



अखिल भारतीय आयुर्विज्ञान संस्थान ,रायपुर) छत्तीसगढ़
(All India Institute of Medical Sciences, Raipur (Chhattisgarh)
Tatibandh, GE Road, Raipur-492 099 (CG)
www.aiimsraipur.edu.in

No: AIIMS/R/CS/252/BPS/PAC/22

Date: 25/03/2022

NOC

विषय/Sub: Purchase of “**Supply of VLFTCRT – Universal Generator Cart**” for Dept. of Burn & Plastic Surgery at AIIMS, Raipur on Proprietary Basis – Inviting Comments Thereon.

The institute is in the process for purchase of **Supply of VLFTCRT – Universal Generator Cart** for Dept. of Burn & Plastic Surgery at AIIMS, Raipur from **M/s Medtronic Coviden LLC, USA is sole manufacture** on proprietary basis. The Local agent for above item is **M/s K & D Sales, Raipur**. The Proposal submitted by department of Burn & Plastic Surgery at AIIMS, Raipur and PAC Certificate is attached which is to upload on website.

The above documents are being uploaded for open information to submit objection/comments, if any from any manufacture regarding proprietary nature of the reference **No. AIIMS/R/CS/252/BPS/PAC/22**. The comment should be sent to Store Office, AIIMS, Raipur on upto or before **31.03.2022 upto 3:00 pm**. Failing which it will be presumed that any other vendor having no comments to offer and case will be decided on merits.

Encl: Related documents enclosed (Specification and PAC)

**Sr. Procurement cum Store Officer
AIIMS, Raipur**

वरिष्ठ खरीद सह भंडार अधिकारी
Sr. Procurement cum Stores Officer
अखिल भारतीय आयुर्विज्ञान संस्थान, रायपुर (छ.ग.)
All India Institute of Medical Sciences, Raipur (C.G.)

Medtronic

Covidien llc
15 Hampshire Street
Mansfield, Massachusetts 02048
United States of America

Tel: 1.508 261 8000

www.medtronic.com

Proprietary Article Certificate

To Whomsoever It May Concern:

This is to certify that the below mentioned products:

Product Code	Product Description
E0020V	E0020V//E0020V BIP CORD VL ESU US PIN 4.5M X1
E4052-CT	E4052-CT//E4052-CT CUSHING INS BIP FORCEPS 15CM X1
E4055-CT	E4055-CT//E4055-CT JEWEL IN FORC STR TIP 10.2CM X1
E4058-CT	E4058-CT//E4058-CT CUSHING BAY INS BIP FORC 19CM
E4059-CT	E4059-CT//E4059-CT HARDY INS BAY BIP FORC 21CMX1
E4060-CT	E4060-CT//E4060-CT E4060-CT SEMKIN MICROBIPOLAX1
E4073-CT	E4073-CT//E4073-CT TITAN BAY INS BIP ANG FORC22CM
VLFTCRT	VALLEYLAB FT10 CART

Are the proprietary products of **Covidien LLC, Hampshire Street, Mansfield, MA 02048, USA.**

Medtronic

Proprietary Article Certificate

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Also, "M/s India Medtronic India Pvt Ltd" is a 100% subsidiary of Medtronic Inc. and is authorized to appoint distributors in India.

Covidien PLC, USA, the parent company of Covidien LLC has merged with Medtronic Inc on 26-January-2015.

Signed on behalf of Covidien llc.



Nina Phillips
Regulatory Affairs Operations Specialist

24 February 2022

Date



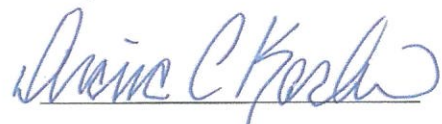
State of Colorado)

) §

County of Boulder)

Subscribed and sworn to before me this Thursday, February 24, 2022. Proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same for purposes therein stated.

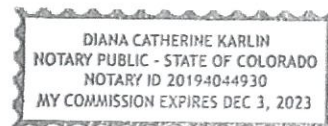
WITNESS my hand and official seal.

