



**Compendium of
CIL Guidelines
&
Circulars on
e-procurement of Goods**

As on 31.03.2019



Compendium of CIL Guidelines & Circulars on e-procurement of Goods

As on 31.03.2019

अनिल कुमार झा
अध्यक्ष-सह-प्रबंध निदेशक
Anil Kumar Jha
Chairman-Cum-Managing Director



कोल इण्डिया लिमिटेड
COAL INDIA LIMITED
(A MAHARATNA COMPANY)
A Govt. of India Enterprise
"COAL BHAWAN"
Premises No. 04 MAR, Plot No. AF-III
Action Area-1A, New Town, Rajarhat
Kolkata-700 156

MESSAGE

I am pleased to note that a compendium of various guidelines issued in respect of procurement of goods, is being released on the occasion of visit of Sri K.V.Chowdary, CVC to CIL Hqrs on 05.04.2019.

Procurement of goods is a key support function being carried out from unit to corporate level across geographical vastness of Coal India as per the assigned category of goods. Procurement is an important operational activity that entails transparency and fairness with due observance of conditions as stipulated in the guidelines issued from time to time and valid as on date.

Therefore, the compendium has a distinct advantage of having the guidelines in one place for a uniform and consistent application which is one of the hallmarks of Public Procurement. The guidelines have been categorized under different heads in the compendium for increasing ease of reference.

I would like to convey my appreciation for the efforts of GM(MM), CIL and his officers in bringing about the compendium and wish it serves the purpose of enhancing the awareness of all concerned.

(Anil Kumar Jha)

Kolkata,
26.03.2019

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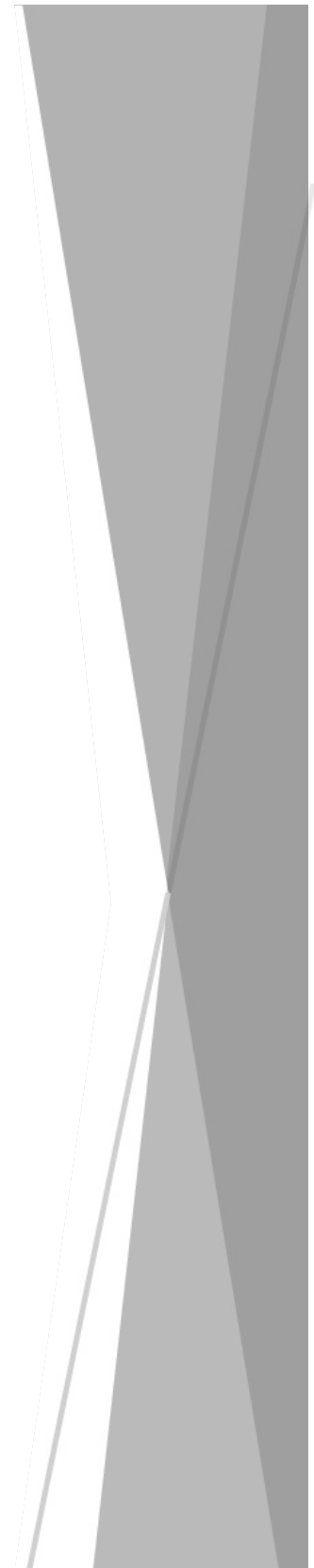
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E-procurement Guidelines

- CIL has implemented e-Procurement way back in 2007. Based on initial success, CIL appointed MSTC as service provider in 2009 through Tendering process.
- In 2011, M/s ITI was appointed as service provider through Tendering process.
- In the year 2013, based on the initial success of NIC at MCL, MoU was signed on 22nd April, 2013 for developing e-procurement cum Reverse Auction portal for CIL and its Subsidiaries.



<p>कोल इण्डिया लिमिटेड भारत की कंपनी सामग्री प्रबंधन विभाग, कोल भवन एनेक्स बिल्डिंग-3 एवं 4 तल 10-नेताजी सुभाष रोड, कोलकाता-7000001 फोन-033 2248 8099 फैक्स-033.2243 5778 ई-मेल: gmmm@coalindia.in वेबसाइट: www.coalindia.in</p>		<p>Coal India Limited A Maharatna Company Materials Management Division, Coal Bhawan Annexe Building (3rd & 4th Floor) 10, NETAJI SUBHAS ROAD, KOLKATA -700 001, W.B PHONE: 033 2248 8099 FAX: 033-2243 5778 E-MAIL: gmmm@coalindia.in WEBSITE: www.coalindia.in</p>
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Ref. No. CIL/C2D/e-Procurement Guidelines/2013/1859

Date: 25.02.2013

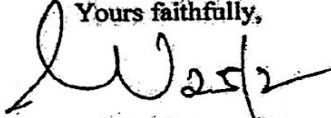
OFFICE ORDER

The guidelines for e-Procurement of Materials by CIL and its Subsidiary Cos. have been approved by CIL Board in its 293rd meeting held on 16th January 2013. A copy of the guidelines is annexed as Annexure-I.

These guidelines will form a part of CIL Purchase Manual and will supersede all relevant provisions of Purchase Manual in case of e-Procurement.

CIL Board, while approving the above guidelines for e-Procurement, has directed that tender should be finalized as quickly as possible under e-tendering process and in any case the period taken should be less than the manual process.

Encl.: Guidelines for e-Procurement of Materials
by CIL and its Subsidiary Cos. in Annexure-I.

Yours faithfully,

(Atul Agarwal)
General Manager (MM)
De. 25/2/13

CC to:

1. CMD, BCCL/CCL/CMPDIL/ECL/ MCL/NCL /SECL/WCL.
2. Director (Tech.), CIL /Director (F), CIL/Director (Marketing), CIL/ Director (P&IR), CIL/ CVO, CIL.
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/ MCL/NCL /SECL/WCL.
4. Director (F), BCCL/CCL/CMPDIL/ECL/ MCL/NCL /SECL/WCL.
5. TS to Chairman, CIL/ TS to Director (Tech.), CIL.
6. GM (F) I/C, CIL/GM (EED), CIL/GM (System), CIL/GM (Telecom), CIL.
7. GM (MM), BCCL/CCL/CMPDIL/ECL/ MCL/NCL /SECL/WCL.
8. CGM (F)/GM (F), BCCL/CCL/CMPDIL/ECL/ MCL/NCL /SECL/WCL.
9. CGM, NEC.
10. Company Secretary, CIL- This has reference to approval of CIL Board communicated vide your letter No. 5736 dated. 29/01/2013 and No. 5899 dated 25/02/2013.
11. All Executives of MM Division, CIL.

CC: CVOs, - All Subsidiary Companies .

Guidelines for e-Procurement of Materials for Coal India Limited (CIL) and its Subsidiaries.

- 1. Preface:** - Electronic procurement (e-procurement) is the use of information and communication technology (specially the internet) by the buyer (in this case CIL and its subsidiaries) in conducting their procurement processes with supplier for the acquisition of goods (supplies), works and services with the aim of open, non-discriminatory and efficient procurement through transparent procedures.

These guidelines may be modified with the approval of Chairman, CIL in order to comply with new or changed laws, directives or guidelines issued by Govt of India (GOI). These guidelines may also be modified with the approval of Chairman, CIL for reasons which, amongst others, may include (a) Improvement in the System functionality (b) Enhanced convenience to the users of the System and (c) Technical limitation in implementation of any feature as proposed in this document; however, all such modifications may not compromise with the basic principles of manual public procurement as given in Guidelines of the Central Vigilance Commission (CVC), the basic Legal, Security and Transparency related requirements and corresponding procedures.

The individual subsidiary companies may seek approval of respective CMDs (*Chairman, CIL in case of CIL) for adopting any particular system required for a particular case.

- 2. Service Provider:-** A Service Provider will be engaged by CIL for CIL and all its subsidiary Companies. The e-procurement systems and processes used by the Service provider shall have to be compliant to all the applicable Laws of India as also to the directives/instructions issued by competent agencies which, amongst others, may include CVC, Standardisation Testing and Quality Certification (STQC) Directorate of the Ministry of Communications & Information Technology, Procurement Policy Division of the Ministry of Finance and Ministry of Coal of GOI.

- 3. SCOPE :-** The e-procurement system will cover the following:

I. Tenders having Indent value/ Tender Value of Rs 2 Lakhs and above.

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- II. All the steps involved starting from hosting of Tenders (based on approved and financially concurred Indent/Material Budget) till determination of techno commercially acceptable lowest bidder is covered like Hosting of NIT, Downloading and submission of bids, Opening of Tender and Evaluation of bids on line on a dedicated e-procurement portal of the company with validation of Tender Committee at nodal stages only. The Portal will also archive the information and generate Reports required for the MIS/Decision Support System of CIL/Subsidiary Cos.
- III. The other terms and conditions of NIT, not covered under this document, will be as per the Purchase Manual of CIL.

Note:-

1. The Purchase Manual of CIL is available on the website www.coalindia.in
2. The Guidelines of e-Procurement for material in CIL/ Sub. Cos. will be available on www.coalindia.in

4. THE ORGANISATIONAL SETUP

An e-procurement cell at CIL and each Subsidiary shall be created whose responsibility shall be as below.

- a. To co-ordinate and correspond with Service Provider, Bidders, User Departments and other concerned authorities such as Banks, Auditors etc. for the effective and efficient implementation of e-procurement consistent with these guidelines
- b. Arrangement of Training to Bidders and Departmental Users for adoption of automated web based e-procurement mode.
- c. To coordinate for the infrastructure development for the proper implementation of the e-Procurement system
- d. To create a helpdesk for online and offline support to different stakeholders of the system
- e. To arrange and update the Digital Signature Certificate for departmental users
- f. To arrange Publicity and facilitate change management for smooth migration from manual system of tendering to electronic mode.
- g. To finalize the different documents, formats etc. for the e-procurement system.
- h. To Administer the e-Procurement Application and Online User Management.

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5. THE PROCESS :

- a. The e-procurement portal shall be in compliance with all relevant Laws of India including the Information Technology Act 2000 and Information Technology (Amendment) Act 2008 and subsequent amendments , if any.
- b. Tenders will be published in the e-Procurement portal by authorized executives of CIL/ Subsidiary Co. with Digital Signature Certificate (DSC) issued with the approval of the competent authority. The authorized executive for this purpose will normally be the HOD of the Material Management/ Purchase department. The tender may be created by the executive as authorized by the HOD, publishing the tender.

While creating/publishing the tender the "Bid Openers" will be identified. For the purpose of tender opening, e-tender may envisage names of four officers (two from MM Discipline and two from Associate Finance) for various tenders. A provision may be kept that tenders may be opened by any two of the above four officers (essentially one from MM Discipline and one from Finance Discipline.)

In case of Tenders floated by MM/Purchase department at CIL/ Subsidiary HQ., the Bid Openers will be the executives posted at CIL/ Subsidiary HQ only and in case of Tenders floated by Area authorities, the Bid Openers will be the executives posted at Area office only. Any individual may have multiple roles in this system.

- c. The Digital Signature Certificates have to be obtained for CIL/ Subsidiary Co. users from certifying agency of NIC which is authorized by Controller of Certifying Authority (CCA) of Govt. of India. The bidders will have to obtain the Digital Signature Certificate from any Certifying Agency, which is authorized by CCA.
- d. Tender will be floated on-line by the MM/Purchase department indicating all the salient details such as description of items, indent value, delivery period, bid validity period, date of pre-bid meeting (if required), start date and last date & time of submission of bid, period for seeking clarifications online by the bidder, date and time of opening of Techno commercial bid etc. and by uploading Notice Inviting Tender (NIT) and Terms & Conditions of supply contract.

After creation of tender a unique "Tender Id" is automatically generated by the system.

The tenders shall be floated on the dedicated e-Procurement portal of CIL/ Subsidiary Cos. and the information will also be hosted in a prescribed format on the Government tender website

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<https://www.tenders.gov.in> and Central Public Procurement Portal (CPP) <http://www.eprocure.gov.in> which shall contain the Description of items, Indent Value/Tender Value, start date and end date of bid submission, date of opening of part-I tender, contact addresses, the Unique Resource Locator (URL) of CIL/ Subsidiary Co.'s tender website for downloading and submission of bid etc.

There shall be no sale of hard copies of tender from issuing Offices. Tenders can be accessed by the prospective bidders on above websites and may be downloaded by them.

In each tender having Indent Value/Tender Value above a threshold value and for all Global Tenders, an Independent External Monitor (IEM) is to be nominated as per Integrity Pact. IEM's name and address is to be given in the NIT and the Integrity Pact will be a part of the NIT document.

Pre-bid meeting may take place, if required, after publication of Tender but in any case at least 1 day before the start date of bid submission. The pre-bid meeting shall be held on the scheduled date & time, if specified in the NIT. The purpose of the pre-bid meeting is to clarify the issues and to answer the questions on any matter that may be raised at that stage. Non-attendance at the pre-bid meeting will not be a cause for disqualification of bidder and it shall be presumed that the bidder does not require any clarification. However, there should be no change in the basic feature of NIT.

- e. The bid submission will start from the next day of e-publication of NIT, but if there is a pre-bid meeting, it will start on the next day of pre-bid meeting.
- (i) Publication of Tender Notice in Newspaper:- The Publication of Tender Notices in Newspaper/ITJ may continue as envisaged in CIL Purchase Manual and policy of the respective companies regarding publication in Newspaper. However, the minimum time should be 21 days for open tender and 30 days in case of global tender. This minimum time shall be counted from date of uploading of tender on CIL/ Sub. Co. Website/ CPP Portal.
- (ii) Limited Tenders:- The above e- Procurement guidelines shall be applicable for limited tenders as well. LTE may be issued to the short listed firms through the e-procurement portal by e-mail alongwith SMS alert. Offers from these short listed firms may received through the e-procurement portal as e-tender only.
- (iii) Single Tender:- In cases where tender is required to be issued to a single party either on single tender basis or on proprietary basis, the enquiry may be sent to the concerned firm through

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the e-procurement portal by e-mail along with SMS alert. Offer will also be required to be submitted by the bidder through the system as e-tender only.

- f. The Tender can be downloaded by any prospective bidder from the website free of cost. The download of tender may start immediately after e-Publication of NIT and shall continue till the last date and time of bid submission.

In all cases of e-tendering there shall not be any tender fee or cost of tender documents payable by the prospective bidder.

Registration/Enrollment of Bidder on e-procurement Portal of CIL:

In order to submit the Bid, the bidders have to get themselves registered online on the e-Procurement portal of CIL with valid Digital Signature Certificate (DSC) issued from any agency authorized by CCA and which can be traced up to the chain of trust to the Root Certificate of CCA. The online Registration of the Bidders on the portal will be free of cost and one time activity only. The registration should be in the name of bidder, whereas DSC holder may be either bidder himself or his duly authorized person.

The bidders will have to accept unconditionally the online user portal agreement which contains the acceptance of all the Terms and Conditions of NIT including Commercial and General Terms & Conditions and other conditions, if any, along with on-line undertaking in support of the authenticity of the declarations regarding the facts, figures, information and documents furnished by the Bidder on-line in order to become an eligible bidder. No conditional bid shall be allowed/accepted.

- g. The bidder will have to give an undertaking online that if the information/declaration/scanned documents furnished in support of the same in respect of eligibility criteria is found to be wrong or misleading at any stage, they will be liable to be punitive action.
- h. The bidder may seek clarification on-line within the specified period. His identity will not be disclosed by the system. The department will clarify as far as possible the relevant queries of bidders. The clarifications given by department will be visible to all the bidders intending to participate in that tender. The clarifications may be asked from the next day of e-publication of NIT. The last date for seeking clarification will be up to 15 (fifteen) days before the last date of submission of bid and the last date of giving clarification on-line will be up to 7 (Seven) days before the last date of submission of bid.

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The tender publishing authority will be responsible for giving the clarifications online within the prescribed time frame.

As the clarifications shall be of explanatory nature only without altering the basic tenants of the tender documents, therefore technical clarifications and commercial clarifications may be issued with the approval of head of Technical Department/ Head of MM(Purchase) Department respectively.

- i. Corrigendum should be issued only in exceptional cases with the due approval of competent authority. However, corrigendum to NIT will be possible on-line with respect to extension of date and address. However, the extension of date for an event/activity will be possible only before the expiry of earlier specified date and time for that particular event. Preponement of date for any event/activity is not permitted. Any corrigendum other than extension of date and change of address is not allowed. The scanned copy of corrigendum notice is to be uploaded on the e-Procurement Portal and also on the portal where the original NIT has been published.
- j. The bidder will submit their Techno commercial Bid and Price bid on-line. No off-line bid shall be accepted.

The bidder will be required to submit EMD through ONLINE mode only.

In Online mode the bidder can make payment of EMD either through net banking from designated Bank or through NEFT/RTGS from any scheduled Bank.

In case of payment through net banking, the money will be immediately transferred to CIL/Subsidiary Cos. designated Account. In case of payment through NEFT/RTGS the bidder will have to make payment as per the Challans (separate challans for Application Fee & EMD) generated by system on e-Procurement portal and will have to furnish online the alpha-numeric Unique Transaction Reference (UTR) Number [for Application Fee & EMD separately] before submission of bid. The payment made through NEFT/RTGS must be received in CIL/Subsidiary Cos. designated Account before the last date and time of submission of bid.

In case of exemption of EMD the scanned copy of document in support of exemption will have to be uploaded by the bidder during bid submission. The EMD will be as per the Purchase Manual of CIL.

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k. The bidders will have to upload scanned copies of various documents required for eligibility and all other documents as specified in NIT, in Cover-I, and "Price-bid" in Cover-II.

1. Technical Parameter Sheet: The Technical Parameter Sheet containing the technical specification parameters for each tendered item will be in Excel format or any other format as specified in NIT (password protected) and will be uploaded during tender creation. This will be downloaded by the bidder and he will furnish all the required information on this file. Thereafter, the bidder will upload the same file during bid submission in General Technical Evaluation (GTE). The Technical Parameter Sheet which is incomplete and not submitted as per instruction given above will be rejected.

2. Price bid: The Price bid containing the bill of quantity will be in Excel format or any other format as specified in NIT (password protected) and will be uploaded during tender creation. This will be downloaded by the bidder and he will quote the rates, taxes & duties etc. for his offered items on this Excel file. Thereafter, the bidder will upload the same Excel file during bid submission in cover-II. The L-1 will be decided for each item/module as stipulated in the NIT. The Price-bids of the tenderers will have no condition. The Price Bid which is incomplete and not submitted as per instruction given above will be rejected.

l. Modification of the submitted bid shall be allowed online only before the deadline of submission of tender and the bidder may modify and resubmit the bid online as many times as he may wish.

Bidders may withdraw their bids online within the end date of bid submission.

m. The Techno Commercial bid will be opened on the pre-scheduled date and time of tender opening. The Techno Commercial bids (Cover-I) will be decrypted on-line and will be opened by the "Bid Openers" with their Digital Signature Certificates. The Bidders may view the bid opening remotely on their personalized dash board under the link "Bid Opening (Live)" and can see the documents submitted by all participating bidders.

n. Tender will be opened on the pre-scheduled date irrespective of the number of offers received. Even in case of receipt of single offer, the same is to be opened for evaluation. In case no offers are received tender will automatically be cancelled with competent approval.

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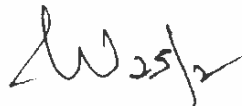
6. Techno- Commercial Evaluation of Bids:-

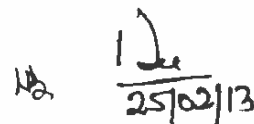
The e-Procurement System will evaluate the Techno Commercial bids automatically with least human intervention. For this purpose all the required parameters will be obtained from the Bidders in an objective and structured manner. Bidders will be required to upload scanned copy of various documents as stipulated in the NIT for the evaluation process, document in support of exemption of EMD (if applicable) and Technical Parameter Sheet(TPS) in Excel/any other format as specified in the NIT, for Technical Evaluation .

- (i) Initially, there will be a technical scrutiny report and commercial scrutiny report generated by the system itself.
- (ii) The copies of system generated technical and commercial scrutiny reports shall be available in the system and may be downloaded by technical department and MM/purchase department respectively for separately carrying out the technical scrutiny and commercial scrutiny.
- (iii) Subsequently, technical scrutiny and commercial scrutiny generated by the system shall be scrutinized/verified by the concerned departments in light of documents uploaded by the bidders in respect of bidders qualified based upon template response only.
- (iv) **Shortfall Document:** The Purchaser may ask for shortfall documents during the evaluation of the bids. These documents shall not be relating to submission of EMD. Request for documents and the response shall be in writing and no change in the prices of the bid shall be sought, offered or permitted. No modification of the bid or any form of communication with CIL/Subsidiary Co. or submission of any additional documents, not specifically asked for by CIL/Subsidiary Co., will be allowed and even if submitted, they will not be considered by the purchaser.

These documents may be allowed to be uploaded within the specified time period of 10 (Ten) days.

