
**OSMCL**

**Memo No. 3758 /Dt. 31/03/2020**

Copy forwarded to IT Cell, OSMC for information and necessary action.

*Yamini Sarangi*  
31/03/2020  
**Managing Director,**  
**OSMCL**