



# Uttar Pradesh Medical Supplies Corporation Limited

(A Govt. of Uttar Pradesh Undertaking)

GSTIN: 09AACCU2250P1ZZ CIN: U85310UP2018SGC102425

Registered Office : SUDA Bhawan, 7/23, Sector-7, Gomti Nagar Extension, Lucknow-226002

E-Mail: [quality@upmsc.in](mailto:quality@upmsc.in) Website: [www.upmsc.in](http://www.upmsc.in) Contact Number: 0522-2838102

Ref. No.: UPMSCL/MD/QC/2024/ 1691

Date : 14 Feb-2024

## Office Order

Company Vivek Pharmachem India Limited has rate contract with UPMSCL for the supply of drug "Cefotaxime Sodium Injection 1gm dry Powder in vial". Company had supplied "Cefotaxime Sodium Injection 1gm dry Powder in vial" to various District Drug warehouses of Uttar Pradesh Medical Supplies Corporation Ltd. against purchase order no. UP/UP/HQ/21/90/1 (10282101499), dated 15.03.2021.

A notice (ref no- UPMSCL/MD/QC/2021/1633 dated- 21.12.2021) regarding supply of "Not of Standard Quality" drug Batch No. CTI21045 of Cefotaxime Sodium Injection 1gm dry Powder in vial was sent on dated 21.12.2021. Company has not provided any response to notice dated 21.12.2021.

Another notice (UPMSCL/MD/QC/2022/284 dated-26.05.2022) regarding supply of "Not of Standard Quality" drug Batch No. CTI21076 of drug Cefotaxime Sodium Injection 1gm dry Powder in vial was sent on dated 26.05.2022 to the Company. Response was obtained from company on dated 16.06.2022 in which company has stated that they have challenged the report of Government Analyst FDA UP dated 11.04.2022 provided by Drug Inspector Saharanpur, UP, but no conclusive proof of challenging Government Analyst report was enclosed with the representation obtained from company dated 14.06.2022.

Again a notice (UPMSCL/MD/QC/2022/631 dated-14.07.2022) regarding supply of "Not of Standard Quality" drug batch no. CTI21026 of drug Cefotaxime Sodium Injection 1gm dry Powder in vial was sent on dated 14.07.2022 to the company.

Again on dated 12.01.2023 notice (UPMSCL/MD/QC/2023/1761 dated-12.01.2023) was sent to company regarding supply of "Not of Standard Quality" drug batches CTI21076, CTI21045 and CTI21026 to different Distt Drug warehouses of Uttar Pradesh Medical Supplies Corporation.

Company has sent (Letter dated 17.03.2023) a representation with attachment which was received to UPMSCL office on dated 23.March 2023 in which company stated that the company had challenged Government Analyst report of batch no- CTI21076 and CTI21045 and sample of both the batch were sent to CDL Kolkata for testing but test results from CDL Kolkata reports are pending. For third batch no CTI21026 company is under the process of challenging Government Analyst report provided by Drug inspector Hardoi. But company has not provided any documentary evidence of proceeding related to drug batch no. CTI21076, CTI21045 and CTI21026.

On dated 29.01.2024, letter was sent to company for updated status of three "Not of Standard Quality" drug batches CTI21076, CTI21045 and CTI21026 on affidavit. On dated 06.02.2024 company has sent a mail stating that they have submitted status by registered post regarding NSQ



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batches CTI21076, CTI21045 and CTI21026 but company has not provided scan copy of reply or documentary evidence via e-mail ID [quality@upmsc.in](mailto:quality@upmsc.in) till date as instructed in letter dated 29.01.2024 .

In above case final report is "Not of Standard Quality" on the basis of three "Not of Standard Quality" reports as declared by Government Analyst for batch No. CTI21076, CTI21045 and CTI21026, Which has neither been cancelled nor annulled by any higher authority and therefore , the Government Analyst report remains conclusive report. Thus Vivek Pharmachem India Limited has violated the conditions of contract **clause No. 13 (Debarring & Blacklisting) (i)** of tender no. UPMSCL/Drugs-012/55 dated 22.12.2018 i.e. "if two batches of any drug supplied by the company is found not of standard quality, then the company shall be blacklisted for that particular drug for the period of 3 (Three ) Years" by supplying three "Not of Standard Quality" drug batches i.e. batch no. CTI21076, CTI21045 and CTI21026 of drug "Cefotaxime Sodium Injection 1gm dry Powder in vial to different district drug warehouses of Uttar Pradesh Medical Supplies Corporation Limited.

Finally Vivek Pharmachem India Limited has violated conditions of contract of tender clause no. 13 (i). Hence, Vivek Pharmachem India Limited is, hereby, blacklisted for three years for drug "Cefotaxime Sodium Injection 1gm dry Powder in vial" from the date of issue of this order .

  
Managing Director  
UPMSCL

**Endorsement No.:** UPMSCL/MD/QC/2024/1691 **Dated :** 14 Feb.2024

**Copy to the following for information & necessary action:**

1. Finance Controller, UPMSCL to kindly ensure that payment is not processed for drug batch declared "Not of Standard Quality".
2. Drug Licensing & Controlling Authority, UP, Office of Commissioner, Food Safety & Drug Administration, Sec-C, Aliganj, Lucknow.
3. Senior Consultant Drug /Quality , UPMSCL
4. Consultant Drug Procurement, UPMSCL.
5. General Manager, Quality Control UPMSCL.
6. General Manager, Drugs UPMSCL.
7. General Manager, Supply Chain, UPMSCL.
8. Manager Legal, UPMSCL.
9. Manager, Quality Control UPMSCL.
10. Manager IT, UPMSCL.
11. Project Manager, DVDMS, UPMSCL.
12. Vivek Pharmachem India Limited , A-1 Sethi Colony, Jaipur-302004.

  
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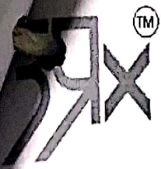
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