The above documents will be specified on-line under the link "Upload shortfall document" by Evaluator normally within 10 days of Technical-bid (Part-I) opening, indicating the start date and end date giving 10 days' time for on-line submission by bidder. The bidders will get this information on their personalized dash board under "Upload shortfall document/ information" link. Additionally, information shall also be sent by system generated e-mail and SMS,

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but it will be the bidder's responsibility to check the updated status/information on their personalized dash board at least once daily after opening of bid. No separate communication will be required in this regard. Non-receipt of e-mail and SMS will not be accepted as a reason of non-submission of documents within prescribed time. The bidder will re-upload the requested documents within the specified period and no additional time will be allowed for on-line submission of documents.

- (v) The final technical and commercial evaluation of bids shall be done by the concerned technical and commercial department, which shall require approval of concerned HOD.
- (vi) After the techno-commercial evaluation, as above, case may be put up to the appropriate level of tender committee for deliberations and recommendations in respect of listing of techno-commercially acceptable bidders.
- (vii) After the shortlisting of techno-commercially acceptable bidders as above, the date and time of opening of Price Bid shall be uploaded in the Portal and shortlisted firms shall also be informed through system generated e-mail and sms alert.
- (viii) The Price bid of the shortlisted bidders (qualified in Techno commercial bid) will be decrypted and opened on the scheduled date and after the pre-scheduled time by the *Bid Openers* with their Digital Signature Certificates. The Bidders may view the price bid opening online remotely on their personalized dash board under the link "Bid Opening (Live)" and can see the price-bid/BOQ submitted by all shortlisted bidders. The Price bids and system generated Comparative Statement will be downloaded and will be signed by the officers opening the Price Bids.
- (ix) A system generated comparative statement of landed cost; will be duly checked and vetted by the associated finance, before the case is put up for further deliberation by the appropriate level of Tender Committee. After opening of Price-bid the Comparative Statement of Prices indicating the rates quoted by all the bidders and item wise L-1 rank will be generated by the system which will be visible to all the participating bidders on-line.
- (x) The EMD of unsuccessful bidders will be refunded through e-Payment, immediately after the bidder is declared unsuccessful. The provision should be kept in the NIT that "the bidders should submit MANDATE FORM for ePayment along with EMD."

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(xi) All the details of Techno Commercial bid and Price bid will be kept preserved in the archives for auditing purposes and the same can be accessed with special authorization. The IP address of all the bidders who has participated in the bid along with timing and date will also be kept preserved in the system.

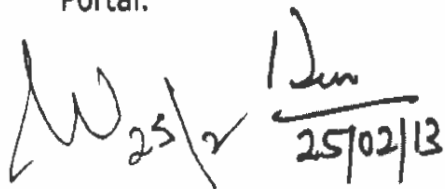
(xii) The Bid validity period for all tenders will be 180 (one hundred eighty) days from the last date of submission of bid.

7. Recommendations and approval : The Tender Committee will recommend for issue of Purchase Order to the successful bidder/s after evaluating their technical eligibility based on the computer generated evaluation sheets and after evaluation of the reasonableness of L-1 rates. The reasonableness of rates will be evaluated as per the provisions of Purchase Manual of CIL and other guidelines issued from time to time.


The approval for issue of Purchase Order to L-1 bidder/s will be accorded by the competent authority as per Delegation of Power based on the TC recommendation.

8. After competent approval and financial concurrence of TCR, the Purchase order to the successful bidder/s will be issued and the scanned copy of the Purchase Order will be uploaded on the e-Procurement portal and the original copy will be sent to the bidder/s through registered/speed post.

Any amendments to the Purchase Order shall also be uploaded in the Portal.

Handwritten signature and date: 25/2, 25/02/13

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COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhavan, Materials Management Division Level1 (1st Floor); Premises No.04,Plot No.AF-III Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 (WB)	PHONE:033-2324 4127 FAX : 033-23244115 Website : www.coalindia.in E mail : gmmm.cil@coalindia.in		कोल इंडिया लिमिटेड कोयला भवन सामग्री प्रबंधन विभाग, लेवल १,परिसर No.04, प्लॉट No.AF-III, Action एरिया 1A, न्यू टाउन, Rajarhat कोलकाता- 700 156.	दुरोभास:033-2324 4127 फैक्स : 033-2324 4115 वेबसाइट: www.coalindia.in ईमेल: gmmm.cil@coalindia.in
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Ref No. CIL/C2D//E procurement Guidelines/NIC/2016/1285

Date : 08.01.2016

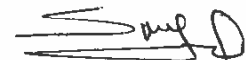
Office Order

The guidelines of revised e procurement of materials by CIL and its Subsidiaries Co,s have been approved by CIL Board in its 322nd meeting held on 13.11.2015 and the provisions with respect to limited tenders and reverse auction have been deliberated in the CMDs Meet and approved by Chairman , Coal India. A copy of the guidelines is enclosed at Annexure -I

These guidelines will supersede the e-procurement guidelines as amended from time to time. However, those provisions of Purchase Manual, 2004 and e-procurement guidelines as amended from time to time, which are not replaced by the above provisions, will remain unaltered.

The revised guidelines shall be effective from 15.01.2016, by which NIC, shall incorporate the new version of GePNIC software in the CIL e procurement portal (<https://coalindiatenders.gov.in>), as well as in other NIC portals of Subsidiaries. However all other NIC portals shall be merged with CIL e procurement portal latest by 31.03.2016. MCL , ECL & CMPDI , who are operating in separate NIC portals shall be required to send their confirmation to NIC for using same software and merger with CIL portal. In other words, the process of procurement shall be uniform in CIL & all other Subsidiaries, without exception. However, the on-going tenders shall be available for evaluation in the existing method till their logical conclusion.

The new version of software shall be available in Demo portal on 11.01.2016. CIL & Subsidiary Co.s shall be testing the same on 12.01.16 & 13.01.16.



General Manager (MM) 08.01.16



Encl : Guidelines of Revised e-procurement , Limited tender & e-Reverse auction in Annexure -I

CC. CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (T), CIL/ Dir (F), CIL/Dir (Mktg), CIL/Dir (P&IR), CIL/ CVO, CIL
Dir (T), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
CVOs, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
TS to Chairman, CIL/TS to Dir (T), CIL
All HOD's, CIL
GM (MM), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI, GM(NEC), GM (DCC)
GM (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
All Executives of MM division CIL

**Guidelines on Revised e-Procurement Process & e-Reverse auction
of Goods through NIC portal of Coal India Limited**

A. Revised e-Procurement Process

1. The bidder shall upload their bids along with all the supporting documents in the e-procurement portal within the stipulated date of tender submission. EMDs are to be paid by the bidders in on line mode, available in the system. However offline mode of EMD payment will be allowed for those Subsidiaries, who are yet to provide their Bank accounts or mapping of the Axis Bank accounts are completed by NIC/Axis Bank. EMD exemption documents will be uploaded as provided in the system, to be verified along with bid documents.
2. Extension of tender submission date in case of number of bids received are less than three, initially by two days and thereafter by five days will be done automatically by the system.
3. Tendering Inviting Authority (TIA) will design General Technical Evaluation (GTE), Technical Parameter Sheet (TPS) as per the tender requirement and may request bidder to upload their bid documents as specified in the NIT.
4. On scheduled date & time of tender opening and upon opening of the tender by the bid opening team, System automatically evaluates particulars as contained in GTE, TPS and other Commercial Parameters (to be combined in TPS).
5. Upon opening of the bids, GTE, TPS, BOQ and all other documents uploaded by the eligible bidders get opened and comparative statement of prices is generated by the system.
6. Supportive documents of L-1 bidder only, shall be downloaded for evaluation by the TIA.
7. After evaluation of the uploaded documents, shortfall documents, if required , are sought from the L-1 bidder. For this purpose, maximum 2 chances, each of 7x24 hours duration shall be given.
8. If the techno-commercial acceptability of L-1 bidder is established upon verification of uploaded documents and short fall documents if any, the case shall be considered by the tender committee. If the L-1 bidder happens to be defaulter upon verification, the documents of the next lowest bidder shall be downloaded for evaluation and short fall documents obtained if required. This process continues sequentially till techno-commercially acceptable L-1 is established.

9. The following penalties shall be imposed on the defaulting bidders :

Sl.	Situation	Penal Provisions
(i)	L-1 bidder is a defaulter for part of items for which he is L-1	50% of EMD amount or Rs.1.00 or whichever, is lower, is forfeited. In case the defaulter is an EMD exempted bidder, he will be asked to deposit the equivalent amount within 7 days of notice otherwise he will be disqualified in the subsequent tender for the item he participates.
(ii)	L-1 bidder is a defaulter for all items for which he is L-1	100% of EMD amount or Rs.1.00 or whichever, is lower, is forfeited. In case the defaulter is an EMD exempted bidder, he will be asked to deposit the equivalent amount within 7 days of notice otherwise he will be disqualified in the subsequent tender for the items he participates.
(iii)	L-1 bidder happens to be a defaulter in 2 tenders issued by the same procurement entity within a span of 1 one year	100% of EMD amount of 2nd tender, is forfeited. In case the defaulter is an EMD exempted bidder, he will be asked to deposit the equivalent amount within 7 days of notice otherwise he will be disqualified in any of the tenders he participates for a period of 1 year.

Note :

* The **zone of applicability** of penal provisions shall be **subsidiary specific**.

** The penal provisions will be squarely applicable to all those firms whose documents are examined on account of treating them as L-1 successively. For OEMs, the debarring actions may not be made for their spares in order to ensure no disruption in supply of such spares.

The submission of forged document, if any, by the bidder (s), shall be dealt as per extant guidelines of the Purchase manual.

B. Limited Tenders:

Revised guidelines for Limited tenders shall be as under ;

1. All limited tenders shall have facility for participation by any prospective bidder who fulfill such eligibility conditions/provenness criteria as may be prescribed therein.

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[Handwritten signatures]

2. Eligibility conditions/provenness criteria as ordinarily applicable in open tenders, shall also be stipulated in all limited tenders. The Eligibility conditions/provenness criteria shall be applicable to all bidders whether listed in limited tenders or not. Offers of all the participating bidders shall be evaluated as per merits in reference to the conditions contained in the tender document.
3. All limited tenders irrespective of the value, shall be published in the e-procurement portal under Tender type 'Open Limited'. All the limited tender documents shall carry a caption " Eligible for participation by any prospective bidder " prominently displayed on the first page.
4. The process of evaluation of limited tenders shall be same as per revised e-procurement process given above.

C. General guidelines and Process Flow for Tender cum Auction:

Tenders issued from CIL , Subsidiary Hqrs and NEC , having tender value of Rs.1.00 Cr and above shall follow reverse auction process as under;

1. The Reverse Auction Process (RAP) requires selection of "Tender cum Auction" in "Form of contract" in the e-procurement portal of CIL, at the time of creation of tenders of value Rs. 1 Crore and above, invited from CIL, Hqrs of Subsidiaries and NEC.
2. Reverse Auction will be initiated after opening of price bids , as detailed above in case of normal tenders.
3. There will be no participation fees for e-Reverse auction.
4. Upon opening of the price bids, a reverse auction platform will be created, displaying only the itemwise L1 price received. No indication will be available in the portal to anybody regarding number of bids and names of the bidders.
5. System displays L1 landed price automatically in auction creation form and allows TIA to edit the value as 'start bid' price. For the time being L1 Price will be the start bid price for tenders for goods. The BOQ shall be designed taking into consideration CENVAT Credit, VAT set off etc., as applicable, so that it is reflected in the landed price.
6. The L1 price / start bid price is landed / cost to the company price on which the auction will be initiated. At the end of reverse auction, the L1 bidder has to submit break up of prices conforming to the lowest landed rate quoted by him in the reverse auction. A stipulation to this effect shall be made in the NITs.
7. The L1 bidder after the reverse auction has to upload the Break up of Landed Prices in the shortfall documents. The detailed Break-up of offered landed price, uploaded by the bidder shall be considered and order, if placed, shall be with the same break-up of prices. The L1 bidder after reverse auction will be responsible to ensure that the landed rate as

per the break up of prices provided by him after the reverse auction and the L1 landed rate offered by him in the reverse auction is exactly same, otherwise it may be treated as withdrawal of offer and will attract penal action. While giving the break up, the bidder will have to consider same rate of taxes and duties as quoted while submitting the e price bid. In case the L1 bidder fails to submit the break-up of landed price within stipulated period, the Company will be at liberty to place order on the basis of the breakup of the e-price bid submitted by the bidder along with the initial offer and the same will be binding on the bidder.

8. To evaluate the L-1 Price, of different kind of tenders, the evaluation criteria would be as under:

Price Evaluation: In reverse auction to evaluate the offers on equal footage the calculation schema (separate for Indigenous and Foreign Bidders) will be prepared and will be provided with the tender. The applicable rate of customs duty will be specified in the NIT.

LCB (Local Competitive Bidding) - The Price for the Reverse auction would be the FOR Destination price, which should include all the components of Taxes and Levies applicable, Freight, Insurance etc as per the pricing schema given in the particular tender.

ICB (International Competitive Bidding) - Only Foreign Bidder: The Price for the Reverse auction should be the CIF Landed price, which should include all the components like FOB charges, ocean / air freight, insurance, landing charges, customs duty etc. as per the pricing schema given in the particular tender.

Mixed Bidders: "FOR Destination price (including Excise Duty, Sales Tax, freight and transit insurance charges)" for Domestic Bidder and " Landed price (i.e. quoted FOB price plus other loadings as per provisions of NIT to arrive at FOR Destination price) for Foreign Bidder as per the pricing schema given in the particular tender.

If there is no acceptable foreign bidder, then the evaluation of the domestic bidders will be made on FOR destination basis.

9. The decrement value will be 0.5 % of the start bid price with minimum of Rs.1/-, as the system does not have a provision of taking amounts less than Rs.1/- as decrement value. The reduction shall have to be made as per decrement value or in multiple thereof.

In order to have ease of submission of reverse auction bid by the bidders, it is suggested that decrement value may be rounded off to nearest value as under :

(a) For decrement values up to Rs.10/-, rounding off may be made to nearest rupee.

(b) For decrement values from Rs.11/- to Rs.100/-, rounding off may be made to nearest 10.

(c) For decrement value from Rs.101/- to Rs.1,000/-, rounding off may be made to nearest 100.

(d) For decrement value from Rs.1,001/- to Rs.10,000/-, rounding off may be made to nearest 1000.

and so on

For cases where the unit rate is low and quantum of item is huge, if the decrement value in terms of 0.5% works out to be in paise and rounding off to nearest rupee, would be much higher than 0.5% of start bid value, the unit of measurement may be adjusted in such a way so that decrement value may remain in the range of 0.5% or Rs.1/- whichever is higher.

For example, Tender for any item, whose unit of measurement is in KG and having low unit rate may be invited in terms of 10 KG or 100 Kg, as may be considered appropriate, as unit of measurement.

10. Initial period of reverse auction will be two hours. There will be auto extensions of time every time by ten minutes in case of any reduction recorded in the last ten minutes. The reverse auction will come to a close only when there is no further reduction recorded in the last ten minutes slot.
11. System protects bid and bidder information till auction gets over and displays current L1 price to the bidder in auction hall.
12. System provides bidder details along with bid documents at the end of reverse auction process.
13. The log details of the entire reverse auction process will be generated by the system once the process of reverse auction is completed.
14. If a bidder does not submit his bid in the Reverse Auction, the price quoted by him in the price bid shall be considered as the valid price of that bidder. The status of the bidder (L1, L2 etc) shall be evaluated considering either the bid price submitted in Reverse auction or the Price quoted in the price bid, whichever is lower.
15. Since, reverse auction is a sequel to e-tender, the process of finalizing the tender upon completion of reverse auction will be same as the tender process without reverse auction.
16. Business rules like event date, time, methodology of start bid price and bid decrement value, extensions, etc. also shall be indicated in NIT for information of bidders.
17. CIL will provide the calculation sheet (e.g.: EXCEL sheet) which will help to arrive at "Total Cost to CIL" by the vendor, like-packing & forwarding charges, Taxes and duties,

Freight charges, Insurance, Service tax for services etc, to enable them to fill-in the price and keep it ready for keying in during the Reverse auction.

18. The bid history shall reflect only the landed price. The landed price shall also not be same for two bidders even if any bidder makes such an attempt.
19. Only the chronologically last bid submitted by the bidder till the end of the auction shall be considered as the valid price bid of that bidder. Any bid submitted earlier by the bidder prior to submission of his last bid will not be considered as the valid price bid.
20. Purchase Preference: In case BEC provides for purchase preference as per Govt. policy, as may be notified time to time to any category of bidders, and if any of the short listed bidders are eligible for such purchase preference in terms of policy, such bidders would get opportunity to match the L-1 prices concluded after reverse auction, if their final prices in Reverse Auction fall within the permitted percentage.
21. Conversion Rate: While evaluating the bids, the exchange rate captured by the e procurement system will be taken into account for conversion of foreign currency into Indian Rupees.
22. Server time shall be the basis of Start time & Closing time for bidding and shall be binding for all. This would be visible to all concerned.
23. On expiry of the closing of the auction, the bid history showing all the last valid bids offered along with name of the bidders shall be published. All bidders shall have the facility to see and get a print of the same for their record.
24. All electronic bids submitted during the reverse auction process shall be legally binding on the bidder. The chronologically last bid submitted by the bidder till the end of the auction will be considered as the valid price bid offered by that bidder and acceptance of the same by CIL will form a binding contract between CIL and the bidder for entering into a contract.
25. Input Tax Credit will be considered for determining the status of the bidders.
26. Conditional discounts shall not be considered. If a bidder offers a discount unilaterally after submission of bid, the discount shall not be considered for evaluation of offers but shall be availed if order is placed on such tenderer.
27. If the lowest price received during reverse auction is unreasonable or it is unacceptable on ground of being too high or too low compared with estimated price, the management reserves right to seek justification of the price from lowest bidder. If the price is not considered reasonable, management may not accept such bid and go for another tender process.

28. In case of disruption of service at the service provider's end while the RAP is online, due to any technical snag or otherwise attributable to the system failure at the server end, the RAP process will start all over again. In such a situation, the last recorded lowest price of prematurely ended RAP, will be the 'Start Bid' price for the restarted RAP. The prices quoted in the prematurely ended RAP will be binding on all the bidders for consideration, if the restarted RAP does not trigger within the stipulated time. A provision to this effect should be made in the NIT.

Disruption and restarting of RAP shall be intimated to all the bidders through system/SMS/e-mail through e procurement portal. All the time stipulations of normal RAP will be applicable to the restarted RAP.

29. TIA will incorporate suitable stipulations in the NITs for all tenders in accordance with the above features and guidelines.

The above procurement process and guidelines shall be effective for the tenders floated w.e.f. 15th January, 2016. However, the ongoing tenders shall remain available in the CIL e tender portal for evaluation by the TIA in the existing method till their logical conclusion.

All those provisions of Purchase Manual, 2004 and e-procurement guidelines as amended from time to time, which are not replaced by the above provisions, will remain unaltered.


The revised e-procurement process has been approved by CIL Board in their 322nd Meet held on 13.11.2015 and the provisions with respect to limited tenders and reverse auction have been deliberated in the CMDs Meet and approved by Chairman, Coal India.



08.01.2016

General Manager(MM)
Coal India Limited



COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhavan, Materials Management Division Level I (1st Floor); Premises No.04,Plot No.AF-III Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 (WB)	PHONE:033-2324 4127 FAX : 033-23244115 Website : www.coalindia.in E mail : gmmm.cil@coalindia.in		कोल इंडिया लिमिटेड कोयला भवन सामग्री प्रबंधन विभाग, लेवल १,परिसर No.04, प्लॉट No.AF-III, Action एरिया 1A, न्यू टाउन, Rajarhat कोलकाता- 700 156.	दुरोभास:033-2324 4127 फैक्स : 033-2324 4115 वेबसाइट: www.coalindia.in ईमेल: gmmm.cil@coalindia.in
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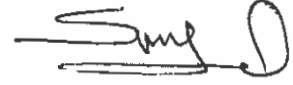
Ref no. CIL/C2D/E procurement Guidelines/NIC/2016/1293

Date: 11.01.2016

Corrigendum

Sub: Office Order No:CIL/C2D/E procurement Guidelines/NIC/2016/1285 dtd 08.01.2016

The 1st line of proposed penal provisions under Sl. no (i) and (ii) of Clause No. 9 of “A-Revised e-Procurement Process” of Annexure-I in the above referred office order may be read as “ 50% of EMD amount or Rs.1.00 Lakh, whichever is lower, is forfeited” & “100% of EMD amount or Rs.1.00 Lakh, whichever is lower, is forfeited” respectively.



General Manager (MM) 11-01-16



CC. CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (T), CIL/ Dir (F), CIL/Dir (Mktg), CIL/Dir (P&IR), CIL/ CVO, CIL
Dir (T), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
CVOs, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
TS to Chairman, CIL/TS to Dir (T), CIL
All HOD's, CIL
GM (MM), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI, GM(NEC), GM (DCC)
GM (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
All Executives of MM division CIL



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कोल् इंडिया लिमिटेड

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Ref. No.CIL/C2D/e-Procurement/NIC/19

Date: 04/04/2016

Office Order

The e-procurement guidelines circulated vide office order no.CIL/C2D/E Procurement Guidelines/NIC/2016/1285 dated 08.01.2016 are here by amended to the following extent;

1. In pursuance of the decision made in the 102nd CMD's Meet held on 23.02.2016, clause no. A,7 of Annexure-I shall be read as under instead of existing entry;

" 7. After evaluation of uploaded documents, short fall documents/clarifications if required, are sought from the L-1 bidder. For this purpose, maximum 2 chances, each of 10x24 hours duration shall be given".

