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Fair Competition  
For Greater Good

## COMPETITION COMMISSION OF INDIA

**Case No. 26 of 2023**

**In Re:**

**Manohar Rawat**

B-253, Ground Floor, near Fire Station,  
Industrial Area Phase-1, Naraina  
New Delhi-110028

**Informant**

**And**

**Laerdal Medical Private Limited**

315,3<sup>rd</sup> Floor, A wing Commercial 1, Kohinoor  
City Kirol Road, Kurla West  
Mumbai-400070

**Opposite Party No. 1**

**Adison Equipment Company**

206, Nilgiri, 9, Barakhamba Road  
New Delhi-110001

**Opposite Party No. 2**

**Tulips Global**

28-B Shalimar Bagh  
New Delhi-110088

**Opposite Party No. 3**

**Shreya Enterprises**

27, Amar Nagar, Pal Road  
Jodhpur-342008

**Opposite Party No. 4**

**CORAM**

**Ms. Ravneet Kaur**  
**Chairperson**

**Mr. Anil Agrawal**  
**Member**

**Ms. Sweta Kakkad**  
**Member**

**Mr. Deepak Anurag**  
**Member**



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### Order under Section 26(2) of the Competition Act, 2002

1. The instant Information has been filed by Mr. Manohar Rawat (“**Informant**”) alleging contravention of provisions of Section 3 of the Competition Act, 2002 (“**Act**”) by Laerdal Medical Private Ltd. (“**Opposite Party No. 1**”/ “**OP-1**”), Adison Equipment Company (“**Opposite Party No.2**”/ “**OP-2**”), Tulips Global (“**Opposite Party No.3**”/ “**OP-3**”) and Shreya Enterprises (“**Opposite Party No. 4**”/ “**OP-4**”).
2. The Informant has alleged cartelization in Tender No. Gem/2023/B/3149411 dated 17.02.2023 (“**Tender**”) floated by Government Medical College, Haldawani, Uttarakhand.
3. The Informant has alleged that OP-1, OP-2, OP-3 and OP-4 have colluded in the aforesaid Tender. The Informant has stated that four applicants, namely, Kanishka Pharmaceuticals, OP-2, OP-3 and OP-4 were selected to participate in the Tender. The Informant has stated that OP-2 and OP-4 have quoted on behalf of OP-1, a manufacturer of manikins and simulators. In support of this claim, authority letters issued by OP-1 dated 20.02.2023 and 23.11.2022 in respect of OP-2 and OP-4, respectively, have been enclosed along with the Information. The Informant has further alleged that OP-3 is a connected company of OP-2 as Mr. Alok Mathur, Technical Director of OP-2 is proprietor of OP-3.
4. In support of the allegations, the Informant has stated that Purchase Order (PO) No.560 dated 04/06/2023 of PanIIT Alumni Reach for Jharkhand Foundation, Kalyan Department Complex, Balihar Road, Ranchi submitted by OP-3 is fake and has been prepared in collusion between OP-1, OP-2 and OP-3. The Informant has further stated that the name of OP-3 on the PO No.CG034000691 dated 02.02.2022 of Apollo Medics is edited and that the original name on the document was that of M/s Delhi Surgical and Dressings. It has also been stated that the letter dated 13.07.2022 issued by Tamil Nadu Medical Services Corporation Limited to OP-3 is fake. The Informant has stated that the PO of Government Medical College and Controller, A.G Hospital, Kota dated



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07.06.2022 placed by OP-3 is forged, as the tax for the same was on VAT, while GST is implemented w.e.f. 01.07.2017. It has also been stated that OP-2, OP-3 and OP-4 have similar list of consumables.

5. The Informant has, *inter-alia*, prayed to the Commission to take action against the Opposite Parties, black list them and restrain them from participating/bidding in any tenders for the State of Uttarakhand. The Informant has also requested a rigorous inquiry against the Opposite Parties.
6. The Commission, in its ordinary meeting held on 31.01.2024, considered the Information and decided to pass an appropriate order in due course.
7. The Commission, upon consideration of the material available on record, notes that the allegations of Informant primarily pertain to collusion/cartelisation among the Opposite Parties in relation to the Tender issued by Government Medical College, Haldwani in contravention of provisions of Section 3 of the Act. In support of the allegations of collusion/cartelization, the Informant has furnished certain documents namely; letter dated 20.02.2023 issued by OP-1 to OP-2 authorizing OP-2 to be an exclusive distributor for OP-1 for the Tender, certificate of OP-2 being a MSME; list of consumables of OP-2, OP-3 and OP-4, performance certificate dated 04.06.2022 issued by PanIIT Alumni Reach for Jharkhand Foundation in favour of OP-1 stating that OP-1 has been working satisfactorily, letter dated 23.11.2022 issued by OP-1 to OP-4 authorizing OP-4 to participate in product based bids and enter into rate contracts for manikins and stimulators, letter dated 27.03.2023 issued by OP-4 to Government Medical College, Haldwani in relation to the Tender regarding demonstration of manikins, experience certificate dated 20.02.2023 of OP-3 enclosing various POs of OP-3, letter dated 22.02.2023 issued by Sakamoto Model Corporation, Japan (**Sakamoto**) to Government Medical College, Haldwani authorising OP-3 to be their exclusive importer and distributor for India; MSME certificate in favour of Shri Alok Mathur; certificates of registration, *etc.*, pertaining to Sakamoto; and details about Shri Alok Mathur.



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8. The Commission observes that the aforesaid documents, *prima-facie*, do not substantiate the allegations of collusion/cartelisation in the facts and circumstances of the present case, as raised by the Informant. The Commission notes that the material furnished by the Informant does not *prima-facie*, point to bid rigging or collusive bidding in contravention of provisions of Section 3(3)(d) read with Section 3(1) of the Act by the Opposite Parties.
9. In view of the foregoing, the Commission notes that no case of contravention of provisions of Sections 3 of the Act warranting an investigation into the matter is made out and the matter is directed to be closed forthwith under Section 26(2) of the Act.
10. The Secretary is directed to communicate to the Informant, accordingly.

**Sd/-**  
**(Ravneet Kaur)**  
**Chairperson**

**Sd/-**  
**(Anil Agrawal)**  
**Member**

**Sd/-**  
**(Sweta Kakkad)**  
**Member**

**Sd/-**  
**(Deepak Anurag)**  
**Member**

**New Delhi**  
**Date: 12.03.2024**