

CWP-19900-2019

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**CWP-19900-2019.
Decided on: July 22, 2019.**

M/s Ridley Life Science Pvt. Ltd.

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

*** * ***

**CORAM: HON'BLE MR. RAJIV SHARMA
HON'BLE MR. HARINDER SINGH SIDHU**

*** * ***

**PRESENT Mr.Sumit Rajput, Advocate, for
Mr.Parvez Chugh, Advocate,
for the petitioner.**

RAJIV SHARMA, J. (ORAL)

The petitioner has laid challenge to condition No.3 of
General Terms and Conditions for Running Rate Contract of e-Tender (Bid
Ref. No.- E-Tender/PHSC/proc/H & W/2019/010, which reads as under: -

*“iii. The bidder/manufacturer must have WHO-GMP
certificate i.e., Good Manufacturing Practices (GMP)
Certificate in accordance with the W.H.O. And must
possess the item-wise COPP as per WHO technical
report series scheme for the drugs quoted.*

It it is found subsequently that the WHO-GMP certificate has been issued not in accordance with the guidelines issued in this regard by the Drug Controller General of India (which includes joint inspection of the manufacturing unit by central and state drug control authorities), the certificate as well as the tender are liable to be rejected.

The WHO-GMP certificate should be in the prescribed format. GMP certificate as per WHO norms will not be valid.”

The underlying object of requirement of WHO-GMP certificate is that the products manufactured by the petitioner and similar companies should conform to the requirements laid down by WHO-GMP in the larger public interest. The contention of the petitioner that requirement of WHO-GMP certificate is valid only for exports, is not tenable and the same is liable to be rejected.

Accordingly, there is no merit in the writ petition and the same is dismissed.

(RAJIV SHARMA)
JUDGE

July 22, 2019.
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No