2. A provision to the effect is here by incorporated that Reverse Auction as given for in the 'Tender-Cum-Auction' mode of the portal shall start within two hours of opening of bids. Therefore, bid opening time should be fixed as 11.00 AM in order to ensure that the Reverse Auction Process starts well within the normal working hours on the same day.


Necessary modifications in the NITs are to be carried out accordingly.

This issues with the approval of competent authority.

General Manager(MM)

Distribution:

:CMD - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: Director(Tech)/Director(F)/Director(P), Director(Mktg)/CVO, CIL
: Director(Tech.) - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: Director(F) - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: CVO - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: CGM/TS to Chairman, TS to Director(Tech.)
: ALL HODs, CIL
: GM(MM) - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: GM(F) - - CCL/NCL/BCCL/ECL/WCL/SECL/MCL/CMPDIL
: GM, NEC
: All executives of MM Division, CIL.

COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhavan, Materials Management Division Level I (1st Floor); Premises No.04,Plot No.AF-III Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 (WB)	PHONE:033-2324 4127 FAX : 033-23244115 Website : www.coalindia.in E mail : gmmm.cil@coalindia.in		कोल् इंडिया लिमिटेड कोयला भवन सामग्री प्रबंधन विभाग, लेवल १,परिसर No.04, प्लॉट No.AF-III, Action एरिया 1A, न्यू टाउन, Rajarhat कोलकाता- 700 156.	दुरोभास:033-2324 4127 फैक्स : 033-2324 4115 वेबसाइट: www.coalindia.in ईमेल: gmmm.cil@coalindia.in
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Ref No. CIL/C2D/E procurement Guidelines/HEMM/2017/ 47

Date : 11.04.2017

Office Order

The guidelines of revised e procurement process & e-Reverse Auction of Goods was circulated vide Office Order No. CIL/C2D/E procurement Guidelines/NIC/2016/1285 dated 08.01.2016. The following additional / amended guidelines are issued in accordance with the approval of CIL Board in its 334th meeting held on 13.12.2016, for all HEMM and other high value Mining Equipment :

1. Tenders issued from CIL, Subsidiary Headquarters and NEC for all HEMM and high value Mining equipment shall be created and published in the CIL e procurement portal under a specific Organization chain, as under :
 - (a) Bharat Coking Coal Limited||BCCL_CRITICAL TENDERS
 - (b) Coal India Limited || CILHQ_CriticalTenders
 - (c) Central Coalfields Limited||CCL_CRITICAL TENDERS
 - (d) Central Mine Planning and Design Institute Limited||CMPDI_CRITICAL TENDERS
 - (e) Eastern Coalfields Limited||ECL_CRITICAL TENDERS
 - (f) Mahanadi Coalfields Limited||MCL_CRITICAL TENDERS
 - (g) Northern Coalfields Limited||NCL_CRITICAL TENDERS
 - (h) South Eastern Coalfields Limited||SECL_CRITICAL TENDERS
 - (i) Western Coalfields Limited||WCL_CRITICAL TENDERS
 - (j) North Eastern Coalfields||NEC_CRITICAL TENDERS

The Auto Tendering Process against the above Organization Chain has been disabled, and as such Tenders created in this organization chains are opened in separate stages (i.e Technical & Financial Bid separately).

2. The Tender Inviting Authority (TIA) is required to be registered in the above mentioned specific organization chains with a new Digital Signature Certificate (DSC), if he is already registered in the e procurement portal, as the portal does not support registration of the user with same DSC to different organization chain.
3. The TIA is required to select "Tender cum Auction" in "Form of contract" in the e-procurement portal of CIL, at the time of creation of tenders.

4. There will be no change in the creation of the tender from the existing process. The TIA should create the Tender with two covers and TPS, BOQ, GTE should be used as per requirement of the NIT.
5. On scheduled date & time of tender opening only Cover I will be opened. The documents and the TPS of all the Bidders will be downloaded by TIA.
6. After evaluation of the uploaded documents, shortfall documents, are sought from all the bidders, if required. For this purpose, System allows one chance through Shortfall Document, which should be of 10 X 24 hours. If further clarification / shortfall documents are required, another chance may be given to the Bidders through confirmatory link, keeping a time frame of 10 X 24 hours.
7. The techno-commercial acceptability of all the bidders shall be evaluated and after evaluation, the date of opening of the Price bid shall be fixed. As soon as the date and time of opening Price bids of the techno-commercially acceptable bidders are set in the portal, system will send SMS & e mail alert to the eligible bidders.
8. On initiating the process of opening the Price bid, the system will allow for Auto Financial opening, and upon clicking the button, the Auction BOQ will be created with the L-1 rate of each item as "Auction Start Price in INR". This Auction BOQ Sheet will be filled up as per existing process and uploaded with an intimation of the Exchange rate considered by TIA, in case of Global Tenders.
9. Reverse Auction will be initiated within two hours after opening of price bids, as per the present practice. The auto extensions of time may be increased to 30 minutes in place ten minutes, in case of any reduction recorded in the last 30 minutes.
10. Item-wise H-1 bid will be eliminated during price bid opening, if more than three techno-commercially acceptable bids are available and those bidders will not be able to participate in the Reverse Auction for that item, for which they have quoted H-1 Landed cost. If two bidders have quoted the same H-1 landed cost, the bidder who submitted/frozen the bid later, shall be rejected and will not be able to participate in Reverse Auction.
11. The reverse auction platform will be created, displaying only the itemwise L1 Landed cost received, decrement value, starting and ending time as per present practice. The name of Bidders shall not be made visible to any Bidder, participating in the Reverse Auction.
12. There will be no change in the Reverse Auction procedures, other than above, which will be carried out as per existing practice.
13. The Clause No. A – 9 of the Revised E-procurement Guidelines (Penalty for defaulting Bidders) shall not be applicable in case of this system of opening of the Techno-commercial Cover (Cover- I) and Price Cover (Cover II) separately.

However, the submission of forged document, if any, by the bidder (s), shall be dealt as per extant guidelines of the Purchase manual.


The above guidelines will supersede the e-procurement guidelines , as amended from time to time in respect to only HEMM and other high Value mining equipment, as indicated in the minutes of 334th CIL Board meeting held on 13.12.2016, circulated vide Ref no. CIL:XI(D):04112:2017:15338 Dated 10.01.2017 (Copy Enclosed).

Following provisions of e procurement guidelines, are also amended to be applicable for all types of tenders for Goods :

1. Decrement value : The reduction shall have to be made as per decrement value or in multiple thereon. The maximum seal percentage in one go shall be fixed as 2% over and above the normal decrement of 0.5% i.e. 2.5% of start bid price or the last quoted price during reverse auction, whichever is lower.
2. Break-up of price : The successful bidder shall upload break-up of price online through confirmatory link , after reverse auction in the same structure as per their original price bid and they will not be allowed to increase the initial quoted rate of any component. The composite price may be either equal to the price offered in reverse auction or less.
3. Exchange rate : The exchange rate prevailing on the price bid opening date, shall be fed to the system by the TIA during opening of the price bid. The data may be obtained from RBI / SBI website or directly from Banks. The automatic capturing of exchange rate in the NIC portal have been discontinued due to technical difficulty.


The revised guidelines shall be effective immediately and TIA will be able to float Tenders for HEMM and other high Value mining equipment in the CIL e procurement portal (<https://coalindiatenders.nic.in>), only under the Organization chain mentioned above.

This is issued with the approval of Chairman, CIL


General Manager (MM)/HOD

Encl: Minutes of 334th CIL Board [Item No.334:4(P)]

CC. CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (T), CIL/ Dir (F), CIL/Dir (Mktg), CIL/Dir (P&IR), CIL/ CVO, CIL
Dir (T), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
Dir (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
CVOs, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
TS to Chairman, CIL/TS to Dir (T), CIL
GM , NEC
All HOD's, CIL
GM (MM), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI, GM(NEC), GM (DCC)
GM(ExcV)/GM(E&M)/GM (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
All Executives of MM division CIL

<p>COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhavan, Materials Management Division Premises No.04,Plot No.AF-III Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 (WB) Website : www.coalindia.in E mail: gmmm.cil@coalindia.in</p>		<p>कोल् इंडिया लिमिटेड (एक महारत्न कंपनी) कोयला भवन, सामग्री प्रबंधन विभाग, परिसर No.04, प्लॉट No.AF-III, एक्शन एरिया 1A, न्यू टाउन, राजारहाट कोलकाता- 700 156. वेबसाइट: www.coalindia.in ई मेल: gmmm.cil@coalindia.in</p>
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Ref No. CIL/C2D/E procurement Guidelines/2018/667

Date: 04.09.2018

Office Order / कार्यालय आदेश

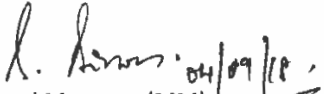
The issue of time period for seeking clarifications / shortfall documents through E-Procurement portal of CIL has been discussed in the 123rd CMDs' Meet held on 08.07.2018 at Kolkata and the following has been decided in respect of seeking clarifications / shortfall documents through the NIC portal for all tenders of goods, works & services:

The time period for the first clarification will be considered for 7 (seven) days instead of 10 (ten) days and for the subsequent second clarification, if required, as 5 (five) days instead of 10 (ten) days.

The above changes shall be applicable for e-procurement guidelines for Goods, Works & Services.

Necessary modifications in NITs may be carried out accordingly.

This has got the approval of competent authority.



General Manager (MM)
04/09/18

Distribution:

- Dir (Tech), CIL / Dir (F), CIL/Dir (Mktg), CIL/Dir (P&IR), CIL/ CVO, CIL
- CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- Dir (T), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- Dir (F), ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- CVOs, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- TS to Chairman, CIL/TS to Dir (T), CIL
- GM (MM) – ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- GM(CMC) – ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- GM(Civil) – ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- All HODs, CIL
- GM (NEC)

Guidelines for procurement through
Govt e Marketplace (GeM)



<p>COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhavan, Materials Management Division Premises No.04, Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 PHONE:033-2324 4127, FAX: 033-2324 4115 Website : www.coalindia.in, E mail : gmmm.cil@coalindia.in/scorasad.cil@coalindia.in</p>		<p>कोल् इंडिया लिमिटेड (महारत्न कंपनी) कोयला भवन सामग्री प्रबंधन विभाग, परिसर संख्या ४, एक्शन एरिया 1A न्यू टाउन, राजरहाट, कोलकाता-७००१५६. फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५ वेबसाइट: www.coalindia.in, ई मेल: gmmm.cil@coalindia.in</p>
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क्र० सं० सीआइएल/सी२डी/Purchase Manual Amdt./GeM/2017/ 1438

दिनांक: 17.02.2017

OFFICE ORDER

The Clause -2.3 (a) of Purchase Manual of CIL is hereby amended to include the following:-

- (i) CIL and its subsidiary companies may place online orders through Government e Marketplace (GeM) Portal (<https://gem.gov.in>) against requirement duly concurred and approved by the competent authority.
- (ii) CIL and its subsidiary companies will be required to obtain User ID /Password from the Portal, following the procedures laid down on its website.

Standard operating procedure for procuring material from Government e Market (GeM)

1. Procurement from Government e Market (GeM) is optional, however proper justification be given for not procuring from the GeM portal, if the material is covered under it.
- 2 **(a) For purchases up to Rs.50,000.00**
 - (i) The technical deptt./user shall identify the item/items available on the GeM portal meeting the indented specifications.
 - (ii) Purchaser(s)/Buyer(s) are authorized to source required items through any of the available suppliers on the GeM meeting requisite quality, specifications and delivery period, however price reasonability is to be established.
 - (iii) There is no restriction for acquiring goods/services of one's choice i.e. from a particular vendor out of different vendors for the same article, however there should be a valid reason to be recorded before passing over other lower/same priced offer, if any. If there is a particular preference about a vendor's product, the purchase may be decided for coverage accordingly provided he is convinced that such action shall result into the most beneficial deals in terms of organization's requirement / cost to the consignee.
 - (iv) The repetitive order should not be covered on the same vendor every time, if there are other vendors who qualifies at par with the earlier vendor.

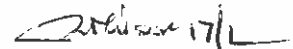
(b) For purchases above Rs.50,000.00

- i) The technical deptt./user shall identify the item/items available on the GeM portal meeting the indented specifications.
 - ii) There should be at least three vendors offering the item(s) of the required specifications. Purchaser(s)/Buyer(s) are authorized to source required items through the supplier having the lowest price amongst the available suppliers on the GeM meeting requisite quality, specifications and delivery period.
 - iii) The GeM portal provides tools for online bidding and online reverse auction which is to be utilized by the Purchaser(s)/Buyer(s).
 - iv) Online bidding is to be undertaken for item(s) valuing above Rs.50,000.00 and up to Rs.1.00 Crore. For item(s) valued above Rs.1.00 Crore, online reverse auction is to be undertaken.
 - v) However, before placement of order, price reasonability is to be established.
3. Payment procedure shall be as per the Department of Expenditure OM No. F.26/4/2016.PPD dtd.20.09.2016 issued for GeM by Ministry / Department / Other Govt. bodies including PSUs etc , which inter alia stipulates payment within 20 days from receipt of materials (10 days for generation of Consignee's Receipt and acceptance certificate, CRAC, and 10 days for making payment online to seller).
 4. While selection of vendor through bidding on GeM portal, commercial clauses like confirmation of delivery, applicability of Liquidated damage, guarantee / warranty, performance bank guarantee, force majeure clause etc. may be considered. However, clauses like EMD may have to be exempted for bidding through GeM portal.
 5. The proposal for procurement shall bring out all the factual position in detail for deliberation by the designated tender committee, constituted as per Purchase Manual. The tender committee shall submit their recommendation with due justification of rates to the competent authority for approval as per delegation of power.
 6. Effort should be made to cover the requirements on vendors available on GeM, however, in case those available in GeM do not meet the requirement in respect of specifications, delivery and quality consideration, CIL / Subsidiary Companies can go ahead with the usual mode of procurement after recording adequate justification for the same.
 7. The order on the successful bidder will be placed online through GeM portal which will be digitally / e-signed by the buyer. These documents will be available online to the concerned consignee as well as paying authority.
 8. The buyer / consignee receives the goods and issue an online Provisional Receipt Certificate (PRC) within 48 hours, on 'said to contain' basis on the GeM portal with his / her digital signature mentioning the date of receipt. From this date of receipt, mentioned in the PRC, a

period of 10 (ten) days shall be given to consignee / buyer for acceptance / rejection vis-à-vis return of materials to the supplier as per GeM's policy.

9. After verification including assessment of quality and quantity / satisfactory installation of machinery and equipment wherever necessary, the consignee will issue online digitally/ e-signed Consignee's Receipt and Acceptance Certificate (CRAC) within 10 days from date of receipt indicated in PRC. However, if the consignee does not issue CRAC on 11th day from the date of receipt indicated in PRC, GeM system / portal would auto generate unsigned CRAC backed with digitally / e-signed PRC for the corresponding quantity which shall be taken as deemed acceptance for payments in lieu of CRAC.
10. After generation of CRAC, the buyer shall prepare payment advice on GeM portal through PFMS requiring DDO functionality or other than PFMS not requiring DDO functionality, as available in GeM portal.
11. The matter pertaining to failure on the part of vendors to adhere to delivery period commitment, supply of inferior goods etc. should be brought to the knowledge of DGS&D for corrective action. Such records shall also be maintained by CIL / Subsidiary Companies. If the material supplied is not as per specification of the ordered product, the same should also be brought to the knowledge of D G S & D.
12. The details of instruction for operation of the GeM portal are available in the portal itself.

This issues with the approval of the Chairman, CIL.




(R. K. Misra)

General Manager (MM)-HOD

Distribution:

1. CMD, ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
2. CVO, CIL
3. Director (Tech.), CIL
4. Director (Fin.), CIL
5. TS to Chairman, CIL
6. CGM(Env)/GM(EED)/GM(Sys)/GM(E&T)/GM(Sales)/GM(Fin)/GM(HRD)/HOD(Admin),
CIL
7. GM(MM)/HOD (MM)- ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
8. GM (Fin.)- ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
9. GM-NEC
10. All executives of MM Deptt., CIL

<p>कोल् इंडिया लिमिटेड (महारात्न कंपनी) कोयला भवन सामग्री प्रबंधन विभाग, परिसर संख्या ४, एक्शन एरिया १ए न्यू टाउन, राजरहाट, कोलकाता- ७००१७६. फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११७ वेबसाइट: www.coalindia.in, ई मेल: gmmm.cil@coalindia.in</p>		<p>COAL INDIA LIMITED (A MAHARATNA COMPANY) Coal Bhawan, Materials Management Division Premises No.04, Action Area 1A, New Town, Rajarhat, Kolkata – 700 156 PHONE:033-2324 4127, FAX: 033-2324 4115 Website : www.coalindia.in, Email: gmmm.cil@coalindia.in</p>
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Ref: CIL/C2D/Purchase Manual Amdt./GeM/2018/ 958

Date: 26/11/2018

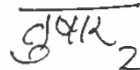

OFFICE ORDER/ कार्यालय आदेश

Sub: Addendum to Office Order No. CIL/C2D/Purchase Manual Amdt./GeM/2017/ 1438 dt.17.02.2017

The following provisions are hereby added to the Office Order No. CIL/C2D/Purchase Manual Amdt./GeM/2017 /1438 dt.17.02.2017 in case of procurement through GeM:-

“ The guidelines issued by GeM/ GoI from time to time through Notification /Circular/ Office memorandum will be followed for purchase through GeM, even if the same are either not specifically indicated in the Purchase Manual / e-procurement guidelines of CIL or not in line with the provisions of CIL’s Purchase Manual / e-procurement guidelines.”

This issues with the approval of Chairman, CIL.


 26/11/18
 महाप्रबंधक (सामग्री विभाग)/ विभागाध्यक्ष


Distribution:

1. Director (Technical), CIL
2. Director (Finance), CIL
3. CMD, ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM, Env/ EED/ Systems/ E&T/ Sales/ Finance/ HRD /Admin/Civil/Welfare/CMC, CIL
7. GM (MM)/HOD, ECL/ BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
8. General Manager, NEC
9. All executives of MM department, CIL

Guidelines for MSME & Start ups





COAL INDIA LIMITED
Materials Management Division
Coal Bhawan
Annexe Building (3rd & 4th Floor)
10, Netaji Subhas Road,
Kolkata - 700 001,

PHONE: (033)-2248 8099
FAX: (033)-2243 5778
E-MAIL: mmmm@coalindia.in
WEBSITE: www.coalindia.in

Ref. No. CH/C2D/P/Procurement Policy/242

Date: 09.05.2012

To
Chairman-cum-Managing Director,
ECL, Sanctoria/ BCCL, Dhanbad/CCL, Ranchi/
WCL, Nagpur/SECL, Bilaspur/NCL, Singrauli/
MCL, Sambalpur/ CMPDIL, Ranchi.


Dear Sir,

**Sub: Public Procurement Policy for Micro and Small
Enterprises(MSEs) order,2012,**

Please find enclosed herewith an order dated 23rd March, 2012 issued by Addl. Secretary and Development Commissioner (MSME), Ministry of Micro, Small and Medium Enterprises, Govt. of India, New Delhi in respect of above subject.


A copy of the above order is being forwarded to you for further needful action at your end.

Encl: As above.

Yours faithfully,

(Atul Agarwal)
General Manager (MM)

Copy to:

1. CGM, NEC, Assam.
2. GM(MM),ECL, Sanctoria/BCCL, Dhanbad/CCL, Ranchi/WCL, Nagpur/
SECL, Bilaspur/NCL, Singrauli/MCL, Sambalpur/CMPDIL, Ranchi.
3. All Executives, M.M. Division, CIL.


09/05/12

**Ministry of Micro, Small and Medium Enterprises
Office of Development Commissioner (MSME)**

**New Delhi,
The 23rd March, 2012**

ORDER

Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012

Whereas, the Central Government Ministries, Departments and Public Sector Undertakings shall procure minimum of 20 per cent of their annual value of goods or services from Micro and Small Enterprises;

And whereas, the Public Procurement Policy shall apply to Micro and Small Enterprises registered with District Industries Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of Micro, Small and Medium Enterprises;

And whereas, the Public Procurement Policy rests upon core principles of competitiveness, adhering to sound procurement practices and execution of orders for supply of goods or services in accordance with a system which is fair, equitable, transparent, competitive and cost effective; and

And whereas, for facilitating promotion and development of micro and small enterprises, the Central Government or the State Government, as the case may be, by Order notify from time to time, preference policies in respect of procurement of goods and services, produced and provided by micro and small enterprises, by its Ministries or Departments, as the case may be, or its aided institutions and public sector enterprises.

Now, therefore, in exercise of the powers conferred in section 11 of the Micro, Small and Medium Enterprises Development (MSMED) Act 2006, the Central Government, by Order, notifies the Public Procurement Policy (hereinafter referred to as the Policy) in respect of procurement of goods and services, produced and provided by micro and small enterprises, by its Ministries, Departments and Public Sector Undertakings.

