



ODISHA STATE MEDICAL CORPORATION LTD.
(A Govt. of Odisha Undertaking)
Assuring Quality, Saving lives

No. 5992 /OSMC/QA/1252/2016

Date: 20/06/2017

ORDER

M/s. Om Biomedic Pvt. Ltd., Plot No.68, 69, 82 & 83, Sector-6A, IIE, SIDCUL, Haridwar, Uttarakhand - 249403 was placed with orders to supply Calcium & Vitamin D3 Tablet vide Purchase Order (PO) No. CR15161 Dtd.10.09.2015 & CR15914 Dtd.19.02.2016. The firm supplied the said drug in a number of batches, out of which seventeen (17) batches i.e. Batch No. OBT-215, OBT-353, OBT-355, OBT-358, OBT-362, OBT-391, OBT-392, OBT-393, OBT-394, OBT-413, OBT-415, OBT-424, OBT-427, OBT-439, TOB-01, TOB-02 & TOB-21 have been declared as “**Not of Standard Quality**” by two empanelled approved NABL accredited laboratories. The samples of above batches have failed in assay of Vitamin D3 and the same have been communicated to the supplier enclosing the copies of Test Reports vide this office letter No.8813 dtd.01.10.2016, No.9979 dtd.28.10.2016 & No.3669 dtd.25.03.2017.

Earlier in pursuance to order passed by the Hon'ble High Court of Orissa dtd.21.03.2017 in W.P(C) No.14502/2016 and as per terms and conditions of PO Clause No.6g(ii) and Bid Condition No.6.39.8.1(ii) of Bid Reference No. OSMCL/2015-16/DRUGS-DHS-CAT-III/04, M/s. Om Biomedic Pvt. Ltd. has been blacklisted/debarred **only for the item Amoxycillin Oral Suspension IP 125mg/5ml** vide this office order No.4889 dtd.09.05.2017 for a successive period of three (03) years from the retrospective date of issue of order i.e. 22.04.2016.

In view of the above M/s. Om Biomedic Pvt. Ltd. was issued Show Cause Notice vide this office letter No.4953 dtd.12.05.2017 seeking explanation as to why it shall not be blacklisted **only for the item Calcium & Vitamin D3 tablet** as per Bid Clause No.6.39.8.1(ii) and the firm as a whole shall not also be blacklisted and debarred to supply any drug to Odisha State Medical Corporation Ltd. for a period of three (03) years in accordance with Bid Clause No.6.39.8.2 of Bid Reference No. OSMCL/2015-16/DRUGS-DHS-CAT-IV/05.

In the said Show Cause Notice dt.12.05.2017, the firm was given opportunity to appear in person or through Authorised Representative for personal hearing on 23.05.2017 and to submit reply to show cause notice, if he so desires.

Ravi...

(P.T.O)

In response to said Show Cause Notice the firm through letter dtd.17.05.2017 required information/document relevant to show cause notice which were supplied vide this office letter No.5292 dtd.27.05.2017 and was further given opportunity to appear in person or through Authorised Representative for a personal hearing on 06.06.2017 and to submit his reply to the Show Cause Notice dtd.12.05.2017, if he so desires.

In response to this office letter No.5292 dtd.27.05.2017, the Authorised Representative appeared before the Managing Director, OSMCL on 06.06.2017 and submitted a copy of reply dtd.05.06.2017 to the Show Cause Notice signed by the Director, M/s. Om Biomedic Pvt. Ltd. sent through e-mail, wherein it was contended that W.P(C) No.10350/2017 against order no.4889 dt.9.05.2017 of Managing Director, OSMCL assailing the blacklisting order of Amoxycillin Oral Suspension filed in the Hon'ble High Court of Orissa is sub-judice and therefore the noticee-firm requested that the proposed action under the Show Cause Notice issued vide OSMCL letter No.4953 dtd.12.05.2017 be kept in abeyance. But neither the copy of the above said writ petition nor the copy of order, if any, to that effect passed by the Hon'ble High Court of Orissa was submitted along with the reply of the firm dtd.05.06.2017.

In the backdrop of the fact scenario, thus stated, the watershed development of this case is that the noticee-firm has failed to furnish any reply to the show cause as required under this office letter dt.12.05.2017.

Therefore, as per terms and conditions of Bid Clause No.6.39.8.1(ii) of Bid Reference No. OSMCL/2015-16/DRUGS-DHS-CAT-IV/05 the firm is blacklisted for the item Calcium & Vitamin D3 tablet and in accordance with Clause No.6.39.8.2 of Bid Reference No. OSMCL/2015-16/DRUGS-DHS-CAT-IV/05 the firm i.e. M/s. Om Biomedic Pvt. Ltd., Haridwar, Uttarakhand – 249403 itself is blacklisted and debarred to supply any drug to Odisha State Medical Corporation Ltd. for a period of three (03) successive years from the date of issue of this order.