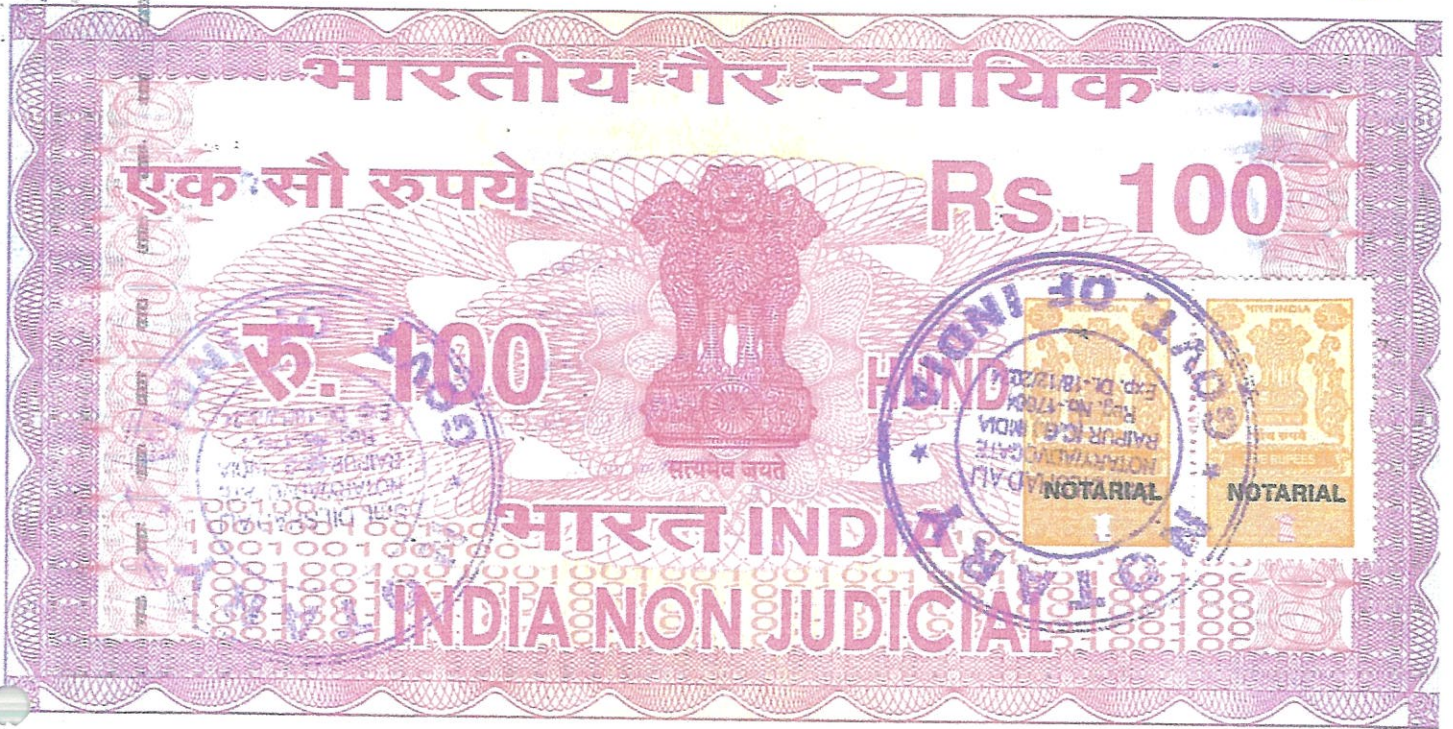


Diana Catherine Karlin

Notary Public

My commission expires December 3, 2023





छत्तीसगढ़ CHHATTISGARH

N 813617

**AMENDMENT TO
NON-EXCLUSIVE DISTRIBUTION AGREEMENT**

12 AUG 2021

This Amendment is entered into, on 17th August 2021, by and between:

K & D Sales, a company having its principal place of business at House no S/42, Sector 2, Avanti Vihar, Near Saxena Nursing Home, Raipur- 492006 ("DISTRIBUTOR"),

And

India Medtronic Private Limited, a company having its principal place of business at 1261, Solitaire Corporate Park, Building No.12, 6th Floor, Andheri-Ghatkopar Link Road, Andheri (E), Mumbai 400 093, INDIA ("PRINCIPAL").