2. Short title and commencement. -

(1) This Order is titled as 'Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012'.

(2) It shall come into force with effect from 1st April 2012.

3. Mandatory procurement from Micro Small and Enterprises. – (1)

Every Central Ministry or Department or Public Sector Undertaking shall set an annual goal of procurement from Micro and Small Enterprises from the financial year 2012-13 and onwards, with the objective of achieving an overall procurement of minimum of 20 per cent, of total annual purchases of products produced and services rendered by Micro and Small Enterprises in a period of three years.

(2) Annual goal of procurement also include sub-contracts to Micro and Small Enterprises by large enterprises and consortia of Micro and Small Enterprises formed by National Small Industries Corporation.

(3) After a period of three years i.e. from 1st April 2015, overall procurement goal of minimum of 20 per cent shall be made mandatory.

(4) The Central Ministries, Departments and Public Sector Undertakings which fail to meet the annual goal shall substantiate with reasons to the Review Committee headed by Secretary (Micro, Small and Medium Enterprises), constituted in Ministry of Micro, Small and Medium Enterprises, under this Policy.

4. Special provisions for Micro and Small Enterprises owned by Scheduled Castes or Scheduled Tribes. — Out of 20 per cent target of annual procurement from Micro and Small Enterprises, a sub-target of 20 per cent (i.e., 4 per cent out of 20 per cent) shall be earmarked for procurement from Micro and Small Enterprises owned by the Scheduled Caste or the Scheduled Tribe entrepreneurs. Provided that, in event of failure of such Micro and Small Enterprises to participate in tender process or meet tender requirements and L1 price, 4 per cent sub-target for procurement earmarked for Micro and Small Enterprises owned by Scheduled Caste or Scheduled Tribe entrepreneurs shall be met from other Micro and Small Enterprises.

5. Reporting of targets in Annual Report. — (1) The data on Government procurements from Micro and Small Enterprises is vital for strengthening the Policy and for this purpose, every Central Ministry or Department or Public Sector Undertaking shall report goals set with respect to procurement to be met from Micro and Small Enterprises and achievement made thereto in their respective Annual Reports.

(2) The annual reporting shall facilitate in better understanding of support being provided by different Ministries or Departments or Public Sector Undertakings to Micro and Small Enterprises.

6. Price quotation in tenders. — (1) In tender, participating Micro and Small Enterprises quoting price within price band of L1+15 per cent shall also be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a Micro and Small Enterprise and such Micro and Small Enterprise shall be allowed to supply up to 20 per cent of total tendered value.

(2) In case of more than one such Micro and Small Enterprise, the supply shall be shared proportionately (to tendered quantity).

7. Developing Micro and Small Enterprise vendors. – The Central Ministries or Departments or Public Sector Undertakings shall take necessary steps to develop appropriate vendors by organizing Vendor Development Programmes or Buyer-Seller Meets and entering into Rate Contract with Micro and Small Enterprises for a specified period in respect of periodic requirements.

8. Annual Plan for Procurement from Micro and Small Enterprises on websites. – The Ministries or Departments or Public Sector Undertakings shall also prepare Annual Procurement Plan for purchases and upload the same on their official website so that Micro and Small Enterprises may get advance information about requirement of procurement agencies.

9. Enhancing participations of Micro and Small Enterprises including those owned by Scheduled Castes or Scheduled Tribes in Government procurements. – For enhancing participation of Scheduled Castes or Scheduled Tribes in Government procurement, the Central Government Ministries, Departments and Public Sector Undertakings shall take following steps, namely:-

- (a) Special Vendor Development Programmes or Buyer-Seller Meets shall be conducted by Departments/Public Sector Undertakings for Scheduled Castes or Scheduled Tribes;
- (b) Outreach programmes shall be conducted by National Small Industries Corporation to cover more and more Micro and Small Enterprises from Scheduled Castes or Scheduled Tribes under its schemes of consortia formation; and
- (c) National Small Industries Corporation shall open a special window for Scheduled Castes or Scheduled Tribes under its Single Point Registration Scheme (SPRS).

10. Reduction in transaction cost. – To reduce transaction cost of doing business, Micro and Small Enterprises shall be facilitated by providing them tender sets free of cost, exempting Micro and Small Enterprises from payment of earnest money, adopting e-procurement to bring in transparency in tendering

process and setting up a Grievance Cell in the Ministry of Micro, Small and Medium Enterprises.

11. Reservation of specific items for procurement. — To enable wider dispersal of enterprises in the country, particularly in rural areas, the Central Government Ministries or Departments or Public Sector Undertakings shall continue to procure 358 items (Appendix) from Micro and Small Enterprises, which have been reserved for exclusive purchase from them. This will help in promotion and growth of Micro and Small Enterprises, including Khadi and village industries, which play a critical role in fostering inclusive growth in the country.

12. Review Committee. — (1) A Review Committee has been constituted under the Chairmanship of Secretary, Ministry of Micro, Small and Medium Enterprises, for monitoring and review of Public Procurement Policy for Micro and Small Enterprises vide Order No. 21(1)/2007-MA dated the 21st June 2010 (Annexure).

(2) This Committee shall, inter alia, review list of 358 items reserved for exclusive purchase from Micro and Small Enterprises on a continuous basis, consider requests of the Central Ministries or Departments or Public Sector Undertakings for exemption from 20 per cent target on a case to case basis and monitor achievements under the Policy.

13. Setting up of Grievance Cell. — In addition, a 'Grievance Cell' will be set up in Ministry of Micro, Small and Medium Enterprises for redressing grievances of Micro and Small Enterprises in Government procurement. This cell shall take up issues related to Government procurement raised by Micro and Small Enterprises with Departments or agencies concerned, including imposition of unreasonable conditions in tenders floated by Government Departments or agencies that put Micro and Small Enterprises at a disadvantage.

14. Special Provisions for Defence Procurements. — Given their unique nature, defence armament imports shall not be included in computing 20 per cent

goal for Ministry of Defence. In addition, defence equipments like weapon systems, missiles, etc. shall remain out of purview of such Policy of reservation.

15. Monitoring of Goals. — The monitoring of goals set under the Policy shall be done, in so far as they relate to the Defence sector, by Ministry of Defence itself in accordance with suitable procedures to be established by them.

16. Removal of difficulty. — Any difficulties experienced during the course of implementation of the above Policy shall be clarified by Ministry of Micro, Small and Medium Enterprises through suitable Press releases which would be kept on the public domain.

(AMARENDRA SINHA)
Additional Secretary and Development Commissioner (MSME)

No. 21(1)/2007-MA
Government of India
Ministry of Micro, Small and Medium Enterprises
Office of the Development Commissioner (MSME)

‘A’ Wing, 7th Floor, Nirman Bhavan,
New Delhi-110108
Dated: 21st June, 2010

ORDER

Subject: **Constitution of a Committee for monitoring and review of the Public Procurement Policy for Micro and Small Enterprises**

Pending approval of the new Public Procurement Policy for Micro and Small Enterprises (MSEs), a Committee is hereby constituted for looking into the applicability of some of the provisions of the proposed Policy in respect of select Central Ministries/Departments.. The Committee will be chaired by the Secretary, Ministry of Micro, Small and Medium Enterprises.

2. The composition of the Committee will be as follows:

- | | | | |
|--------|---|---|------------------|
| (i) | Secretary,
Ministry of MSME | : | Chairman |
| (ii) | Secretary,
Planning Commission | : | Member |
| (iv) | Secretary,
Department of Public Enterprises | : | Member |
| (v) | Director General (Supplies and Disposals),
Department of Commerce, | : | Member |
| (vii) | Ministry of Commerce and Industry | | |
| (viii) | Additional Secretary and
Development Commissioner (MSME) | : | Member Secretary |

3. The Committee will undertake the following functions:

- (i) Consider the requests of the Central Ministries/Departments/PSUs for exemption, on a case to case basis, from the 20% target;
- (ii) Review the list of 358 items (as per Appendix) reserved for exclusive purchase from the MSEs based on the feedback received from the Central Ministries/Departments/PSUs ;

- (iii) Review the grievances received from MSEs regarding Government procurement, including imposition of unreasonable conditions in the tenders floated by the Government Departments/PSUs; and
- (iv) Suggest special measures to be taken by the Central Ministries/Departments for enhancing their procurements from MSEs.

4. The Committee may co-opt any other Ministries/Departments of the Central Government as well as State Governments or invite any other expert/person associated/concerned with the MSMEs in its meetings, as and when required.

5. The Office of the Development Commissioner (MSME) will provide secretariat support to this Committee.

6. This issues with the approval of the Competent Authority.

Sd/-
(Praveen Mahto)
Additional Economic Adviser
Ph: 23062230, Fax: 23061611

To,
All Members of the Committee

Copy to:

1. Cabinet Secretariat (Shri V.P.Arora, Under Secretary), w.r.t. their O.M.No. 601/2/1/2009-Cab.III dated 24.02.2010
2. PS to Minister (MSME)
3. Sr. PPS to Secretary (MSME)

LIST OF ITEMS RESERVED FOR PURCHASE FROM SMALL SCALE INDUSTRIAL UNITS INCLUDING HANDICRAFT SECTOR.

Sl No. Item Description

1. AAC/and ACSR Conductor upto 19 strands
2. Agricultural Implements
 - (a) Hand Operated tools and implements
 - (b) Animal driven implements
3. Air/Room Coolers
4. Aluminum builder's hardware
5. Ambulance stretcher
6. Ammeters/ohm meter/Volt meter (Electro magnetic upto Class I accuracy)
7. Anklets Web Khaki
8. Augur (Carpenters)
9. Automobile Head lights Assembly
10. Badges cloth embroidered and metals
11. Bags of all types i.e. made of leather, cotton, canvas and jute etc. including kit bags, mail bags, sleeping bags and water-proof bag.
12. Bandage cloth
13. Barbed Wire
14. Basket cane (Procurement can also be made from State Forest Corpn. and State Handicrafts Corporation)
15. Bath tubs
16. Battery Charger
17. Battery Eliminator
18. Beam Scales (upto 1.5 tons)
19. Belt leather and straps
20. Bench Vices
21. Bituminous Paints
22. Blotting Paper
23. Bolts and Nuts
24. Bolts Sliding
25. Bone Meal
26. Boot Polish
27. Boots and Shoes of all types including canvas shoes
28. Bowls
29. Boxes Leather
30. Boxes made of metal
31. Braces
32. Brackets other than those used in Railways
33. Brass Wire
34. Brief Cases (other than moulded luggage)

35. Brooms
36. Brushes of all types
37. Buckets of all types
38. Button of all types
39. Candle Wax Carriage
40. Cane Valves/stock valves (for water fittings only)
41. Cans metallic (for milk and measuring)
42. Canvas Products :
 - (a) Water Proof Deliver, Bags to spec. No. IS - 1422/70
 - (b) Bonnet Covers and Radiators Muff. to spec. Drg. Lv 7/NSN/IA/130295
43. Capes Cotton and Woollen
44. Capes Waterproof
45. Castor Oil
46. Ceiling roses upto 15 amps
47. Centrifugal steel plate blowers
48. Centrifugal Pumps suction and delivery 150 mm. x 150 mm
49. Chaff Cutter Blade
50. Chains lashing
51. Chappals and sandals
52. Chamois Leather
53. Chokes for light fitting
54. Chrome Tanned leather (Semi-finished Buffalo and Cow)
55. Circlips
56. Claw Bars and Wires
57. Cleaning Powder
58. Clinical Thermometers
59. Cloth Covers
60. Cloth Jaconet
61. Cloth Sponge
62. Coir fibre and Coir yarn
63. Coir mattress cushions and matting
64. Coir Rope hawserlaid
65. Community Radio Receivers
66. Conduit pipes
67. Copper nail
68. Copper Napthenate
69. Copper sulphate
70. Cord Twine Maker
71. Cordage Others
72. Corrugated Paper Board and Boxes
73. Cotton Absorbent
74. Cotton Belts
75. Cotton Carriers
76. Cotton Cases
77. Cotton Cord Twine

78. Cotton Hosiery
79. Cotton Packs
80. Cotton Pouches
81. Cotton Ropes
82. Cotton Singlets
83. Cotton Sling
84. Cotton Straps
85. Cotton tapes and laces
86. Cotton Wool (Non absorbent)
87. Crates Wooden and plastic
88. (a) Crucibles upto No. 200
(b) Crucibles Graphite upto No. 500
(c) Other Crucibles upto 30 kgs.
89. Cumblies and blankets
90. Curtains mosquito
91. Cutters
92. Dibutyl phthalate
93. Diesel engines upto 15 H.P
94. Dimethyl Phthalate
95. Disinfectant Fluids
96. Distribution Board upto 15 amps
97. Domestic Electric appliances as per BIS Specifications:-
- Toaster Electric, Elect. Iron, Hot Plates, Elect. Mixer, Grinders, Room heaters and convectors and ovens
98. Domestic (House Wiring) P.V.C. Cables and Wires (Aluminum) Conforming to the prescribed BIS Specifications and upto 10.00 mm sq. nominal cross section
99. Drawing and Mathematical Instruments
100. Drums and Barrels
101. Dust Bins
102. Dust Shield leather
103. Dusters Cotton all types except the items required in Khadi
104. Dyes :
(a) Azo Dyes (Direct and Acid)
(b) Basic Dyes
105. Electric Call bells/buzzers/door bells
106. Electric Soldering Iron
107. Electric Transmission Line Hardware items like steel cross bars, cross arms clamps arching horn, brackets, etc
108. Electronic door bell
109. Emergency Light (Rechargeable type)
110. Enamel Wares and Enamel Utensils
111. Equipment camouflage Bamboo support
112. Exhaust Muffler
113. Expanded Metal
114. Eyelets

115. Film Polythene - including wide width film
116. Film spools and cans
117. Fire Extinguishers (wall type)
118. Foot Powder
119. French polish
120. Funnels
121. Fuse Cut outs
122. Fuse Unit
123. Garments (excluding supply from Indian Ordnance Factories)
124. Gas mantels
125. Gauze cloth
126. Gauze surgical all types
127. Ghamellas (Tasllas)
128. Glass Ampules
129. Glass and Pressed Wares
130. Glue
131. Grease Nipples and Grease guns
132. Gun cases
133. Gun Metal Bushes
134. Guntape
135. Hand drawn carts of all types
136. Hand gloves of all types
137. Hand Lamps Railways
138. Hand numbering machine
139. Hand pounded Rice (polished and unpolished)
140. Hand presses
141. Hand Pump
142. Hand Tools of all types
143. Handles wooden and bamboo (Procurement can also be made from State Forest Corpn. and State Handicrafts Corporation)
144. Harness Leather
145. Hasps and Staples
146. Haver Sacks
147. Helmet Non-Metallic
148. Hide and country leather of all types
149. Hinges
150. Hob nails
151. Holdall
152. Honey
153. Horse and Mule Shoes
154. Hydraulic Jacks below 30 ton capacity
155. Insecticides Dust and Sprayers (Manual only)
156. Invalid wheeled chairs.
157. Invertor domestic type upto 5 KVA
158. Iron (dhobi)
159. Key board wooden

160. Kit Boxes
161. Kodali
162. Lace leather
163. Lamp holders
164. Lamp signal
165. Lanterns Posts and bodies
166. Lanyard
167. Latex foam sponge
168. Lathies
169. Letter Boxes
170. Lighting Arresters - upto 22 kv
171. Link Clip
172. Linseed Oil
173. Lint Plain
174. Lockers
175. Lubricators
176. L.T. Porcelain KITKAT and Fuse Grips
177. Machine Screws
178. Magnesium Sulphate
179. Mallet Wooden
180. Manhole covers
181. Measuring Tapes and Sticks
182. Metal clad switches (upto 30 Amps)
183. Metal Polish
184. Metallic containers and drums other than N.E.C. (Not elsewhere classified)
185. Metric weights
186. Microscope for normal medical use
187. Miniature bulbs (for torches only)
188. M.S. Tie Bars
189. Nail Cutters
190. Naphthalene Balls
191. Newar
192. Nickel Sulphate
193. Nylon Stocking
194. Nylon Tapes and Laces
195. Oil Bound Distemper
196. Oil Stoves (Wick stoves only)
197. Pad locks of all types
198. Paint remover
199. Palma Rosa Oil
200. Palmgur
201. Pans Lavatory Flush
202. Paper conversion products- paper bags, envelops, Ice-cream cup, paper cup and saucers and paper Plates
203. Paper Tapes (Gummed)

204. Pappads
205. Pickles and Chutney
206. Piles fabric
207. Pillows
208. Plaster of Paris
209. Plastic Blow Moulded Containers upto 20 litre excluding Poly Ethylene Terphthalate (PET) Containers
210. Plastic cane
211. Playing Cards
212. Plugs and Sockets electric upto 15 Amp
213. Polythene bags
214. Polythene Pipes
215. Post Picket (Wooden)
216. Postal Lead seals
217. Potassium Nitrate
218. Pouches
219. Pressure Die Casting upto 0.75 kg
220. Privy Pans
221. Pulley Wire
222. PVC footwears
223. PVC pipes upto 110 mm
224. PVC Insulated Aluminium Cables (upto 120 sq. mm) (ISS:694)
225. Quilts, Razais
226. Rags
227. Railway Carriage light fittings
228. Rakes Ballast
229. Razors
230. RCC Pipes upto 1200 mm. dia
231. RCC Poles Prestressed
232. Rivets of all types
233. Rolling Shutters
234. Roof light Fittings
235. Rubber Balloons
236. Rubber Cord
237. Rubber Hoses (Unbranded)
238. Rubber Tubing (Excluding braided tubing)
239. Rubberised Garments Cap and Caps etc
240. Rust/Scale Removing composition
241. Safe meat and milk
242. Safety matches
243. Safety Pins (and other similar products like paper pins, staples pins etc.)
244. Sanitary Plumbing fittings
245. Sanitary Towels
246. Scientific Laboratory glass wares (Barring sophisticated items)
247. Scissors cutting (ordinary)

- 248. Screws of all types including High Tensile
- 249. Sheep skin all types
- 250. Shellac
- 251. Shoe laces
- 252. Shovels
- 253. Sign Boards painted
- 254. Silk ribbon
- 255. Silk Webbing
- 256. Skiboats and shoes
- 257. Sluice Valves
- 258. Snapfastner (Excluding 4 pcs. ones)
- 259. Soap Carbolic
- 260. Soap Curd
- 261. Soap Liquid
- 262. Soap Soft
- 263. Soap washing or laundry soap
- 264. Soap Yellow
- 265. Socket/pipes
- 266. Sodium Nitrate
- 267. Sodium Silicate
- 268. Sole leather
- 269. Spectacle frames
- 270. Spiked boot
- 271. Sports shoes made out of leather (for all Sports games)
- 272. Squirrel Cage Induction Motors upto and including 100 KW440 volts 3 phase
- 273. Stapling machine
- 274. Steel Almirah
- 275. Steel beds stead
- 276. Steel Chair
- 277. Steel desks
- 278. Steel racks/shelf
- 279. Steel stools
- 280. Steel trunks
- 281. Steel wool
- 282. Steel and aluminium windows and ventilators
- 283. Stockinet
- 284. Stone and stone quarry rollers
- 285. Stoneware jars
- 286. Stranded Wire
- 287. Street light fittings
- 288. Student Microscope
- 289. Studs (excluding high tensile)
- 290. Surgical Gloves (Except Plastic)
- 291. Table knives (Excluding Cutlery)
- 292. Tack Metallic

293. Taps
294. Tarpaulins
295. Teak fabricated round blocks
296. Tent Poles
297. Tentage Civil/Military and Salitah Jute for Tentage
298. Textiles manufactures other than N.E.C. (not elsewhere classified)
299. Tiles
300. Tin Boxes for postage stamp
301. Tin can unprinted upto 4 gallons capacity (other than can O.T.S.)
302. Tin Mess
303. Tip Boots
304. Toggle Switches
305. Toilet Rolls
306. Transformer type welding sets conforming to IS:1291/75 (upto 600 amps)
307. Transistor Radio upto 3 band
308. Transistorised Insulation - Testers
309. Trays
310. Trays for postal use
311. Trolley
312. Trollies - drinking water
313. Tubular Poles
314. Tyres and Tubes (Cycles)
315. Umbrellas
316. Utensils all types
317. Valves Metallic
318. Varnish Black Japan
319. Voltage Stablisers including C.V.T's
320. Washers all types
321. Water Proof Covers
322. Water Proof paper
323. Water tanks upto 15,000 litres capacity
324. Wax sealing
325. Waxed paper
326. Weighing Scale
327. Welded Wire mash
328. Wheel barrows
329. Whistle
330. Wicks cotton
331. Wing Shield Wipers (Arms and Blades only)
332. Wire brushes and Fibre Brushes
333. Wire Fencing and Fittings
334. Wire nails and Horse shoe nails
335. Wire nettings of gauze thicker than 100 mesh size
336. Wood Wool
337. Wooden ammunition boxes

- 338. Wooden Boards
- 339. Wooden Box for Stamps
- 340. Wooden Boxes and Cases N.E.C. (Not elsewhere classified)
- 341. Wooden Chairs
- 342. Wooden Flush Door Shutters
- 343. Wooden packing cases all sizes
- 344. Wooden pins
- 345. Wooden plugs
- 346. Wooden shelves
- 347. Wooden veneers
- 348. Woolen hosiery
- 349. Zinc Sulphate
- 350. Zip Fasteners

HANDICRAFT ITEMS

<u>Sl.No.</u>	<u>Item Description</u>	<u>Source of Supply</u>
351	Cane furniture Handlooms	North Eastern Handicrafts and Development Corporation Assam Govt. Marketing Corpn. Craft Society of Manipur Nagaland Handicrafts and Handlooms Development Corpn.
352.	Bamboo file tray, Baskets, Pencil stand, side racks etc.	-do-
353.	Artistic Wooden Furniture	Rajasthan Small Industries Corpn., U.P. Export Corporation.
354.	Wooden paper weight, racks etc.	-do-
355.	Glass covers made of wood and grass jute	-do-
356.	Jute furniture	West Bengal Handicrafts Dev. Corpn. Jute Mfg. Development Corporation Orissa State Handicrafts Dev. Corpn.
357.	Jute bags, file cover	-do-
358.	Woolen and silk carpets	U.P. Export Corporation J and K Sale and Export Corporation

<p>कोल इण्डिया लिमिटेड महारत्न कंपनी (भारत सरकार का एक उपक्रम) सामग्री प्रबंधन विभाग एक्शन एरिया -1, न्यू टाउन, कोलकाता- 700 059 ई-मेल: gmmm.cil@coalindia.in वेबसाइट: www.coalindia.in</p>		<p>Coal India Limited A Maharatna Company (A Govt. of India Enterprise) Materials Management Division, Action Area-1, New Town, Kolkata - 700 059 E-MAIL: gmmm.cil@coalindia.in WEBSITE: www.coalindia.in</p>
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Ref: CIL/C2D/MSME/2017-18/Circular/1504

Date: 19.03.2018

कार्यालय आदेश

SUB: Relaxation of Norms for Startup and Micro & Small Enterprises(MSEs) in Public Procurement Regarding prior Experience-Prior Turnover criteria.

