

Ref. No.: UPMSCSCL/MD/QC/2023/721

Date : 04 Sept-2023

## Office Order

Salud Care (India) Pvt. Ltd. has rate contract no 20200005701 (17-Feb-2020 to 16-Feb-2022) with UPMSCSCL for the supply of drug "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle)". Salud Care (India) Pvt. Ltd. has supplied "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle) to various Distt Drug warehouses of Uttar Pradesh Medical Supplies Corporation Ltd. against Purchase order no. UP/UP/HQ/22/98/1(10282200724), dated 08.02.2022.

A notice (UPMSCL/MD/QC/2022/326 dated 03.06.2022) has been sent to Company on dated 03.06.2022 for supply of "Not Of Standard quality" drug "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle) batch no SL22-048. Responses (Ref. No- SaludCare/2022-23/014 dated-13.06.2022) ( Ref. No- SaludCare/2022-23/015 dated-18.06.2022) from Company obtained on dated 16.06.2022 and 28.06.2022. Response provided by firm was given due consideration but not found satisfactory.

Also notice (UPMSCL/MD/QC/2022/962 dated 19.09.2022) was sent to Company on dated 19.09.2022 for supplying "Not Of Standard quality" drug "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle)" batch no SL22-044, SL22-050, SL22-051, SL22-053, SL22-077, SL22-078, SL22-093, SL22-100 and SL22-101. Response (SaludCare/2022-23/020 dated -23.09.2022) obtained from Company on dated 11.10.2022. In response Company stated that ;

1. There is a huge variation in dates of Test reports given by all three labs and Company has tested their control samples as well for said batch and results were found under the limits required.

2. Company requested to get the batch tested from government laboratory.

Response provided by Company was not found correct and satisfactory as ;

1. After the drug batches were declared initial "Not of Standard Quality", then drug batches were sent to further two labs. Final "Not of Standard Quality" was declared after the result received from three empanelled laboratory of UPMSCSCL then notices were sent to Company.



# Uttar Pradesh Medical Supplies Corporation Limited

(A Govt. of Uttar Pradesh Undertaking)

Registered Office : SUDA Bhawan, 7/23, Sector-7, Gomti Nagar Extension, Lucknow-226010

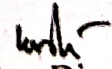
E-Mail: [quality@upmsc.in](mailto:quality@upmsc.in) Website: [www.upmsc.in](http://www.upmsc.in) Contact Number: 0522-2838102

2. If final result can not be concluded from the three results obtained from three NABL accredited empanelled laboratories of UPMSCL (first initial then further 2 lab as mentioned in Tender condition) then the drug batch should be sent to Government Laboratories. In above case final declaration of "Not of Standard Quality" was done after result obtained from three empanelled laboratories of UPMSCL. As per tender condition it would be worth mentioning that tender condition has been already accepted by Company at the time of agreement hence the request of further testing from Government laboratory can not be accepted.

With reference to above it is clear that Salud Care (India) Pvt. Ltd. has supplied 10 "Not Of Standard Quality" drug batches i.e. batches no. Batch no SL22-048, SL22-044, SL22-050, SL22-051, SL22-053, SL22-077, SL22-078, SL22-093, SL22-100 and SL22-101 against purchase order no. UP/UP/HQ/22/98/1(10282200724), dated 08-02-2022. Reports declared "Not of Standard Quality" by UPMSCL empanelled laboratories has neither been cancelled nor annulled by any higher authority and therefore the analysis report remains conclusive report till date.

Thus Salud Care (India) Pvt. Ltd. has violated the conditions of contract **clause No. 13 (Debarring & Blacklisting) (i)** of tender no. UPMSCL/Drugs-021/97 dated 10.06.2019 i.e. "if two batches of any drug supplied by the firm is found not of standard quality, then the firm shall be blacklisted for that particular drug for the period of 3 (Three) Years" by supplying ten "Not of Standard Quality" drug batches i.e. SL22-048, SL22-044, SL22-050, SL22-051, SL22-053, SL22-077, SL22-078, SL22-093, SL22-100 and SL22-101 of drug "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle)" to different district drug Warehouses of Uttar Pradesh Medical Supplies Corporation Limited.

Finally Salud Care (India) Pvt. Ltd. has violated conditions of contract of tender clause no. 13 (i). Hence, Salud Care (India) Pvt. Ltd. is, hereby, blacklisted for three years for drug "Calcium Vitamin D3 Suspension (Each 5ml contains Calcium Carbonate eq. to Elemental Calcium 250mg+Vitamin D3 -125 IU), 200 ml Bottle)" from the date of issue of this order.

  
Managing Director  
UPMSCL

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Endorsement No.: UPMSCL/MD/QC/2023/721

Dated : 04 Sept-2023

Copy to the following for information & necessary action:

1. Finance Controller, UPMSCL to kindly ensure that payment is not processed for "Not of Standard Quality" declared drug batches.
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. Salud Care (India) Pvt. Ltd., D-10, 10th floor, Signature-II, Sarkhej-Sanand, Cross Road, Sarkhej Ahmedabad – 382210, Gujrat.

Managing Director  
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With reference to above it is clear that Salud Care (India) Pvt. Ltd. has supplied 10 "Not Of Standard Quality" drug batches i.e. batches no. Batch no SL22-048, SL22-044, SL22-050, SL22-051, SL22-053, SL22-077, SL22-078, SL22-093, SL22-100 and SL22-101 against purchase order no. UP/UP/HQ/22/98/1(10282200724), dated 08-02-2022. Reports declared "Not of Standard Quality" by UPMSC empanelled laboratories has neither been cancelled nor annulled by any higher authority and therefore the analysis report remains conclusive report till date.

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