K & D Sales

[Signature]
Proprietor
K & D Sales

12 AUG 2021



Effective Date:	17 th August 2021					
Expiration Date:	31st March 2022					
Reporting period:	<p>The prices, discounts and commercial terms in this term sheet shall be limited to the current Medtronic (MDT) Fiscal year only. All supplies / billings of the products to distributors upon expiry of current fiscal year shall be governed by the commercial terms as per amended term sheet which shall be applicable for the following MDT fiscal year; irrespective of execution date of the term sheet in the following MDT fiscal year</p>					
Medtronic Details:	INDIA MEDTRONIC PRIVATE LIMITED, a company having its principal place of business at 1261, Solitaire Corporate Park, Building No 12, 6th Floor, Andheri-Ghatkopar Link Road, Andheri (E), Mumbai 400 093, INDIA ("Medtronic")					
DISTRIBUTOR Details:	K & D SALES, a company having its principal place of business at House no S/42, Sector 2, Avanti Vihar, Near Saxena Nursing Home, Raipur- 492006 ("DISTRIBUTOR")					
Products:	Surgical (CBD, Ventilator) Range Of Product					
Territory:	<p>Surgical (EBD, Ventilator): Durg-Bhilai Nagar, Raipur, KAWARDHA, JANJIR - CHAMPA, RAJNANDGAON, MAHASAMUND, KANKER, BASTER, DANTEWADA, DHAMTARI, KONDAGANV.</p> <p>The DISTRIBUTOR shall not actively sell Products outside the Territory and, save with the approval of Medtronic, shall not establish a branch office or maintain any distribution depot anywhere outside the Territory for use in connection with the sale or distribution of the Products. Any breach shall entitle Medtronic to terminate this Agreement with immediate effect pursuant to Section 13.2</p>					
Commercial Terms:	<p>Volume Discount: Not Applicable</p> <p>Direct Sales Compensation Rate: Not Applicable</p>					
Minimum Purchase Quotas:	<table border="1"> <thead> <tr> <th>Products</th> <th>Minimum Purchase Quota</th> </tr> </thead> <tbody> <tr> <td>As Mentioned in Products Section above</td> <td>Minimum Purchase Quota shall be shared in a separate letter at later stage</td> </tr> </tbody> </table>	Products	Minimum Purchase Quota	As Mentioned in Products Section above	Minimum Purchase Quota shall be shared in a separate letter at later stage	
Products	Minimum Purchase Quota					
As Mentioned in Products Section above	Minimum Purchase Quota shall be shared in a separate letter at later stage					
Purchase Quota Increment:	25% of Purchase Quota Increment unless agreed otherwise in writing by the parties.					
Restrictions on Competitive Products:	<p>DISTRIBUTOR warrants to Medtronic that, as of the Effective Date, DISTRIBUTOR does not market or distribute in the Territory any products competing with the Products except Approved Competitive Products. During the term of this Agreement, DISTRIBUTOR will not market or distribute such competing products in the Territory, except Approved Competitive Products.</p> <p>DISTRIBUTOR has been advised that the above obligations are material to the distribution relationship and that a breach by the Distributor entitles Medtronic to terminate the Distribution Agreement with immediate effect pursuant to Section 13.2.</p> <p>DISTRIBUTOR shall promptly notify Medtronic of its intention to market or distribute in the Territory any products that could be considered as competing products. Any decision by Medtronic to deem specific products as not competing with Products in the Territory, or to accept DISTRIBUTOR's distribution or marketing of such products notwithstanding their competing nature shall not create a precedent as to the acceptance of any other competing products or a waiver of Medtronic's right to terminate this Agreement if DISTRIBUTOR markets or distributes other competing products.</p>					

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M. R. Singh

K & D Sales

 Proprietor

Competitive Products:	None
Delivery Terms:	FOB-Medtronic Warehouse
Late Payment Interest Rate:	1.5% per month or fraction of month Mode of payment: By RTGS on the next day of expiry of credit period. In case of delay beyond 03 days of due date, a penalty at the rate of Rs.250/- or 0.05% per day, of overdue amount, whichever is higher to be paid. At least 05 post dated cheques to be kept, to be used in case of consistent failure of payment through RTGS
Agreement Currency:	INR
Payment Terms:	Prepayment in advance of shipment, unless otherwise specified in written notice from Medtronic to DISTRIBUTOR
Credit Limit:	Nil
Governing Law:	To be governed by and construed under the laws of India
Jurisdiction:	Mumbai, India
Minimum Staff Requirements:	As agreed with Business Unit
Minimum Inventory Requirements:	As agreed with Business Unit
Email Address for Receipt of Copy of Notices:	Raghu M (Email ID: raghu.m@medtronic.com)
Special terms:	In a situation where there is a failure to take possession of the Products within 48 hours of notification by MEDTRONIC, MEDTRONIC will charge Management fees at the rate of 1 percent of the relevant invoice value or such other percentage as may be notified to DISTRIBUTOR, from time to time.


M. Raghav



K & D Sales

Proprietor

12 AUG 2021

from 17th August , 2021 until 31st March, 2022, for the distribution of the Products in the Territory/Recommended List of Hospitals.

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WHEREAS: The parties would like to amend the Agreement on the terms set out herein, such amendment to take effect as of the Effective Date and to remain in effect during the Term (as defined herein).

NOW THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Clause 1 of the Agreement is hereby superseded and replaced with the attached Clause 1.
2. Schedule A of the Agreement is superseded and replaced with Schedule A attached hereto.
3. All terms used in this Amendment have the meaning defined in the Agreement unless they are otherwise defined in this Amendment, and all other terms and conditions of the Agreement not specifically amended by this Amendment remain unchanged and shall continue to apply between the parties.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Amendment in two original copies.