Ref: (1) O.M.No.1(2)(1)/2016-MA dated 10th March 2016 of Additional Secretary and Development Commissioner-MSME, GOI, New Delhi (Annexure-A).

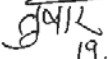
(2) O.M.No. F-20/2/2014-PPD(Pt) dated 25th July 2016 of Under Secretary to GOI, Ministry of Finance, Department of Expenditure, Procurement Policy Division, New Delhi (Annexure-B).

(3) O.M. No. F-20/2/2014-PPD(Pt) dated 20.09.2016 of Under Secretary (PPD), Ministry of Finance, Department of Expenditure, procurement Policy Division, New Delhi (Annexure-C).

Reference is drawn to above three Office Memorandums issued by different department of Govt. of India regarding non-insistence of prior experience and turn over criteria in respect of MSEs and Startups.

With a view to the above, following operational guidelines are being circulated for uniform implementation across Coal India Ltd: -

1. Definition and Eligibility of Startup shall be in line with OM vide letter no. F-20/2/2014 PPD(pt.) dt.25.07.2016 of under Secretary, GOI, subsequent amendment, if any.
2. Definition of MSEs shall be as per Public Procurement 2012 with subsequent amendments, if any.
3. The tender inviting authority shall make a provision in the tender documents that prior experience and turn over criteria is not applicable for Startups & MSEs in the tender in respect of either of the following situation and no further documents regarding provenness will be required to be submitted by these category of bidders.
 - a) If bidders have submitted documents to prove the Startup/MSE status for the tendered item without certificate towards quality, assurance and capability from some authority like MSME, NSIC etc., the tender inviting authority, if needed, may assess the techno-commercial capability of the vendors to manufacture and deliver goods as per the prescribed quality and technical specification before awarding contract to them. If required, a techno-commercial team of the organization may visit the manufacturing unit of the vendor without any undue delay for quick finalization of the tenders.
 - b) If favorable technical capability reports obtained earlier on such firms for supply of the item in question as per the required specification is available, these may be considered, provided date of such reports are not more than one year from the date of opening of bids.
In case there is deficiency in technical capability of the firm, the same is to be communicated to them by tender inviting authority for improvement in the quality


 19.3.18

of their product for future tenders and clearly indicating that their offer cannot be consider for relaxation against the tender in question and to avoid any future complications. The issues relating to Technical capability may be decided by Head of Technical Department.

- c) If bidders have submitted documents to prove the startup/MSE status for the tendered item and whose products are ISI marked/DGMS approved/covered under DGS&D Rate contracts on them / current holding rate contracts with CIL or its subsidiaries for supply of tendered items/ supplied and proven in CIL or its subsidiary companies / Proven product of the ancillary unit of a Subsidiary Company of CIL.

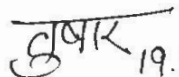
They will be required to submit the applicable related documents duly notarized for relaxation: -

- Valid BIS Marking License for the quoted items on them.
OR
- Rate contract as issued by CIL/any other subsidiary for the quoted items on them.
OR
- Valid DGMS Approval certificate for the quoted items on them.
OR
- Proven Ancillary certificate issued by Subsidiary Companies for the quoted items on them.

The Documents(s)/Certificate(s), by the bidders for ISI marking and DGMS approval for any relaxation should be valid as on date of tender opening and a copy of such document/certificate valid as on date of supply duly notarized, must accompany their bills(s).

4. Subsidiary Companies are required to procure 358 items (modified from time to time), reserved for MSEs in line with MSEs order. These items may be procured from Non-MSE firms if no offer received from MSE in first tender for them. In case single tender is invited for Reserved items for MSEs and other items not reserved for MSEs serial numbers of reserved items for MSEs only and eligibility criteria for other items are to be clearly indicated in the NIT.

This issues with the approval of Competent Authority.


19.3.18
महाप्रबंधक (सामग्री प्रबंधन)
कोल इण्डिया लिमिटेड

Circulation:

- CMDs, All Subsidiary Companies.
- CVO, CIL.
- Director(Technical)/Director (Finance), CIL.
- Director (P&P), All Subsidiary Companies.
- TS to Chairman, CIL. – This has reference to CMDs meet minutes item 119.10
- TS to Director (Technical), CIL.
- GM(EED)/GM(Finance)/GM(CMC)/GM(Civil), CIL.
- GM(MM), All Subsidiary Companies.
- GM(Excvn)/GM(E&M)/GM(Washery)/GM(CMC)/GM(Civil)/All Subsidiary Companies.
- All Executives of MM Department, CIL.

ANNEXURE - A

Government of India
Ministry of Micro, Small & Medium Enterprises
O/o the Development Commissioner (MSME)
Nirman Bhavan, A-Wing, 7th Floor
Maulana Azad Road,
New Delhi-110108
Tel. 011-23061091
Fax No.011-23060536

Policy Circular No. 1(2)(1)/2016-MA

Dt. 10th March 2016

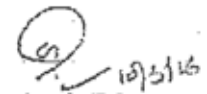
To

All Central Ministries/Departments/CPSUs/All Concerned

Subject: **Relaxation of Norms for Startups and Micro & Small Enterprises in Public Procurement on Prior Experience – Prior Turnover criteria.**

- (1) The Government of India has notified Public Procurement Policy for Micro and Small Enterprises (MSEs) Order 2012 with effect from 1st April, 2012 and 20% procurement from Micro & Small Enterprises of the total procurement by Central Ministries/Departments/CPSUs has become mandatory with effect from 1st April, 2015.
- (2) The Government of India has announced 'Startup India' initiative for creating a conducive environment for Startups in India.
- (3) The Startups are normally Micro and Small Enterprises which may not have a track record. These will have technical capability to deliver the goods and services as per prescribed technical & quality specifications, and may not be able to meet the qualification criterion relating to prior experience-prior turnover.
- (4) In exercise of Para 16 of Public Procurement Policy for Micro and Small Enterprises Order 2012, it is clarified that all Central Ministries/Departments/ Central Public Sector Undertakings may relax condition of prior turnover and prior experience with respect to Micro and Small Enterprises in all public procurements subject to meeting of quality and technical specifications.
- (5) This issues with the approval of Union Minister of Micro, Small and Medium Enterprises.

(Maybe MSEs or others)



(Surendra Nath Tripathi)
Additional Secretary & Development Commissioner-MSME
Ministry of Micro, Small & Medium Enterprises.

ANNEXURE - B

No.F.20/2/2014-PPD(PL)
Ministry of Finance
Department of Expenditure
Procurement Policy Division

516, Lok Nayak Bhawan, New Delhi
Dated the 25th July, 2016

OFFICE MEMORANDUM

Subject:- Relaxation of Norms for Startups Medium Enterprises in Public Procurement regarding Prior Experience - Prior Turnover criteria.

The Government of India has announced 'Startup India' initiative for creating a conducive ecosystem for the growth of Startups in India. The Startups are defined in Annexure-A of the "Action Plan for Startups India". The same is available on the website of Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry.

2. Ministry of Micro, Small & Medium Enterprises (MSMEs) vide Policy Circular No. 1(2)(1)/2016-MA dated 10th March, 2016 has clarified that all Central Ministries / Departments / Central Public Sector Undertakings (CPSUs) may relax condition of prior turnover and prior experience with respect of Micro & Small Enterprises (MSEs) in all public procurements subject to meeting of quality and technical specifications.

3. As per Rule 160(i)(a) of GFR, 2005, there is already a provision that the bidding document should contain criteria for eligibility and qualification to be met by the bidders such as minimum level of experience, past performance, technical capability, manufacturing facilities and financial position etc. In view of above, it is further clarified that all Central Ministries / Departments may relax condition of prior turnover and prior experience in public procurement to all Startups (whether MSEs or otherwise) subject to meeting of quality and technical specifications in accordance with the relevant provisions of GFR, 2005.



(Vinayak T. Likhari)
Under Secretary to the Govt. of India
Tel/Fax -- 24621305
E-mail -- vinayak.likhar@nic.in

To

The Secretaries of all Central Government Ministries/ Departments.

Copy to: -

Financial Advisors of all Central Government Ministries/ Departments.

ANNEXURE - C

No.F.20/2/2014-PPD(Pt.)
Ministry of Finance
Department of Expenditure
Procurement Policy Division

516, Lok Nayak Bhawan, New Delhi
Dated the 20th September, 2016

OFFICE MEMORANDUM


Subject: Relaxation of Norms for Startups: Medium Enterprises in Public Procurement regarding Prior Experience - Prior Turnover criteria.

The undersigned is directed to refer to this Department O.M. of even number dated 25th July, 2016, wherein it was clarified that all Central Ministries/ Departments may relax condition of prior turnover and prior experience in public procurement to all Start-ups [whether Micro & Small Enterprises (MSEs) or otherwise] subject to meeting of quality and technical specifications in accordance with the relevant provisions of GFR, 2005.

2. A doubt has arisen if it makes optional for Central Ministries/ Departments to relax condition of prior experience and prior turnover in public procurement to Startups. In this regard, it is again clarified that normally for all public procurement, the Central Ministries/ Departments have to ensure that criteria of prior turnover and prior experience for all Startups is relaxed subject to their meeting of quality and technical specifications.

3. However, there may be circumstances (like procurement of items related to public safety, health, critical security operations and equipments, etc.) where procuring entities may prefer the vendors to have prior experience rather than giving orders to new entities. For such procurements, wherever adequate justification exists, the procuring entities may not relax the criteria of prior experience/ turnover for the Startups.

4. This issues with the approval of Finance Secretary.


(Vinayak T. Likhari)
Under Secretary (PPD)
Tel/Fax - 24621305
E-mail - vinayak.likhar@nic.in

To

The Secretaries of all Central Government Ministries/ Departments.

Copy to:-

- (i) Financial Advisors of all Central Government Ministries/ Departments.
- (ii) The Secretary, Department of Public Enterprises, Room No.305, Block No.14, CGO Complex, New Delhi-110 003 with a request to issue appropriate instructions to Central Public Sector Undertakings (CPSUs) to implement #5 of "Action Plan for Startup India".

कोल इंडिया लिमिटेड
(एक महारत्न कंपनी)
सामग्री प्रबंधन विभाग
कोल भवन, प्लाट सं.-ए.एफ.-३, एकशन एरिया-१ए
न्यू टाउन, राजरहाट, कोलकाता - ७००१५६
फ़ोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५
वेबसाइट: www.coalindia.in
ईमेल: gmmn.cil@coalindia.in



COAL INDIA LIMITED
(A MAHARATNA COMPANY)
Materials Management Division,
Coal Bhavan, Premises No.04, Action Area 1A,
New Town, Rajarhat, Kolkata-700156
PHONE: 033-2324 4127, FAX: 033-2324 4115
Website: www.coalindia.in
E mail: gmmn.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/एमएसएमई/2018-19/ 678

दिनांक: 07.09.2018

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स

महोदय,

विषय:- Mandatory registration of Udyog Aadhar Memorandum (UAM) by Ministry of Micro, Small and Medium Enterprises (MSME) vendors on Central Public Procurement Portal (CPPP) – reg.

संदर्भ:- 1. F.No. 21(17)/2016-MA dated 06.04.2018 from MSME, GoI, New Delhi along with O.M. No. F.5/4/2018-PPD dated 28.02.2018 of Department of Expenditure, Ministry of Finance
2. Our Office Order vide CIL/C2D/Udyog Aadhar/MSE/2018/47 dated 10.04.2018
3. F.No. 21(3)/2016-MA dated 07.05.2018 received from MSME, GoI, New Delhi

In partial modification to our above office order in respect of the subject matter, the following points may be considered for effecting the benefits of Public Procurement Policy Order, 2012:

1. The MSME bidders should enroll their name in the Coal India e-Procurement Portal as "Preferential Bidder" either by modifying their profile or while making "Online Bidder enrollment". The document in support of MSEs should also be uploaded against the specific tender to avail benefits of Public Procurement Policy Order, 2012.
2. Any MSE registered with District Industries Centre (DIC) or Khadi & Village Industries Commission (KVIC) or Khadi & Industries Board (KVIB) or Coir Board or National Small Industries Corporation (NSIC) or Directorate of Handicrafts and Handlooms or Udyog Aadhar Memorandum or any other body specified by Ministry of MSME will get the benefits of Public Procurement Policy Order, 2012.

This is issued with the approval of the Competent Authority for effective implementation.

भवदीय,

तुषार 07/9/18

(तुषार कांत मिश्र)

महाप्रबंधक (सा प्र) विभागाध्यक्ष

वितरण:

१. निदेशक (तकनीकी), सीआईएल
२. सीआईएल के अध्यक्ष के तकनीकी सचिव
३. सीआईएल के निदेशक (तकनीकी) के तकनीकी सचिव
४. महाप्रबंधक (सिविल)/महाप्रबंधक (सीएमसी)/महाप्रबंधक (प्रशासन), सीआईएल
५. सामग्री प्रबंधन विभाग, सी.आई.एल के सभी अधिकारीगण

07/9/18

विकास आयुक्त का कार्यालय
(सूक्ष्म, लघु और मध्यम उद्यम)
सूक्ष्म लघु और मध्यम उद्यम मंत्रालय
(भारत सरकार)
निर्यात भवन, सातवाँ मंजिल, मौलाना आज़ाद रोड,
नई दिल्ली-110 108



OFFICE OF THE DEVELOPMENT COMMISSIONER
(MICRO, SMALL & MEDIUM ENTERPRISES)
MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES
GOVERNMENT OF INDIA
Nirman Bhawan, 7th Floor, Maulana Azad Road,
New Delhi - 110 108

Ph: EPABX 23063800, 23063862, 23063803 FAX - (91-11) 23062315 23061726 23061068, e-mail: development@ma.nic.in

F.No. 21(17)/2016-MA

6/2/18
April, 2018

All
MSME Development Institute/CPSEs

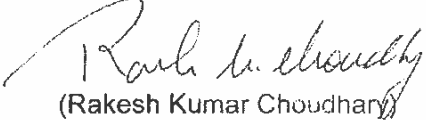
Sub:- Registration of Udyog Aadhar Memorandum (UAM) by Ministry of Micro, Small and Medium Enterprises (MSME) vendor on Central Public Procurement Portal (CPPP)-reg.

Please find enclosed herewith letter no-F.5/4/2018-PPD dated 28.02.2018 on the subject cited above.

In this context for effective implementation and monitoring of procurements being made from MSE vendors it is proposed that declaration of UAM number by the vendors on CPPP is mandatory from 01.04.2018, and it is requested to all procuring entities to ensure that their tender documents contain a condition regarding declaration of UAM number by MSE bidders on CPPP, failing which such bidders will not be able to enjoy the benefits as per PP Policy for MSMEs order, 2012.

Encl-As above

Yours faithfully


(Rakesh Kumar Choudhary)
Dy. Director (MA)

Copy to:

SENET Division for uploading the same on official website.

This Letter has been entered in
e-office vide No. 126957
dt. 12/3/18

No.F 5/4/2018-PPD
Government of India
Ministry of Finance
Department of Expenditure
Public Procurement Division

h
A-229
20/10/18

Yik

516, Lok Nayak Bhavan, Khan Market,
New Delhi Dated the 28th February, 2018.

Imp.
Public Policy
2013/19
ADL/04

OFFICE MEMORANDUM

Subject. Registration of Udyog Aadhar Memorandum (UAM) by Ministry of Micro, Small and Medium Enterprises (MSME) vendors on Central Public Procurement Portal (CPPP)

CPPP already has a provision of capturing UAM number issued by MSME by the vendors in order to identify themselves as MSME vendor. During the meeting held on 25.01.2018, also attended by the representative of MoMSME and National Informatics Centre (NIC), it was noted that already around 35 lakh vendors have registered their UAM number on CPPP. NIC, who are managing CPPP, has also informed that they are likely to link databases of CPPP with UAM by 28.02.2018 in order to facilitate online validation of UAM numbers submitted by vendors on CPPP

2. Once this process is complete, it will be possible to monitor procurements being made from MSE vendors on real time basis without calling any further reports from individual procuring entities, who are calling bids using CPPP. Hence, it is proposed that declaration of UAM number by the vendors on CPPP may be made mandatory from 01.04.2018. The bidders who fail to submit UAM number shall not be able to avail the benefits available to MSEs as contained in Public Procurement Policy for MSEs Order, 2012 issued by MSME

3. During the meeting referred above, it has been decided that for effective implementation of the proposed system, ALL procuring entities should be requested to suitably modify their tender conditions. Hence, all Ministries/ Departments are therefore requested to direct all procuring entities (CPSEs/ Departments/ Autonomous Bodies/ Statutory Bodies) to ensure that their tender documents contain a condition regarding declaration of UAM number by MSE bidders on CPPP, failing which such bidders will not be able to enjoy the benefits as per Public Procurement Policy for MSEs Order, 2012 for tenders invited electronically through CPPP.

Kan
(K. Narayana Reddy)
Under Secretary to the Govt. Of India
Tel No 24621305
Email : kn.reddy@nic.in

13/3/18
Asst DC
This may be given wide publicity
12/3
To
Secretaries to all Central Government Ministries/ Departments

Office of the Under Secretary to the Government of India (DAE)
Tel No 24621305
Mobile No 9810013395
339595 14/3/18
AK

DD (AKQ)
19/3/18
Mof- DoE File No F 5/4/2018-PPD

COAL INDIA LIMITED (A MAHARATNA COMPANY) Materials Management Division 1 st Floor, Premises No.04 MAR Plot No. AF-III, Action Area IA, New Town, Rajarhat, Kolkata - 700 156.	PHONE : 033-2324-4127 FAX : 033-2324-4115 Website : www.coalindia.in E mail : gmmm.cil@coalindia.in		कोल इंडिया लिमिटेड सामग्री प्रबंधन विभाग पहली मंजिन, परिसर संख्या 4 प्लॉट नंबर, ए.एफ-III, क्रिया क्षेत्र 1 ए, न्यू टाउन, राजरहाट कोलकता -700 156.	दुरोधाम: 033-2324-4127 फैक्स: 033-2324-4115 वेबसाइट: www.coalindia.in ईमेल: gmmm.cil@coalindia.in
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Ref. No. : CIL/C2D/Udyog Adhar/MSE/2018/47

Date : 10.04.2018.

सेवामें

GM (MM)/HOD, ECL -	e-Mail : eclmmhqr@gmail.com
GM (MM)/HOD, BCCL -	e-Mail : gmmm@bccl.gov.in
GM (MM)/HOD, CCL -	e-Mail : gmmm.ccl@coalindia.in
GM (MM)/HOD, NCL -	e-Mail : gmmm@ncl.gov.in
GM (MM)/HOD, SECL -	e-Mail : gmmm@secl.gov.in
GM (MM)/HOD, WCL -	e-Mail : gmmm.wcl@coalindia.in
GM (MM/HOD), MCL -	e-Mail : cgm.mm.mcl@nic.in
General Manger, NEC -	e-Mail : gm.nec.cil @coalindia.in
<u>Dy. General Manager (MM), CMPDI -</u>	e-Mail : purchase@cmpdi.co.in

महोदय,

विषय : Registration of Udyog Adhar Memorandum (UAM)

Attached please find letter No. F. No. 21(17)/2016-MA dtd.6th April, 2018, on the above subject, issued by Dy. Director (MA), Ministry of Micro, Small and Medium Enterprises enclosing therein Office Memorandum No. F 5/4/2018-PPD dtd.28th February, 2018 of Govt. of India, Ministry of Finance, Dept. of Expenditure, Public Procurement Division

In this regard, as directed vide above Office Memorandum, you are requested to ensure that all Tender Documents published by your Subsidiary company should contain a condition regarding declaration of UAM No. by MSE bidders, failing which such bidders will not be able to enjoy the benefits as per PP Policy of MSE's Order 2012.