As a consequence of such blacklisting of the drug Calcium & Vitamin D3 Tablet, the Performance Security/ Bank Guarantee/ EMD submitted by the firm for the said item is hereby forfeited & the firm shall neither be allowed to participate nor considered in the tenders of **Odisha State Medical Corporation Ltd.** All concerned be informed accordingly.

Ravindra
R.P. Singh, I.A.S.
20/06/17
Managing Director, OSMCL

Continued...

Memo No. 5993 /Dt. 20/06/2017

Copy forwarded to M/s. Om Biomedic Pvt. Ltd., Plot No. 68, 69, 82 & 83, Sector-6(A), IIE SIDCUL, Haridwar (Uttarakhand) – 249403 for information.

Ravindra
20/06/17
Managing Director
OSMCL

Memo No. 5994 /Dt. 20/06/2017

Copy forwarded to the Drugs Controller, Uttarakhand, Department of Medical Health and Family Welfare, Village-Danda Lakhond, Near Rajiv Gandhi Play Ground P.O. Gujrara, Sahastradhara Road, Dehradun, Uttarakhand, India for information and necessary action.

Ravindra
Managing Director
OSMCL

Memo No. 5995 /Dt. 20/06/2017

Copy forwarded to the Drugs Controller, Odisha for information and necessary action.

Ravindra
Managing Director
OSMCL

Memo No. 5996 /Dt. 20/06/2017

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

Ravindra
Managing Director
OSMCL

Memo No. 5997 /Dt. 20/06/2017

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

Ravindra
Managing Director
OSMCL

Memo No. 5998 /Dt. 20/06/2017

Copy forwarded to all the divisions of OSMCL for information and necessary action.

Ravindra
Managing Director
OSMCL



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No. : 7887 /OSMCL/QA/768/2017

Date : 03/08/2017

ORDER

In partial supersession of the order No.5992 Dtd.20.06.2017 blacklisting/debarring M/s. Om Biomedic Pvt. Ltd. Haridwar, Uttarakhand from supplying any drug to OSMCL for a successive period of 3 years from the date of the order is revoked in view of the stay order dtd.03.07.2017 of Hon'ble High Court of Orissa, Cuttack in W.P(C) No.10350/2017 so long as the said order remains in force.

Be it, the above order dtd.20.06.2017 blacklisting/debarring the firm in question from supplying a single item drug, Calcium & Vitamin D3 for a successive period of 3 years from the date of the issue of the said order shall, however, remain unaffected and undisturbed.

Ravindra

R. P. Singh, I.A.S
Managing Director, OSMCL

Memo No. 7888 /Dt. 03/08/2017

Copy forwarded to M/s. Om Biomedic Pvt. Ltd., Plot No. 68, 69, 82 & 83, Sector-6(A), IIE SIDCUL, Haridwar (Uttarakhand) – 249403 for information in continuation to this office memo No.5993 dtd.20.06.2017.

Ravindra

Managing Director
OSMCL

Memo No. 7889 /Dt. 03/08/2017

Copy forwarded to the Drugs Controller, Uttarakhand, Department of Medical Health and Family Welfare, Village-Danda Lakhond, Near Rajiv Gandhi Play Ground P.O. Gujrara, Sahastradhara Road, Dehradun, Uttarakhand, India for information and necessary action in continuation to this office memo No.5994 dtd.20.06.2017.

Ravindra

Managing Director
OSMCL

Memo No. 7890 /Dt. 03/08/2017

Copy forwarded to the Drugs Controller, Odisha for information and necessary action in continuation to this office memo No.5995 dtd.20.06.2017.

Ravindra

Managing Director
OSMCL

(P.T.O)

Memo No. 7891 /Dt. 03/08/2017

Copy forwarded to DHS/DMET, Odisha for information and necessary action in continuation to this office memo No.5996 dtd.20.06.2017.

Rainoff

Managing Director
OSMCL

Memo No. 7892 /Dt. 03/08/2017

Copy submitted to the Commissioner-cum-Secretary to Govt., H & FW Dept. Odisha, for favour of kind information in continuation to this office memo No.5997 dtd.20.06.2017.

Rainoff

Managing Director
OSMCL

Memo No. 7893 /Dt. 03/08/2017

Copy forwarded to all the divisions of OSMCL for information and necessary action in continuation to this office memo No.5998 dtd.20.06.2017.

Rainoff

Managing Director
OSMCL