FOR K&D SALES

K & D Sales

(signature)

[Signature]
Proprietor

(name)

Santosh Chaudhary

(title)

K & D SALES

(date)

17th August , 2021

For INDIA MEDTRONIC PRIVATE LIMITED

(signature)

[Signature]

(name)

M. Raghunandan

(title)

(date)

17th August , 2021

ATTESTED

[Signature]
Smt. Dilshad Ali
Notary/Advocate
RAIPUR (C.G.) INDIA

12th AUG 2021



अखिल भारतीय आयुर्विज्ञान संस्थान, रायपुर (छ.ग.)
All India Institute of Medical Sciences, Raipur (Chhattisgarh)
Tatibandh, GE Road,
Raipur-492 099 (CG)
www.aiimsraipur.edu.in

स्वागित्त्व प्रमाण पत्र
Proprietary Article Certificate

फाइल संख्या और संदर्भ File Number and Reference		
1	सामाग्री का विवरण Description of article	VALLEYLAB FT 10 CART
2	पूर्वानुमानित मात्रा/वार्षिक आवश्यकता Forecast of quantity/annual requirement	SINGLE
3	उपरोक्त मात्रा हेतु अनुमानित मूल्य Approximate estimated value for above	
4	निर्माता का नाम एवं पता Maker's name and address	
5	अधिकृत डीलर/स्टॉकिस्ट का नाम Name(s) of authorised dealers/stockists	
6	मैं पी ए सी के आधार पर उपरोक्त खरीद को स्वीकार करता हूँ और यह प्रमाणित करता हूँ कि: नोट- (बी), (सी-1) या (सी-2) में से केवल एक को बनाए रखने के लिए टिक करें, जो भी लागू हो और दूसरो को काट दें। कृपया (ए) टिक कर पुष्टि करें इसके बिना पीएसी प्रमाण पत्र अवैध होगा I approve the above purchase on PAC basis and certify that:- Note- Tick to retain only one out of (b), (c-1) or (c 2) whichever is applicable and cross out others. Please do confirm (a) by ticking it – without which PAC certificate will be invalid.	
6 (a)	यह एकमात्र फर्म है जो इस मद का निर्माण/संग्रहण कर रहा है। और This is the only firm who is manufacturing /stocking this item. AND	<input checked="" type="checkbox"/>
6 (b)	किसी अन्य फर्म द्वारा समरूप मद निर्मित/विक्रय नहीं किया जाता है, जिसका उपयोग इसके बदले किया जा सकता है। अथवा A similar article in not manufacturing/sold by any other firm, which could be used in lieu OR	
6 (c-1)	कोई अन्य मेक/ब्रांड निम्नलिखित कारणों (जैसे ओईएम/वारंटी के) के लिए उपयुक्त नहीं होगा। अथवा No other make/brand will be suitable for following tangible reasons (like OEM/warranty spares): OR	
6 (c)	कोई अन्य मेक/ब्रांड निम्नलिखित कारणों से उपयुक्त नहीं होगा (अगर पीएसी	

	<p>पिछले खरीद में भी दिया गया था, तो कृपया इसके बाद से अधिक स्रोतों का पता लगाने के लिए प्रयास करें) तथा No other make/brand will be suitable for following intangible reasons (if PAC was also given in the last procurement cycle, please also bring out efforts made since then to locate more sources): OR</p>	
	<p>The cord management system & the configuration of the car is specific to the dimension of the F.T.s. electro-surgical unit purchased for the department of Burns & Plastic Surgery</p>	
7	<p>प्रस्ताव के लिए वित्त शाखा की सहमति का संदर्भ (कार्रवाई भंडार और लेखा विभाग द्वारा की जायेगी) Reference of concurrence of finance wing to the proposal (Action will be taken by stores & Account Department)</p>	<p>.....</p>

पिछले तीन सालों में इस गद् की पीएससी खरीद का इतिहास नीचे दिखा जा सकता है (यदि कोई हो) History of PAC purchase of this item for past three years may be given below (if any)

<p>प्रदायक का नाम Name of the Supplier</p>	<p>K & D Sales</p>		
<p>आदेश/निविदा संदर्भ और दिनांक Order/Tender reference & Date</p>	<p>आदेशित मात्रा Quantity Ordered</p>	<p>आदेश पर मूल दर (₹) Basic Rate on order (Rs.)</p>	<p>प्रतिकूल प्रदर्शन रिपोर्ट अगर कोई हो Adverse Performance Reported if any</p>

अनुमोदन करने वाले प्राधिकारी का हस्ताक्षर -----
02.02.2022
Dr. J.K. Mishra

दिनांक ----- अधिकारी का पदनाम -----
Asst. Surgeon
 Professor