This is issued with the approval of the competent authority for effective implementation.

संगलन : As above.

भवदीय

टी के मिश्रा
 (टी के मिश्रा)

महाप्रबंधक(सामग्रीप्रबंधन)/विभाग अध्यक्ष

प्रतिलिपि :

Director (Tech) , CIL – for kind information.

TS to Chairman.

TS to Director (Tech), CIL

All Officers, MM Deptt, CIL Hq.

विकास आयुक्त का कार्यालय
(सूक्ष्म, लघु और मध्यम उद्यम)
सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय
(भारत सरकार)
निर्माण भवन, सातवीं मंजिल, मौलाना आजाद रोड,
नई दिल्ली-110 108



OFFICE OF THE DEVELOPMENT COMMISSIONER
(MICRO, SMALL & MEDIUM ENTERPRISES)
MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES
GOVERNMENT OF INDIA
Nirman Bhawan, 7th Floor, Maulana Azad Road,
New Delhi - 110 108

F.No. 21(3)/2016-MA

7/10 Mar 2018

All CPSEs,

Sub: Mandatory registration of Udyog Aadhar Memorandum (UAM) Number by MSME vendors on Central Public Procurement Portal (CPPP) -reg.

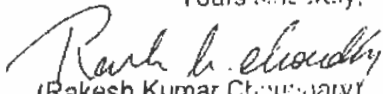
Sir/Madam,

Kindly refer to O.M.No.F.5/4/2018-PPD dated 28.02.2018 of Department of Expenditure, Ministry of Finance on the subject cited above.

In this context, it is to inform you that Government of India has notified Public Procurement Policy for Micro & Small Enterprises (MSEs) Order, 2012 which is applicable for every Central Ministry/Department/PSU, with effect from 1st April, 2015. According to the policy minimum annual procurement of 20% from MSEs (including 4% from SUST entrepreneurs) has become mandatory and any MSE registered with District Industries Centre (DIC) or Khadi & Village Industries Commission (KVIC) or Khadi & Industries Board (KVIB) or Coir Board or national Small Industries Commission (NSIC) or Directorate of Handicrafts and Handlooms or Udyog Aadhar Memorandum or any other body specified by Ministry of MSME will get the benefits of Public Procurement Policy.

This issues with the approval of competent authority.

Yours sincerely,


(Rakesh Kumar Choudhary)
Dy. Director (MA)

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फ़ोन: ०३३-२३२४ ४१२७, फ़ैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in

ईमेल: gmmm.cil@coalindia.in



COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.in

E mail: gmmm.cil@coalindia.in

Ref: CIL/C2D/Purchase Manual/2018/ 103 :

Date: 12.12.2018

To:

GM (MM) – HOD, BCCL, Dhanbad
GM (MM) – HOD, CCL, Ranchi
GM (MM) – HOD, ECL, Sanctoria
GM (MM) – HOD, MCL, Sambalpur
GM (MM) – HOD, NCL, Singrauli
GM (MM) – HOD, SECL, Bilaspur
GM (MM) – HOD, WCL, Nagpur
GM (NEC), Margherita
HOD (MM), CMPDIL, Ranchi

Office Order

Dear Sir,



Sub: Amendment to Public Procurement Policy for Micro and Small Enterprises (MSEs)
Order, 2012 Implementation – reg.

Please find enclosed letter no. F.No. 21(8)/2018-MA dated 09.11.2018 issued by Dy. Director (MA), Office of Development Commissioner (MSME), Ministry of MSME, GoI, regarding the **change in minimum annual procurement from MSEs** for your information and effective implementation.

This issues with the approval of Chairman, CIL.

Encl: As above

Yours faithfully,


(T. K. Mishra) 12/12/18
GM (MM) HOD


Distribution:

1. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admin)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
8. All executives of MM Division, CIL

हिंदी संस्करण दूसरी ओर

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फ़ोन: ०३३-२३२४ ४१२७, फ़ैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.inईमेल: gmmm.cil@coalindia.in**COAL INDIA LIMITED**

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.inE mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/परचेज मैनुअल/२०१८/१०३

दिनांक: १२.१२.२०१८

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्दर्न कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफ्रील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफ्रील्ड्स
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड

कार्यालय आदेश

महोदय,

विषय: सूक्ष्म और लघु उद्यम (एमएसई) के सार्वजनिक प्रापण नीति आदेश 2012 में संशोधन - कार्यान्वयन के संबंध में

एमएसई से न्यूनतम वार्षिक खरीद में परिवर्तन के संबंध में उप निदेशक (एम ए), विकास आयुक्त का कार्यालय (एमएसएमई), सूक्ष्म लघु और मध्यम उद्यम मंत्रालय, भारत सरकार का कार्यालय ज्ञापन सं० एफ नं.२१(८)/२०१८-एम ए दिनांक ०९.११.२०१८ आपकी जानकारी एवं प्रभावी कार्यान्वयन के लिए संलग्न हैं।

यह अध्यक्ष, सीआईएल के अनुमोदन के साथ निर्गत किया जाता है।

संलग्न: उल्लेखानुसार

भवदीय,

तुषार 12/12/18

(तुषार कांत मिश्र)

महाप्रबंधक (सा प्र) विभागाध्यक्ष

वितरण:

१. सी. एम. डी, बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
२. निदेशक (वित्त)/निदेशक (विपणन)/निदेशक (तकनीकी)/निदेशक (कार्मिक), सीआईएल
३. निदेशक (तकनीकी), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. मुख्य सतर्कता अधिकारी, सीआईएल
५. सीआईएल के अध्यक्ष के तकनीकी सचिव
६. महाप्रबंधक(वित्त)/महाप्रबंधक(सिविल)/महाप्रबंधक(सीएमसी)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(ईईडी)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(सीवी), सीआईएल
७. महाप्रबंधक (वित्त), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
८. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण

English Version Overleaf

विकास आयुक्त का कार्यालय

(सूक्ष्म, लघु एवं मध्यम उद्यम)
सूक्ष्म, लघु एवं मध्यम उद्यम मंत्रालय
(भारत सरकार)

निर्माण भवन, सातवीं मंजिल, मौलाना आज़ाद रोड,
नई दिल्ली-110 108



सत्यमेव जयते
OFFICE OF THE DEVELOPMENT COMMISSIONER
MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES
GOVERNMENT OF INDIA

OFFICE OF THE DEVELOPMENT COMMISSIONER
(MICRO, SMALL & MEDIUM ENTERPRISES)
MINISTRY OF MICRO, SMALL & MEDIUM ENTERPRISES
GOVERNMENT OF INDIA

Nirman Bhawan, 7th Floor, Maulana Azad Road,
New Delhi-110 108

Ph. EPAX-23063800, 23063802, 23063803, 23063804, 23063805 & 23063806

F. No. 21(8)/2018-MA

9th November, 2018

To,

All CPSEs

Subject: Amendment to Public Procurement Policy for Micro and Small Enterprises (MSEs)
Order, 2012 Implementaion-reg

Sir,

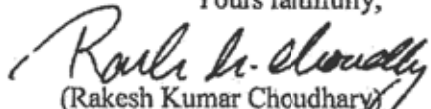
As you may be aware that Ministry of Micro, Small and Medium Enterprise (MSME), Government of India has notified Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 which mandates 20% of annual procurement by the Central Ministries/ Departments and CPSEs from MSEs including 4% from MSEs owned by SC/ST entrepreneurs. This Policy has become mandatory w.e.f. 1st April, 2015.

It has been felt that an enhancement of benchmark preference from 20% to 25% and 3% reservation for women would further help the MSEs immensely in the Government's 'Make in India' initiative. Accordingly, a proposal to make amendment in the Public Procurement Policy for MSEs Order, 2012 has been submitted to the Cabinet and Cabinet has approved the following:-

- To increase in the percentage of procurement of goods and services by Government Departments/CPSEs from MSEs from the present at least 20% to at least 25% of their total procurement;
- To provide for a minimum of 3% reservation for women owned MSEs within the above mentioned 25% reservation to make it more inclusive; and
- These amendments will come into force with immediate effect.

It is therefore requested to kindly implement the above and also indicate the procurement made from MSEs owned by women for which link has been already provided in the MSME Sambandh Portal.

Yours faithfully,


(Rakesh Kumar Choudhary)
Dy. Director (MA)

कोल इंडिया लिमिटेड

(महारत्न कंपनी)
कोयला भवन
सामग्री प्रबंधन विभाग,
परिसर संख्या 4, एचएन एरिया 1ए
न्यू टाउन, राजरहाट, कोलकाता-700156
फोन : +33-2324 4127, फैक्स : +33-2324 4115
वेबसाइट: www.coalindia.in, ईमेल: gmmm.cil@coalindia.in



An ISO 9001:2015, ISO 14001:2015 &
ISO 50001:2011 Certified Company

COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata - 700 156

PHONE:033-2324 4127, FAX: 033-2324 4115

Website : www.coalindia.in

E mail : gmmm.cil@coalindia.in

No. CIL/C2D/MSME/2018-19/1215

Date: 08.02.2019
०४

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स

महोदय,

Sub: Amendment in Provisions of section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006).

Attached please find a copy of the letter vide No. CIL:XI(D):04009:2019:22484 dated 25.01.2019 of Company Secretary, Coal India Limited addressed to CFO, Coal India Limited.

It is informed that Ministry of Corporate Affairs vide its Notification dated 22nd January, 2019 has amended the provision as per the provisions of Section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006). It is also advised to fill in the prescribed MSME Form I on the payment dues to the MSME firms and the reasons for delay of payment and every company shall submit a half yearly return stating the amount of payment dues to the MSME firms and the reasons for delay of payment to the Ministry of Corporate Affairs.

The letter and the copy of the above said notification of Ministry of Corporate Affairs with MSME Form I are attached for your perusal and further necessary action.

भवदीय,

तुषार

08/2/19

महाप्रबंधक (सा प्र)

३/३/१९

Copy to:

1. TS to Director (Technical), CIL
2. GM (Finance), CIL – for arranging submission of half yearly returns in respect of CIL, Hqs payments.
3. All Executives of MM Department, An, CIL.



1862
25 JAN 2019

Coal India Limited
A MAHARATNA COMPANY
Registered Office : Coal Bhawan, 3rd Floor, Core - 2
New Town, Rajarhat, Kolkata- 700 156.
PHONE: 033-2324-6526, FAX:033-2324-6510
Email – mviswanathan2.cil@coalindia.in
WEBSITE:www.coalindia.in
CIN – L23109WB1973GOI028844

No.CIL:XI(D):04009:2019: 22484.

Dt. 25th Jan.'2019

To,
CFO,
Coal India Limited,
Coal Bhawan, 5th Floor,
New Town, Rajarhat,
Kolkata- 700 156.

Sub : Amendment in provisions of section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006)

Dear Sir,

Ministry of Corporate Affairs vide its Notification dated 22nd Jan.'2019 has amended the provision as per the provisions of section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) (copy enclosed).

1. All companies, who get supplies of goods or services from micro and small enterprises and whose payments to micro and small enterprise suppliers exceed forty five days from the date of acceptance or the date of deemed acceptance of the goods or services as per the provisions of section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) (hereafter referred to as "Specified Companies"), shall submit a half yearly return to the Ministry of Corporate Affairs stating the following:

- (a) the amount of payment due; and
- (b) the reasons of the delay;

2. Every company shall file in MSME Form I details of all outstanding dues to Micro or small enterprises suppliers existing on the date of notification of this order within thirty days from the date of publication of this notification.

3. Every company shall file a return as per MSME Form I, by 31st October for the period from April to September and by 30th April for the period from October to March.

This is for your information and advising for necessary action please.

Encl : As above.

Yours faithfully,

M. Viswanathan
25/1/19
(M. Viswanathan)
Company Secretary

C.C. to G.M (MM), CIL.

C:\Users\UTTAM KUMAR SEAL\Desktop\Note Sheet & Letters (New).doc

MT (KA)
25/1/19

II. अक्तूबर से मार्च के दौरान कुल बकाया रकम
प्रदायकर्ताओं के नाम और देय संकाय की रकम की विशिष्टियां

वित्तीय वर्ष/विशिष्टियां	प्रदायकर्ताओं के नाम	प्रदायकर्ताओं के स्थायी खाता संख्याक	देय रकम	उस तारीख को विनिर्दिष्ट करें जिससे रकम देय है

5. *देय रकम के संदाय में विलंब के कारण

.....

6. संलग्नक, (यदि कोई हो)

(संलग्नक हटाएं)

घोषणा

यह घोषणा की जाती है कि मेरी पूरी जानकारी के अनुसार प्ररूप और संलग्नकों में दी गई जानकारी सत्य और सही है।

..... द्वारा

*डिजिटल रूप से हस्ताक्षर किए जाएं

*पदनाम

*निदेशक का डीआईएन; या सीईओ के प्रबंधक या सीईओ का पैन; या कंपनी सचिव की सदस्यता संख्या

टिप्पण: कंपनी अधिनियम, 2013 की धारा 405 की उपधारा 4 के उपबंध की ओर ध्यान आकर्षित किया जाता है जो ऐसी किसी सूचना या आंकड़ों जो किसी तात्विक बात के संबंध में गलत या अपूर्ण है, के लिए दंड का उपबंध करता है।

उपांतरण करें

प्ररूप चैक करें

पूर्व संवीक्षा

प्रस्तुत

.....

[फा. सं. 17/6/2017-सीएल.V]

के. वी. आर. मूर्ति, संयुक्त सचिव

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 22nd January, 2019

S.O. 368(E).—Whereas, the Central Government *vide* notification number S.O. 5622(E), dated the 2nd November, 2018 has directed that all companies, who get supplies of goods or services from micro and small enterprises and whose payments to micro and small enterprise suppliers exceed forty five days from the date of acceptance or the date of deemed acceptance of the goods or services as per the provisions of section 9 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) (hereafter referred to as "Specified Companies"), shall submit a half yearly return to the Ministry of Corporate Affairs stating the following:

(a) the amount of payment due; and

(b) the reasons of the delay;

And whereas, in exercise of power under section 405 of the Companies Act, 2013, (18 of 2013) the Central Government, considers it necessary to require "Specified Companies" to furnish above information under said section of the Act.

Now, therefore, in exercise of the powers conferred by section 405 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following Order, namely:-

1. **Short title and commencement.-** (1) This Order may be called the Specified Companies (Furnishing of information about payment to micro and small enterprise suppliers) Order, 2019.


(2) It shall come into force from the date of its publication in the Official Gazette.

2. Every specified company shall file in MSME Form I details of all outstanding dues to Micro or small enterprises suppliers existing on the date of notification of this order within thirty days from the date of publication of this notification.

3. Every specified company shall file a return as per MSME Form I annexed to this Order, by 31st October for the period from April to September and by 30th April for the period from October to March.

MSME FORM I

(see Order 2 and 3)

<p>FORM NO. [Pursuant to Order dated 22 January, 2019 issued under Section 405 of the Companies Act, 2013]</p>		<p>Form for furnishing half yearly return with the registrar in respect of outstanding payments to Micro or Small Enterprises.</p>
---	---	--

Note – All fields marked in * are to be mandatorily filed.

Form language English Hindi

Initial return regular half yearly return

1. (a) * Corporate Identity Number (CIN) of company

(b) Global location number (GLN) of company

(c) * Permanent Account Number (PAN) of company

2. (a) Name of the Company

(b) Address of the registered Office of the company

(c) *email id of the company

3. Initial return of outstanding dues to Micro or Small Enterprises Suppliers.

(a)* Total outstanding amount due as on date of notification of this order

(b). * Particulars of the name of suppliers and amount of payments due

Financial Years/Particulars	Name of Suppliers	PAN Suppliers	of	Amount Due	Specify the date from which amount is due

4. REGULAR RETURN OF OUTSTANDING DUES TO MICRO AND SMALL ENTERPIRSES

I. total outstanding amount during April to September

Particulars of the name of suppliers and amount of payments due

Financial Years/Particulars	Name of Suppliers	PAN Suppliers	of	Amount Due	Specify the date from which amount is due

II. total outstanding amount during October to March

Particulars of the name of suppliers and amount of payments due

Financial Years/Particulars	Name of Suppliers	PAN Suppliers	of	Amount Due	Specify the date from which amount is due

5. *Reasons for Delay in amount of payments due

6. Attachments (if any)

Remove Attachment

Declaration

It is hereby declared that the information given in the form and attachments are true and correct with the best of my knowledge.

* To be digitally signed by

* Designation

* DIN of the director; or PAN of
the manager of CEO or CEO; or

membership number of the company secretary

Note: Attention is drawn to provision of sub section 4 of section 405 of Companies Act, which provide for punishment for any information statistics which is incorrect or incomplete in any material respect.

Modify

Check Form

Prescrutiny

Submit

[F. No. 17/6/2017-CL-V]
K. V. R. MURTY, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

MANOJ
KUMAR VERMA

Digitally signed by
MANOJ KUMAR VERMA
Date: 2019.01.22
22:04:47 +05'30'

Guidelines for Make –in-India



कोल् इंडिया लिमिटेड

(महारत्न कंपनी)
कोयला भवन
सामग्री प्रबंधन विभाग,
परिसर संख्या ४, एकधन एरिया एए
न्यू टाउन, राजरहाट, कोलकाता- ७००१५६.
फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५
वेबसाइट: www.coalindia.in, ई मेल: gmmm.cil@coalindia.in



An ISO 9001:2015, ISO 14001:2015 &
ISO 50001:2011 Certified Company

COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata – 700 156

PHONE:033-2324 4127, FAX: 033-2324 4115

Website : www.coalindia.in, E mail :

gmmm.cil@coalindia.in

क्र० सं० सीआइएल/सी२डी/क्रय नियमावली/२०१८/ १५१५

दिनांक: 16.03.2018

महा प्रबंधक (सामाग्री प्रबंधन)/ विभागाध्यक्ष,
ईसीएल, संकटोरिया/बीसीसीएल, धनबाद/सीसीएल, रांची/
एसईसीएल, बिलासपुर/डबल्यूसीएल, नागपुर/
एनसीएल सिंगरौली/एमसीएल, सम्बलपुर/
महा प्रबंधक, एनईसी/ विभागाध्यक्ष (सामाग्री प्रबंधन), सीएमपीडीआई

फैक्स एवं ई-मेल द्वारा

विषय/Sub: Implementation of Public Procurement (Preference to Make in India), Order 2017

महोदय,

Government of India, Ministry of Commerce and Industry, Department of Industrial Policy and Promotion, has issued Order No. P-4502/12/2017-B.E.II dated 15th June, 2017 for giving preference to 'Make in India' Products. A copy of the said order is enclosed for ready reference.

In this connection, this is to communicate that CIL Management has accorded its approval for implementation of the above order and incorporation of the same in NITs for procurement of Goods & Services.

You are, therefore, requested to please ensure implementation of the above order with immediate effect.

संलग्न: यथावत

भवदीय,

गुप्ता

(टी. के. मिश्रा) 16/3/18

महाप्रबंधक (सा प्र)/विभागाध्यक्ष

gmmm

वितरण/Distribution:

1. CMD, ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL- This has reference to minutes of 183rd FDs Meeting (Item No. 183.03).
6. GM (Fin.)/GM (Civil)/GM (CVC)/GM (Admn.)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.)- ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
8. All executives of MM Deptt., CIL (HQ), Kolkata

Dated 15th June, 2017
Udyog Bhawan, New Delhi

To

All Central Ministries/Departments/CPSUs/All concerned

ORDER

Subject: Public Procurement (Preference to Make in India), Order 2017

Whereas it is the policy of the Government of India to encourage 'Make in India' and promote manufacturing and production of goods and services in India with a view to enhancing income and employment, and

Whereas procurement by the Government is substantial in amount and can contribute towards this policy objective, and

Whereas local content can be increased through partnerships, cooperation with local companies, establishing production units in India or Joint Ventures (JV) with Indian suppliers, increasing the participation of local employees in services and training them,

Now therefore the following Order is issued :

1. This Order is issued pursuant to Rule 153 (iii) of the General Financial Rules 2017.
2. **Definitions:** For the purposes of this Order:

'Local content' means the amount of value added in India which shall, unless otherwise prescribed by the Nodal Ministry, be the total value of the item procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all customs duties) as a proportion of the total value, in percent.

'Local supplier' means a supplier or service provider whose product or service offered for procurement meets the minimum local content as prescribed under this Order or by the competent Ministries / Departments in pursuance of this order.

'L1' means the lowest tender or lowest bid or the lowest quotation received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per the tender or other procurement solicitation.

'margin of purchase preference' means the maximum extent to which the price quoted by a local supplier may be above the L1 for the purpose of purchase preference.

