



**ALL INDIA INSTITUTE OF MEDICAL SCIENCES
DEPARTMENT OF SURGICAL DISCIPLINES
ANSARI NAGAR, NEW DELHI-110029
Email: storesection.newsurgicalblock@gmail.com
(Surgical Block)**

OFFICE ORDER

Sub: Purchase of Combined Single Generator for Ultrasonic Cutting and Coagulation device with advance Radio-frequency energy (12 Nos.) – Partial modification in the Debarring Order thereof.

Ref. 1) Debarring order of M/s Johnson & Johnson dated 29.04.2021

2) Hon'ble Delhi High Court order on case no. W.P.(C) 5989/2021 dated 25.08.2021.

In continuation to our debarring order dated 29.04.2021 which was challenged by M/s Johnson & Johnson Pvt. Ltd. in the Hon'ble Delhi High Court vide case no. W.P.(C)5989/2021. Hon'ble Delhi High Court passed judgment on 25.08.2021 and directed that *"the writ petition in partly allowed by setting aside the impugned order dated 29.04.2021, insofar as it debars the petitioner from participating in any tender issued by AIIMS for a period of two years. However, in view of findings hereinabove, I see no reason to interfere with cancellation of the supply order under the impugned order"*.

As per directions given by Hon'ble Delhi High Court, New Delhi, the competent authority, AIIMS, New Delhi made following decisions:-

1. The debarment order dated 29.04.2021 in favor of M/s Johnson & Johnson Pvt. Ltd. for two years to participate in any tender at AIIMS, New Delhi has been withdrawn with immediate effect.
2. The supply order no. 08/SB/M&E/2020-21/St. dated 27.03.2021 stands cancelled.
3. The EMD/Performance Security submitted by M/s Johnson & Johnson Pvt. Ltd. stands forfeited.

It is issued with the approval of the Competent Authority.

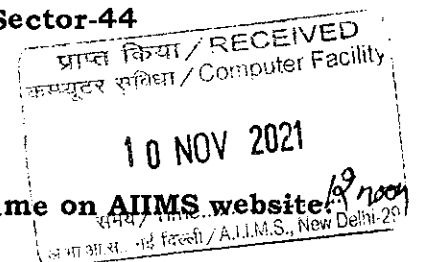
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21/11/2021
Sr. Store Officer (SB)

Distribution:

1. Chief of Centers (CN Centre, Dr. RPC, JPNATC, CDER, NDDTC, Dr. BRA IRCH, NCI, Jhajjar, CHRSP, Ballabgarh)
2. Medical Supdt. (AIIMS)
3. HoDs of all departments
4. Financial Advisor
5. Sr. Stores Officer/Stores Officer/Asst.. Stores Officers /Hospital
6. Dy. Secretary (AIIMS)
7. M/s Johnson and Johnson Pvt. Ltd., Plot No. 118, P Sector-44 Gurgaon 122 002
Email: amishr24@its.jnj.com

Copy to:

1. PPS/PS to Director/Dy. Director (Admn.)/Sr. FA
2. Prof. - In- Charge (CF): With the request to upload the same on AIIMS website.



MS Ankita Saini 2/10/11



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(Surgical Block)**

OFFICE ORDER

Sub: Purchase of Combined Single Generator for Ultrasonic Cutting and Coagulation device with advance Radio-frequency energy (12 Nos.) – Recovery of excess amount paid thereof.

- Ref:** 1. Tender No. 03/SB/M&E/2019-20/St.
1. Supply order No. S.O. No. 08/Surgical Block/M&E/2020-21/St. dated 27.03.2021
2. Supply Order No. HITES/PCD/NCI-AIIMS/31/2019-20/7179 dated 15.02.2020.
3. Rc. No. 126/H/Suture Material/2013-14

This is with reference to supply order No. S.O. No. 08/Surgical Block/M&E/2020-21/St. dated 27.03.2021 placed for the purchase of Combined Single Generator for Ultrasonic Cutting and Coagulation device with advance Radio-frequency energy (12 Nos.). After placing the said supply order, the following was come to the notice:

1. During the process of ascertaining reasonability of prices of items in the purchase of Combined Single Generator for Ultrasonic Cutting and Coagulation device with advance Radio-frequency energy for Surgical Block, M/s Johnson and Johnson had concealed the rates of same quoted items (Equipment and consumables) in NCI, Jhajjar. The said tender was called by HLL wherein rates are lower than what quoted in above referred tender.
2. The rates quoted by M/s Johnson and Johnson for NIC for equipment alongwith consumables are lower than rates already approved in running rate contract with AIIMS vide rate contract no. 126/H/Suture Material/2013-14.
3. M/s Johnson and Johnson Pvt. Ltd. has quoted lower rates to NCI, Jhajjar purchase done by HLL even when there is running rate contract with AIIMS, Delhi.

The matter was brought to the notice of competent authority. The competent authority, AIIMS, New Delhi decided as under:

1. All the procuring entities are informed to recover the excess amount w.r.t. items sr. No. 4, 5 & 7, in cases where these items were procured at higher rates w.e.f. 26.04.2019, the date of opening of price bid of NCI, Jhajjar tender. All

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2/11/2021

future purchases will be at rates approved in NCI, Jhajjar tender. The detail of Items is enclosed at annexure-I.

2. All procuring entities are advised to calculate and recover the excess amount paid to M/s Johnson and Johnson Pvt. Ltd. or its authorized dealer for items mentioned at Sr. No. 6 & 8 w.e.f. 26.04.2019 as compared to Rc. No. 126/H/Suture Material/2013-14. All future purchases for items approved at NCI are to be done at lower rates finalized for NCI till the validity of the rate contract. The detail of Items is enclosed at annexure-I.

It is issued with the approval of the Competent Authority.


Sr. Store Officer (SB)

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6. Dy. Secretary (AIIMS)
7. M/s Johnson and Johnson Pvt. Ltd.
Plot No. 118, P Sector-44
Gurgaon 122 002
Email: amishr24@its.jnj.com

Copy to:

1. PPS/PS to Director/Dy. Director (Admn.)/Sr. FA
2. Prof. - In- Charge (CF): With the request to upload the same on AIIMS website.

Annexure-1

Sr. No	Item Description	Emergency OT (S. O. No. 19/ Emerg.Med./ M&E/PAC/20 15-16 dt. 30.12.2015	CHSP Ballabgarh (SO No. 145/BHC/Store /2015-16 dt.22.02.2016	NCI Jhajjar (SO. No.HITES/ PCD/NCI- AIIMS/31/2019 -20/7179 Dt. 15.02.2020	Rc. No. 126/H/Suture Material/2013- 14
1	Gen 11 Harmonic Generator (HSN Code: 90189029) (item code:- GEN-11)	13,663,85.00	13,66,385.00	8,00,000.00	N.A.
2	CART G11 (item Code: CRT11), (HSN Code: 90189029)	1,00,000.00	1,00,000.00	10,000.00	N.A.
3	Footswitch G11 (Item Code: FSW11), (HSN Code: 90189029) - 12 Nos.	95,000.00	95,000.00	Included in item No. 1 above	N.A.
4	Harmonic Connector (Item Code: HGA11) (HSN Code: 90189029) - 12 Nos.	6,221.00	6,221.00	1,000.00	N.A.
5	HANDPIECE-220V (Item code: HP054) (HSN Code: 90189029) - 12 Nos.	1,01,500.00	1,01,500.00	79,853.00	94,902.50
6	HARMONIC Blue hand piece (Item Code: HP Blue) - 12 Nos.	1,28,064.00	1,28,064.00	Not Quoted	1,19,739.84
7	ACE+7ADV HEMOSTASIS ERGO CURV SHEAR36 (Item code HARH36) (HSN Code: 90189029) - 12 Nos.	43,030.00	43,030.00	31,760.00	36,036.33
8	Enseal G2 Tissue sealer Curved 35 cm with Articulation (item code NSLG2C35A) (HSN Code: 90189029) - 12 Nos.	39,020.00	39,020.00	Not Quoted	36,483.70

Note: NCI, Jhajjar Price Bid opening date is 26.04.2019

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3/11/2024