'Nodal Ministry' means the Ministry or Department identified pursuant to this order in respect of a particular item of goods or services.

.....Contd. p.2/-

'Procuring entity' means a Ministry or department or attached or subordinate office of, or autonomous body controlled by, the Government of India and includes Government companies as defined in the Companies Act.

3. **Requirement of Purchase Preference:** Subject to the provisions of this Order and to any specific instructions issued by the Nodal Ministry or in pursuance of this Order, purchase preference shall be given to local suppliers in all procurements undertaken by procuring entities in the manner specified hereunder:
- a. In procurement of goods in respect of which the Nodal Ministry has communicated that there is sufficient local capacity and local competition, and where the estimated value of procurement is Rs. 50 lakhs or less, only local suppliers shall be eligible. If the estimated value of procurement of such goods is more than Rs. 50 lakhs, the provisions of sub-paragraph b or c, as the case may be, shall apply.
 - b. In the procurements of goods which are not covered by paragraph 3a and which are divisible in nature, the following procedure shall be followed:
 - i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is from a local supplier, the contract for full quantity will be awarded to L1.
 - ii. If L1 bid is not from a local supplier, 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the local suppliers, will be invited to match the L1 price for the remaining 50% quantity subject to the local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such local supplier subject to matching the L1 price. In case such lowest eligible local supplier fails to match the L1 price or accepts less than the offered quantity, the next higher local supplier within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly. In case some quantity is still left uncovered on local suppliers, then such balance quantity may also be ordered on the L1 bidder.
 - c. In procurements of goods not covered by sub-paragraph 3a and which are not divisible, and in procurement of services where the bid is evaluated on price alone, the following procedure shall be followed:
 - i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is from a local supplier, the contract will be awarded to L1.
 - ii. If L1 is not from a local supplier, the lowest bidder among the local suppliers, will be invited to match the L1 price subject to local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such local supplier subject to matching the L1 price.
 - iii. In case such lowest eligible local supplier fails to match the L1 price, the local supplier with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly. In case none of the local suppliers within the margin of purchase preference matches the L1 price, then the contract may be awarded to the L1 bidder.

.....Contd. p.3/-

4. **Exemption of small purchases:** Notwithstanding anything contained in paragraph 3, procurements where the estimated value to be procured is less than Rs. 5 lakhs shall be exempt from this Order. However, it shall be ensured by procuring entities that procurement is not split for the purpose of avoiding the provisions of this Order.
5. **Minimum local content:** The minimum local content shall ordinarily be 50%. The Nodal Ministry may prescribe a higher or lower percentage in respect of any particular item and may also prescribe the manner of calculation of local content.
6. **Margin of Purchase Preference:** The margin of purchase preference shall be 20% .
7. **Requirement for specification in advance:** The minimum local content, the margin of purchase preference and the procedure for preference to Make in India shall be specified in the notice inviting tenders or other form of procurement solicitation and shall not be varied during a particular procurement transaction.
8. **Government E-marketplace:** In respect of procurement through the Government E-marketplace (GeM) shall, as far as possible, specifically mark the items which meet the minimum local content while registering the item for display, and shall, wherever feasible, make provision for automated comparison with purchase preference and without purchase preference and for obtaining consent of the local supplier in those cases where purchase preference is to be exercised.
9. **Verification of local content:**
 - a. The local supplier at the time of tender, bidding or solicitation shall be required to provide self-certification that the item offered meets the minimum local content and shall give details of the location(s) at which the local value addition is made.
 - b. In cases of procurement for a value in excess of Rs. 10 crores, the local supplier shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.
 - c. Decisions on complaints relating to implementation of this Order shall be taken by the competent authority which is empowered to look into procurement-related complaints relating to the procuring entity.
 - d. Nodal Ministries may constitute committees with internal and external experts for independent verification of self-declarations and auditor's/ accountant's certificates on random basis and in the case of complaints.
 - e. Nodal Ministries and procuring entities may prescribe fees for such complaints.
 - f. False declarations will be in breach of the Code of Integrity under Rule 175(1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151 (iii) of the General Financial Rules along with such other actions as may be permissible under law.
 - g. A supplier who has been debarred by any procuring entity for violation of this Order shall not be eligible for preference under this Order for procurement by any other procuring entity for the

.....Contd.p.4/-

duration of the debarment. The debarment for such other procuring entities shall take effect prospectively from the date on which it comes to the notice of other procurement entities, in the manner prescribed under paragraph 9h below.

- h. The Department of Expenditure shall issue suitable instructions for the effective and smooth operation of this process, so that:
 - i. The fact and duration of debarment for violation of this Order by any procuring entity are promptly brought to the notice of the Member-Convenor of the Standing Committee and the Department of Expenditure through the concerned Ministry /Department or in some other manner;
 - ii. on a periodical basis such cases are consolidated and a centralized list or decentralized lists of such suppliers with the period of debarment is maintained and displayed on website(s);
 - iii. in respect of procuring entities other than the one which has carried out the debarment, the debarment takes effect prospectively from the date of uploading on the website(s) in the such a manner that ongoing procurements are not disrupted.

10. Specifications in Tenders and other procurement solicitations:

- a. Every procuring entity shall ensure that the eligibility conditions in respect of previous experience fixed in any tender or solicitation do not require proof of supply in other countries or proof of exports.
- b. Procuring entities shall endeavour to see that eligibility conditions, including on matters like turnover, production capability and financial strength do not result in unreasonable exclusion of local suppliers who would otherwise be eligible, beyond what is essential for ensuring quality or creditworthiness of the supplier.
- c. Procuring entities shall, within 2 months of the issue of this Order review all existing eligibility norms and conditions with reference to sub-paragraphs 'a' and 'b' above.
- d. If a Nodal Ministry is satisfied that Indian suppliers of an item are not allowed to participate and/ or compete in procurement by any foreign government, it may, if it deems appropriate, restrict or exclude bidders from that country from eligibility for procurement of that item and/ or other items relating to that Nodal Ministry. A copy of every instruction or decision taken in this regard shall be sent to the Chairman of the Standing Committee.
- e. For the purpose of sub-paragraph 10 d above, a supplier or bidder shall be considered to be from a country if (i) the entity is incorporated in that country, or ii) a majority of its shareholding or effective control of the entity is exercised from that country; or (iii) more than 50% of the value of the item being supplied has been added in that country. Indian suppliers shall mean those entities which meet any of these tests with respect to India."

.....Contd.p.5/-

11. **Assessment of supply base by Nodal Ministries:** The Nodal Ministry shall keep in view the domestic manufacturing / supply base and assess the available capacity and the extent of local competition while identifying items and prescribing minimum local content or the manner of its calculation, with a view to avoiding cost increase from the operation of this Order.
12. **Increase in minimum local content:** The Nodal Ministry may annually review the local content requirements with a view to increasing them, subject to availability of sufficient local competition with adequate quality.
13. **Manufacture under license/ technology collaboration agreements with phased indigenization:** While notifying the minimum local content, Nodal Ministries may make special provisions for exempting suppliers from meeting the stipulated local content if the product is being manufactured in India under a license from a foreign manufacturer who holds intellectual property rights and where there is a technology collaboration agreement / transfer of technology agreement for indigenous manufacture of a product developed abroad with clear phasing of increase in local content.
14. **Powers to grant exemption and to reduce minimum local content:** Ministries /Departments of Government of India and the Boards of Directors of Government companies or autonomous bodies may, by written order,
- reduce the minimum local content below the prescribed level;
 - reduce the margin of purchase preference below 20% ;
 - exempt any particular item or procuring or supplying entities or class or classes of items or procuring or supplying entities from the operation of this Order or any part of the Order.


A copy of every such order shall be marked to the Member-Convenor of the Standing Committee constituted under this Order.

15. **Directions to Government companies:** In respect of Government companies and other procuring entities not governed by the General Financial Rules, the administrative Ministry or Department shall issue policy directions requiring compliance with this Order.
16. **Standing Committee:** A standing committee is hereby constituted with the following membership:
- Secretary, Department of Industrial Policy and Promotion—Chairman
 - Secretary, Commerce—Member
 - Secretary, Ministry of Electronics and Information Technology—Member
 - Joint Secretary (Public Procurement), Department of Expenditure—Member
 - Joint Secretary (DIPP)—Member-Convenor

The Secretary of the Department concerned with a particular item shall be a member in respect of issues relating to such item. The Chairman of the Committee may co-opt technical experts as relevant to any issue or class of issues under its consideration.

..... Contd.p.6/-

17. **Functions of the Standing Committee:** The Standing Committee shall meet as often as necessary but not less than once in six months. The Committee
- a. shall oversee the implementation of this order and issues arising therefrom, and make recommendations to Nodal Ministries and procuring entities.
 - b. shall annually assess and periodically monitor compliance with this Order
 - c. shall identify Nodal Ministries and the allocation of items among them for issue of notifications on minimum local content
 - d. may require furnishing of details or returns regarding compliance with this Order and related matters
 - e. may, during the annual review or otherwise, assess issues, if any, where it is felt that the manner of implementation of the order results in any restrictive practices, cartelization or increase in public expenditure and suggest remedial measures
 - f. may examine cases covered by paragraph 13 above relating to manufacture under license/ technology transfer agreements with a view to satisfying itself that adequate mechanisms exist for enforcement of such agreements and for attaining the underlying objective of progressive indigenization
 - g. may consider any other issue relating to this Order which may arise.
18. **Removal of difficulties:** Ministries /Departments and the Boards of Directors of Government companies may issue such clarifications and instructions as may be necessary for the removal of any difficulties arising in the implementation of this Order.
19. **Ministries having existing policies:** Where any Ministry or Department has its own policy for preference to local content approved by the Cabinet after 1st January 2015, such policies will prevail over the provisions of this Order. All other existing orders on preference to local content shall be reviewed by the Nodal Ministries and revised as needed to conform to this Order, within two months of the issue of this Order.
20. **Transitional provision:** This Order shall not apply to any tender or procurement for which notice inviting tender or other form of procurement solicitation has been issued before the issue of this Order.


(B. S. Nayak)
Under Secretary to Government of India
Ph. 23061257

कोल् इंडिया लिमिटेड

(महारत्न कंपनी)

कोयला भवन

सामग्री प्रबंधन विभाग,

परिसर संख्या ४, एकतन एरिया १ए

न्यू टाउन, राजारहाट, कोलकाता-७००१५६.

फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in, ई-मेल: gmmm.cil@coalindia.in



An ISO 9001:2015, ISO 14001:2015 &
ISO 50001:2011 Certified Company

COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata - 700 156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website : www.coalindia.in, E-mail :

gmmm.cil@coalindia.in

क्र० सं० सीआइएल/सी२डी/क्रय नियमावली/२०१७/२४७

दिनांक: 04.06.2018

महाप्रबंधक(सामग्री प्रबंधन)/विभागाध्यक्ष,
ईसीएल, संकटोरिया/बीसीसीएल, धनबाद/सीसीएल, रांची/
एसईसीएल, बिलासपुर/डब्ल्यूसीएल, नागपुर/
एनसीएल सिंगरौली/एमसीएल, सम्बलपुर/
महाप्रबंधक, एनईसी/ विभागाध्यक्ष (सामग्री प्रबंधन), सीएमपीडीआई

फैक्स एवं ई-मेल द्वारा

विषय/Sub: Public Procurement (Preference to Make in India), Order 2017 (PPP-MII Order)

महोदय,

Central Vigilance Commission has vide letter No. 018/VGL/022-377353 dated 20.04.2018 advised that Public Procurement (Preference to Make in India), Order 2017 (PPP-MII Order) issued by Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry, Government of India, be implemented in its letter and spirit and no restrictive and discriminative clauses be included in procurement by Central Government agencies against domestic suppliers. A copy of the said letter of CVC is enclosed for ready reference.

CVC has also advised that the Independent External Monitors (IEMs) appointed by the respective organisations may keep in view the provisions of PPP-MII Order, 2017 while exercising their functions and duties as IEM in respect of procurement/contracts, which fall under their purview. Therefore, it is requested that a copy of the above said letter of CVC, be forwarded to the IEMs of your subsidiary company for their information.

You are requested to please ensure implementation of the above directives of CVC with immediate effect in procurement of Goods and Services.

संलग्न: यथावत

भवदीय,
टी.के. मिश्रा
04/06/18
महाप्रबंधक (सा प्र)/विभागाध्यक्ष

प्रतिलिपि/Copy to:

1. CMD, ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
4. CVO, CIL-This has reference to his letter no. CIL/VIG/2018/E-176096/CVC/PPP/2035 dated 01.06.2018
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admn.)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.)- ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
8. All executives of MM Deptt., CIL (HQ), Kolkata

Graphic Address :
SATARKTA: New Delhi

E-Mail Address
cenvigil@nic.in

Website
www.cvc.nic.in

EPABX
24600200

फैक्स / Fax : 24651186



सत्यमेव जयते

सतर्कता प्रारिप सं : E-176096
Vig. Dy. No.....

दिनांक : 17/5/18
Dated.....



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023

सं./No. 018/VGL/022-377353.....

दिनांक / Dated.....20.04.2018.....

1052
7-6-18

Subject:- Public Procurement (Preference to Make in India), Order 2017 (PPP-MII Order) - regarding.

Department of Industrial Policy and Promotion (DIPP) has issued 'Public Procurement (Preference to Make in India), Order 2017' (PPP-MII Order) dated 15.07.2017 pursuant to Rule 153 (iii) of General Financial Rules, 2017, which seeks to promote domestic production of goods and services. As per this Order, restrictive and discriminative clauses cannot be included in procurement by Central Government agencies against domestic suppliers. The Commission has received a request from DIPP to widely disseminate the Order to the CVOs and IEMs to exercise oversight on all contracts over an amount of Rs. five crores.

2. In order to implement to PPP-MII order in letter and spirit, the Commission would direct all the Chief Vigilance Officers (CVO) to exercise oversight on all contracts over an amount of Rs. five crores so as to ensure that restrictive and discriminative clauses against domestic suppliers are not included in the tender documents for procurement of goods and services and that the tender conditions are in sync with the PPP-MII Order, 2017 in their respective Departments/Organisations.

3. The Commission further desires that the Independent External Monitors (IEMs) appointed by the respective organisations may keep in view the provisions of PPP-MII Order 2017 while exercising their functions / duties as IEM in respect of procurements / contracts which fall in their purview.

(J. Vinod Kumar)
Director

1. All Chief Vigilance Officers of Ministries/Departments/CPSUs/Public Sector Banks/Insurance Companies/Autonomous Organisations /Societies etc. for compliance and to circulate to the Independent External Monitors.
2. To be placed on website.

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.inईमेल: gmmm.cil@coalindia.in**COAL INDIA LIMITED**

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.inE mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/परिपत्र/2018/379

दिनांक: 19.06.2018

परिपत्र / Circular

'मेक इन इंडिया' उत्पादों को प्राथमिकता देने के संबंध में सार्वजनिक खरीद ('मेक इन इंडिया' को प्राथमिकता) आदेश, 2017 (पीपीपी-एमआईआई) भारत सरकार के वाणिज्य एवं उद्योग विभाग द्वारा जारी किया गया है। इसे पत्र संख्या सीआईएल/सी२डी/क्रय नियमावली/2018/1494 दिनांक 16.03.2018 के द्वारा सभी अनुषंगी कंपनियों को सूचित किया गया है।

आदेश के संबंध में, पीपीपी-एमआईआई आदेश, 2017 के कार्यान्वयन के लिए स्थायी समिति ने 23.04.2018 को आयोजित तीसरी बैठक के दौरान अपनी एजेंडा संख्या 6 के द्वारा अनुपालन के लिए निम्नलिखित परिवर्तनों पर ध्यान दिया:

Agenda No. 6: Compliance to guidelines in Central Public Procurement (CPP) Portal**Agenda No. 6.1: Certification by Procurement Officers while uploading tenders on CPP Portal.**

It was informed that D/o Expenditure has issued an OM dated 17.04.2018 declaring that CPP Portal and Government e Marketplace (GeM) will permit uploading of tender documents on CPPP and GeM for calling of the bids/ reverse options only after the Purchase Officer certifies that the tender document complies with the PPP-MII order and Public Procurement Policy for Micro and Small Enterprises (MSEs) Order 2017. Hence, every user agency would have to accept an online certificate/ declaration before each tender document is accepted for upload by the CPPP and GeM Portal. NIC is making relevant changes in the portal in compliance with this mandate.

Agenda No. 6.2: Provision for entry of grievance/ suggestions on CPP Portal

It was informed that a provision for entry of grievance/ suggestions on CPP Portal has been introduced to enable the concerned companies to lodge their grievance related to non-compliance of PPP-MII Order 2017 and Public Procurement Policy for MSEs Order 2012.

इसे आप सभी की जानकारी एवं उचित कार्यवाही हेतु प्रेषित किया जा रहा है।

यह निदेशक (तकनीकी), सीआईएल द्वारा अनुमोदित है।

भवदीय,

(तुषार कांत मिश्र)
महाप्रबंधक (सा प्र)

वितरण:

१. निदेशक (तकनीकी), सी.आई.एल
२. तकनीकी सचिव, अध्यक्ष, सी.आई.एल
३. महाप्रबंधक (सा प्र), बी सी सी एल/सी सी एल/सी एम पी डी आई एल/ई सी एल/एम सी एल/एन सी एल/एस ई सी एल/डब्ल्यू सी एल
४. महाप्रबंधक (सी एम सी) / महाप्रबंधक (सिविल), सी.आई.एल
५. महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स
६. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लाट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फ़ोन: ०३३-२३२४ ४१२७, फ़ैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in

ईमेल: gmmm.cil@coalindia.in



COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.in

E mail: gmmm.cil@coalindia.in

Ref: CIL/C2D/Kray Niyamavali/2018/ 457

Date: 09.07.2018

GM (MM) – HOD, BCCL, Dhanbad
GM (MM) – HOD, CCL, Ranchi
GM (MM) – HOD, ECL, Sanctoria
GM (MM) – HOD, MCL, Sambalpur
GM (MM) – HOD, NCL, Singrauli
GM (MM) – HOD, SECL, Bilaspur
GM (MM) – HOD, WCL, Nagpur
GM (NEC), Margherita
HOD (MM), CMPDIL, Ranchi

Dear Sir,

Sub: Public Procurement (Preference to Make in India) Order, 2017 – Reg.

Please find enclosed Office Memorandum No. F.1/15/2018-PPD dated 24.04.2018 of Department of Expenditure, Ministry of Finance for your information and strict compliance of the Public Procurement (Preference to Make in India) Order, 2017 of Govt. of India.

Encl: As above

Yours faithfully,

T. K. Mishra

(T. K. Mishra) 09/7/18
GM (MM) - HOD

T. K. Mishra

CC:

1. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admin)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
8. All executives of MM Dept., CIL

हिंदी संस्करण दूसरी ओर

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लाट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११९

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New Town, Rajarhat, Kolkata-700156

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Website: www.coalindia.inE mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/क्रय नियमावली/२०१८/ 457

दिनांक: 09.07.2018

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड

महोदय,

विषय: सार्वजनिक खरीद ('मेक इन इंडिया' को प्राथमिकता) आदेश, 2017 के संदर्भ में

व्यय विभाग, वित्त मंत्रालय का कार्यालय ज्ञापन सं एफ.1/15/2018-पीपीडी दिनांक 24.04.2018 आपकी सूचना एवं भारत सरकार के सार्वजनिक खरीद ('मेक इन इंडिया' को प्राथमिकता) आदेश, 2017 के सख्त अनुपालन के लिए संलग्न है।

संलग्न: उपरोक्त

भवदीय,

(तुषार कांत मिश्र)

महाप्रबंधक (सा प्र)-विभागाध्यक्ष

वितरण:

१. सी.एम.डी, बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
२. निदेशक (वित्त)/निदेशक (विपणन)/निदेशक (तकनीकी)/निदेशक (कार्मिक), सीआईएल
३. निदेशक (तकनीकी), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. मुख्य सतर्कता अधिकारी, सीआईएल
५. सीआईएल के अध्यक्ष के तकनीकी सचिव
६. महाप्रबंधक(वित्त)/महाप्रबंधक(सिविल)/महाप्रबंधक(सीएमसी)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(ईईडी)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(सीवी), सीआईएल
७. महाप्रबंधक (वित्त), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
८. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण

English Version Overleaf

File No.00HMM/16/11/0016/2018-Materials Management Divison, CIL-COAL INDIA LTD

Receipt No : 181247/2018/O/O HEAD OF MM DIVISION, CIL HQ

Subject: Fwd: PUBLIC PROCUREMENT (MAKE IN INDIA) ORDER 2017

To: R Misra <gmmm.cil@coalindia.in>

Date: 23-05-18 06:23 PM

From: Binay Dayal <dt.cil@coalindia.in>

sign_sign_519_1526554676522.pdf (78kB)

D_520_1526452770102.pdf (1.2MB)

GM (MM)

----- Original Message -----

From: Anil Kumar Jha <chairman.cil@coalindia.in>

Date: May 21, 2018 12:55:25 PM

Subject: Fwd: PUBLIC PROCUREMENT (MAKE IN INDIA) ORDER 2017

To: DT CIL <dt.cil@coalindia.in>

Cc: Tushar K Mishra <gmmm.cil@coalindia.in>

----- Original Message -----

From: "SO (crc)" <socrc.moc@nic.in>

Date: May 21, 2018 12:42:34 PM

Subject: Fwd: PUBLIC PROCUREMENT (MAKE IN INDIA) ORDER 2017

To: chairman.cil@coalindia.in, dp.cil@coalindia.in, dt.cil@coalindia.in, cmdsccl@gmail.com, roscccl@rediffmail.com, cmd@nlicindia.com, cmd.bccil.cil@coalindia.in, cmd.ecl.cil@coalindia.in, cmd.mcl.cil@coalindia.in, cmd.ccl.cil@coalindia.in, cmd.cmpdi.cil@coalindia.in, cmd.secl.cil@coalindia.in, cmd.ncl.cil@coalindia.in, cmd.wcl.cil@coalindia.in

Sir,

Please find attachment.

With regards,

(Sanjeev Saxena)

Sr. DEO

Pl. discuss 1/2
23/5/18
GM(MM) - 11/12

----- Original Message -----

From: eoffice@nic.in

Date: May 21, 2018 11:03:58 AM

Subject: PUBLIC PROCUREMENT (MAKE IN INDIA) ORDER 2017

To: socrc.moc@nic.in

--
भवदीय,

अनिल कुमार झा

अध्यक्ष सह प्रबंध निदेशक

कोल इंडिया लिमिटेड, कोलकाता

CCSD-37023/01/2018-CCSD

Government of India

Ministry of Coal

Shastri Bhawan, New Delhi

Dated : 17th May, 2018

OFFICE MEMORANDUM

Subject: *Public Procurement (Preference to Make in India) Order, 2017-reg.*

The Undersigned is directed to forward herewith a copy of the Office Memorandum Ref. No. F.1/15/2018-PPD dated 24.4.2018 received from Ministry of Finance, Department of Expenditure, Procurement Policy Division on the above mentioned subject for compliance.

Signature valid

Digitally signed by AMANDA KUMAR
MANDAL

Date: 2018.05.17 16:29:18 IST

Reason: Approved

(A K MANDAL)

Under Secretary to the Govt. of India

To:

1. Chairman, CIL, Kolkata
2. CMD, NLCIL, Nayveli, Tamilnadu
3. CMD, SCCL, Khammam, Kothagudum, Telangana st.
4. Director (Technical)/ Director(Finance), CIL, Kolkata
5. CMD, BCCL, Dhanbad
6. CMD, ECL, Sanctoria, West Bengal
7. CMD, CCL, Ranchi, Jharkhand
8. CMD, NCL, Singrauli, Sidhi
9. CMD, WCL, Nagpur, Maharashtra
10. CMD, SECL, Seepat Road, Bilaspur, Chattisgarh
11. CMD, MCL, Sambalput, Odisha
12. CMD, CMPDIL, Ranchi, Jharkhand

No.F.1/15/2018-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

516, Lok Nayak Bhavan, New Delhi,
Dated 24th April, 2018

OFFICE MEMORANDUM

Subject : - Public Procurement (Preference to Make in India) Order, 2017- reg.

Attention is invited to para 10 (b) of the *Public Procurement (Preference to Make in India) Order, 2017* dated 15.06.2017 issued by Department of Industrial Policy & Promotion (DIPP) which *inter-alia* provides that procuring entities shall endeavour to see that eligibility conditions, including on matters like turnover, production capability and financial strength do not result in unreasonable exclusion of local suppliers who would otherwise be eligible, beyond what is essential for ensuring quality or creditworthiness of the supplier.

2. However, many grievances/ complaints are being received that certain Ministries/ Departments etc. are apparently not following the above Orders or related instructions issued by this Department from time to time. *A provision for vendors to register grievances related to this Order has also been made in Central Public Procurement Portal (CPPP) and Government e-Marketplace (GeM).* High level meetings have been organised in this regard and it has been decided to identify such tenders/ agencies and take suitable measures against violation of Government orders. Therefore, it is necessary for Department of Expenditure (DoE) to reiterate its earlier instructions and provisions in various Manuals and Orders with a direction to all Ministries/ Departments/ CPSEs to strictly abide by the provisions of Public Procurement (Preference to Make in India) Order, 2017.

3. In addition, attention is again invited to para 5.1.1 of Manual for Procurement of Goods 2017, according to which:

(iii) the criteria for eligibility and qualification to be met by the bidder should take care of the supplier's eligibility to receive such a Government contract. The qualification criteria should take care of the supplier's past performance, experience, technical competence and production capacity of the subject goods, financial strength to handle the contract successfully, compliance with environmental protection regulations/ Environment Management System and so on.

(iv) There should be no such qualifications for the bidders that would be advantageous to the foreign manufactured goods at the cost of domestically manufactured goods.

4 As regards EMD/ bid security, attention is also invited to the Rule 170 of GFR 2017 regarding bid security which may be strictly adhered.

5. This issues with the approval of Secretary(Expenditure).

Pijush Mohanta
24-4-18
(Pijush Mohanta)

Under Secretary to the Govt. of India

Tel: 24621305

Email: kn.reddy@gov.in

To,

Secretaries of All Central Government Ministries/ Departments.

Copy to:

1. Prime Minister's Office
2. Cabinet Secretariat

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फ़ोन: ०३३-२३२४ ४१२७, फ़ैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.inईमेल: gmmm.cil@coalindia.in**COAL INDIA LIMITED**

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.inE mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/क्रय नियमावली/२०१८/ 539

दिनांक: ०६.०८.२०१८

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड

कार्यालय आदेश

महोदय,

विषय: चिकित्सीय उपकरणों के सामान और सेवाओं की खरीद से संबंधित सार्वजनिक खरीद ('मेक इन इंडिया' को प्राथमिकता) आदेश, २०१७ के प्रावधानों को लागू करने के लिए दिशा निर्देश

औषध विभाग, रसायन एवं उर्वरक मंत्रालय, भारत सरकार के कार्यालय जापन संख्या फ.नॉ. ३१०२६/३६/२०१६-एमडी को आपकी जानकारी एवं अनुपालन हेतु अग्रेषित किया जा रहा है।

संलग्न: उल्लेखानुसार

भवदीय,

विभागाध्यक्ष
०६/०८/१८
महाप्रबंधक (सा प्र) विभागाध्यक्ष

वितरण:

१. सी.एम.डी, बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
२. निदेशक (वित्त)/निदेशक (विपणन)/निदेशक (तकनीकी)/निदेशक (कार्मिक), सीआईएल
३. निदेशक (तकनीकी), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. मुख्य सतर्कता अधिकारी, सीआईएल
५. सीआईएल के अध्यक्ष के तकनीकी सचिव
६. महाप्रबंधक(वित्त)/महाप्रबंधक(सिविल)/महाप्रबंधक(सीएमसी)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(ईईडी)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(सीवी), सीआईएल
७. महाप्रबंधक (वित्त), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
८. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण

English Version Overleaf

कोल इंडिया लिमिटेड
(एक महारत्न कंपनी)
सामग्री प्रबंधन विभाग
कोल भवन, प्लॉट सं.-ए.एफ-3, एक्शन एरिया-१ए
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Website: www.coalindia.in
E mail: gmmm.cil@coalindia.in

Ref: CIL/C2D/Kray Niyamavali/2018/539

Date: 06.08.2018

To:

GM (MM) – HOD, BCCL, Dhanbad
GM (MM) – HOD, CCL, Ranchi
GM (MM) – HOD, ECL, Sanctoria
GM (MM) – HOD, MCL, Sambalpur
GM (MM) – HOD, NCL, Singrauli
GM (MM) – HOD, SECL, Bilaspur
GM (MM) – HOD, WCL, Nagpur
GM (NEC), Margherita
HOD (MM), CMPDIL, Ranchi

Office Order

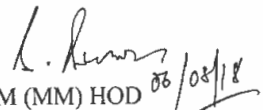
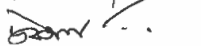
Dear Sir,

Sub: Guidelines for implementing the provisions of Public Procurement (Preference to 'Make in India') Order, 2017, related to procurement of Goods & Services in Medical Devices

Please find enclosed Office Memorandum no. F.No. 31026/36/2016-MD of Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers, Govt. of India, for your information and compliance.

Encl: As above

Yours faithfully,


GM (MM) HOD 06/08/18


CC:

1. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admin)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
8. All executives of MM Division, CIL

हिंदी संस्करण दूसरी ओर



Admn-A-60/6/2018-ADMIN
Government of India
Ministry of Coal

Shastri Bhawan, New Delhi
Dated: June, 2018

To,

1. ✓ The Chairman, CIL

Coal Bhawan
Premise No-04 MAR,
Plot No-AF-III, Action Area-1A,
Newtown, Rajarhat, Kolkata-700156 Kolkata

2. The CMD, NLCIL,

Block - 1, Neyveli
Cuddalore District
Tamilnadu.



Sub: Guidelines for implementing the provisions of public procurement (Preference to Make in India) Order (PPO), 2017, related to procurement of Goods & Services in Medical Devices – reg

Sir,

I am directed to forward herewith a copy of O.M no 31026/36/2016-MD dated 18.05.2018 received from Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers on the above mentioned subject for taking appropriate action in the matter.

Yours faithfully,

Encl: As Above

(L.R Gulati)
Section Officer (Admin)

DCPKIA)

CW- 2065 /MOC

DATE 27-06-2018

cc: DCT
cc: GM(M)/EMS
120
05/7/18
CM(MA)-II
—
28/10

F.No.31026/36/2016-MD
Government of India
Ministry of Chemicals & Fertilizers
Department of Pharmaceuticals

Janpath Bhawan, New Delhi
Dated 18th May 2018

OFFICE MEMORANDUM

Subject- Guidelines for implementing the provisions of Public Procurement (Preference to Make in India) Order (PPO), 2017, related to procurement of Goods & Services in Medical Devices - regarding.

The undersigned is directed to forward herewith the Guidelines dated 18.05.2018 on the above mentioned subject for information/necessary action.

Encl: As above



To

As per list attached.


(Parveen Kumar)

Under Secretary to the Government of India
Tel. 23352298

JSC (RKS)

F.No.31026/36/ 2016-MD
Ministry of Chemicals & Fertilizers
Government of India
Department of Pharmaceuticals

Ministry of Chemicals & Fertilizers Secy. (Cash) Office	
No. of Dy. No.	28438
Date	28/5/2018

Dated 28th May, 2018
Janpath Bhawan, New Delhi

Subject: Guidelines for implementing the provisions of Public Procurement (Preference to Make in India) Order (PPO), 2017, related to procurement of Goods & Services in Medical Devices - reg.

No. 31026/36/2016-MD: Whereas Department of Industrial Policy and Promotion (DIPP), pursuant to Rule 153(iii) of the General Financial Rules 2017, has issued Public Procurement(Preference to Make in India) Order (PPO), 2017 vide no. P-4502/2/2017-B.E.-II dated 15.06.2017.

Whereas DIPP, in order to facilitate the implementation of the PPO, 2017, vide D.O. No. P-45021/2/2017-BE-II dated 14.08.2017 has identified Department of Pharmaceuticals (DoP) as the Nodal Department for implementing the provisions of the PPO 2017 relating to goods & services related to Pharmaceuticals Sector. DIPP vide Office Memorandum no. P-45021/13/2017-PP Section BE-II dated 23.03.2018 has decided that the Nodal Ministry for product category Medical Devices shall be Department of Pharmaceuticals.

Whereas Para 3 of PPO, 2017 makes it mandatory for procuring entities to give purchase preference to local suppliers, Para 5 of PPO, 2017 empowers Nodal Ministry to prescribe percentage and the manner of calculation of minimum local content in respect of any particular item relating to medical devices and Para 9 of PPO, 2017 deals with verification of local content.

Now, therefore, DoP issues the following guidelines for implementation of the provisions of PPO, 2017 with respect to public procurement of Goods & Services in Medical Devices:

- 1) **Percentage of Minimum Local Content:** Medical Device Industry (MDI) is a multi-product industry responsible for provisioning of wide variety of crucial medical products ranging from simple tongue depressors & glucometer strips to large radiology & electronic medical equipment. The medical devices industry can be broadly classified as consisting of (a) medical disposables and consumables; (b) medical electronics, hospital equipment, surgical instruments; (c) Implants; and (d) In-Vitro Devices/Diagnostic Reagents. Individually there are around 5000 different kinds of medical devices and it is not practical to prescribe the local content and percentage of preference in domestic procurement for each medical device.

Moreover, DoP needs accurate and reliable data regarding total capacity and production of various categories of medical devices in India, regarding the level

of competition in the market in different segment of medical devices and regarding the processes involved in the manufacture of medical devices for prescribing the percentage of minimum local content for each category of medical devices, for determining the manner of calculation of local content in the medical devices and for determining the purchase preference to be given to local suppliers in the procurement by the public agencies. The percentage of local content, the manner of calculation of the local content and the provision of supplies to be procured from local suppliers may be revised after relevant data in this regard becomes available.

However for the time being, based on the present level of understanding of the medical device market in India and discussion with various industry representatives, DoP in accordance with Para 5 of PPO, 2017 prescribes the following percentages of minimum local content for various categories of medical devices for preference in public procurement:

Category of Medical Devices	% of Minimum Local Content	% of Local Content proposed to be increased in phased manner over next three years
Medical disposables and consumables	50%	50% to 75%
Medical electronics, hospital equipment, surgical instruments	25%	25% to 45%
Implants	40%	40% to 60%
Diagnostic Reagents/IVDs	25%	25% to 45%

2) **Manner of calculation of Local Content:** DoP in accordance with Para 5 of PPO, 2017 prescribes the following manner of calculation of local content:

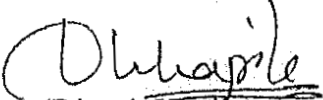
- i. Local content of Medical Device shall be computed on the basis of the cost of domestic components in the device/service compared to the total cost of the device/service. The total cost of product shall be the cost incurred for the production of the medical device including direct component i.e. material cost, manpower cost and overhead costs including profit but excluding taxes and duties.
- ii. The determination of local content cost shall be based on the following:
 - a) In the case of direct component (material), based on the country of origin
 - b) In the case of manpower, based on domestic manpower
- iii. The calculation of local content of the combination of several kinds of goods shall be based on the ratio of the sum of multiplication of local content of each goods with the acquisition price of each goods to the acquisition price of combination of goods.
- iv. Format of calculation of local content shall be as contained in Enclosure-I.

- 3) **Requirement of Purchase Preference:** Purchase preference shall be given to local suppliers by all procuring entities as per provisions laid down in para 3 of PPO, 2017. Further, as per provisions of Para 3(a) of the PPO 2017 i.e. in procurement of goods where sufficient local capacity and local competition exists and estimated value of procurement is Rs 50 Lakhs or less, a list of goods will be issued by this Department in due course. Till the time such a list is issued, provisions of para 3(b) or para 3(c) of PPO, 2017, as applicable, shall apply for all procurements without regard to value of procurement.
- 4) **Verification of Local Content:**
- a) The local supplier at the time of tender, bidding or solicitation shall be required to furnish self-certification of local content in the format as contained in Enclosure-II.
 - b) In cases of procurement for a value in excess of Rs. 10 crores, the local supplier shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.
 - c) In each tender, procuring entity shall clearly mention the details of its competent authority which is empowered to look into procurement related complaints and the fees for such complaints, relating to implementation of PPO, 2017.
 - d) In case a complaint is received by the procuring entity against the claim of a bidder regarding domestic value addition in medical device, the procuring entity shall have full rights to inspect and examine all the related documents and take a decision. In case any clarification is needed, matter may be referred to DoP to the Grievance Redressal Committee consisting of the following:
 1. Chairman - Joint Secretary (Medical Device) in DoP
 2. Member - Director / Deputy Secretary (Medical Devices) in DoP
 3. Member - Representative (not below the rank of Deputy Secretary) from M/o Health & Family Welfare / CDSCO
 - e) Any complaint referred to the procuring entity shall be submitted along with all necessary documentation in support of the complaint regarding domestic value addition claimed in medical device and shall be disposed of within 4 weeks of the reference by the procuring entity.
 - f) In case, the complaint is referred to DoP by a bidder or procuring entity, the grievance redressal committee shall dispose of the complaint within 4 weeks of its reference and receipt of all documents from the bidder after taking in consideration, the view of the procuring entity. The bidder shall be required to furnish the necessary documentation in support of the local content claimed in medical devices to the grievance redressal committee under DoP within 2 weeks of the reference of the matter. If no information is furnished by the bidder, the grievance redressal committee may take further necessary action, in consultation with procuring entity to establish the bonafides of the claim.
 - g) In case of reference of any complaint by the concerned bidder, there would be a fee of Rs. 2 Lakh or 1% of the value of the medical devices being procured (subject to a maximum of Rs. 5 Lakh), whichever is higher, to be paid by way of a Demand Draft to be deposited with the procuring entity, along with the

Okraj

complaints by the complainant. In case, the complaint is found to be incorrect, the complaint fee shall be forfeited. In case, the complaint is upheld and found to be substantially correct, deposited fee of the complainant would be refunded without any interest.

- 5) All other provisions of PPO, 2017 shall be applicable as such and shall be adhered to by all procuring agencies for procurement of any medical device.
- 6) These guidelines shall remain applicable for one year or until further orders from the date of its issuance.


(Dinesh Kapila) -
Economic Adviser
Ph. 23381927

Calculation of Local Content

Name of manufacturer	Calculation by Manufacturer (Cost per unit of product)			
	Cost Component	Cost (Domestic Component) a	Total Cost b	Percentage of Local Content $c=(a/b)*100$
I.				
II.				
III. Total Cost (Excluding tax and duties)				

Note:

I. **Cost (Domestic Component):** Cost of domestic component may be calculated based on one of the followings depending on data available. Each of these calculations should provide consistent result.

a. Sum of the costs of all inputs which go into the product (including duties and taxes levied on procurement of inputs except those for which credit/ set-off can be taken) and which have not been imported directly or through a domestic trader or an intermediary.

b. Ex-Factory Price of product minus profit after tax minus sum of imported Bill of Material used (directly or indirectly) as inputs in producing the product (including duties and taxes levied on procurement of inputs except those for which credit/ set-off can be taken) minus warranty costs.

c. Market price minus post-production freight, insurance and other handling costs minus profit after tax minus warranty costs minus sum of Imported Bill of Material used as inputs in producing the product (including duties and taxes levied on procurement of inputs except those for which credit / set-off can be taken) minus sales and marketing expenses.

II. **Total Cost:** Total cost may be calculated based on one of the following depending on data available. Each of these calculations should provide consistent result.

a. Sum of the costs of all inputs which go into the product (including duties and taxes levied on procurement of inputs except those for which credit / set-off can be taken).

b. Ex-Factory Price of product minus profit after tax, minus warranty costs.

c. Market price minus post-production freight, insurance and other handling costs minus profit after tax, minus warranty costs minus sales and marketing expenses.

Initial

Format for Affidavit of Self Certification regarding Local Content in a Medical Device to be provided on Rs. 100/- Stamp Paper

Date: _____

I _____ S/o,D/o,W/o _____, Resident of _____

do hereby solemnly affirm and declare as under:

That I will agree to abide by the terms and conditions of the policy of Government of India issued vide Notification No:

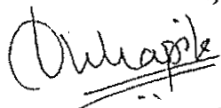
That the information furnished hereinafter is correct to best of my knowledge and belief and I undertake to produce relevant records before the procuring entity or any authority so nominated by the Department of Pharmaceuticals, Government of India for the purpose of assessing the local content.

That the local content for all inputs which constitute the said medical device has been verified by me and I am responsible for the correctness of the claims made therein.

That in the event of the domestic value addition of the product mentioned herein is found to be incorrect and not meeting the prescribed value-addition norms, based on the assessment of an authority so nominated by the Department of Pharmaceuticals, Government of India for the purpose of assessing the local content, action will be taken against me as per Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 and Guidelines issued vide letter no. 31026/36/2016-MD dated 1.8.2018.

I agree to maintain the following information in the Company's record for a period of 8 years and shall make this available for verification to any statutory authority:

- i) Name and details of the Domestic Manufacturer (Registered Office, Manufacturing unit location, nature of legal entity)
- ii) Date on which this certificate is issued
- iii) Medical devices for which the certificate is produced
- iv) Procuring entity to whom the certificate is furnished
- v) Percentage of local content claimed
- vi) Name and contact details of the unit of the manufacturer
- vii) Sale Price of the product
- viii) Ex-Factory Price of the product
- ix) Freight, insurance and handling
- x) Total Bill of Material
- xi) List and total cost value of inputs used for manufacture of the medical device
- xii) List and total cost of inputs which are domestically sourced. Value addition certificates from suppliers, if the input is not in-house to be attached.
- xiii) List and cost of inputs which are imported, directly or indirectly



For and on behalf of

(Name of firm/entity)

Authorized signatory (To be duly authorized by the Board of Director)

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५

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Website: www.coalindia.in

E mail: gmmm.cil@coalindia.in

Ref: CIL/C2D/Kray Niyamavali/2018/668

Date: 04.09.2018

To:

- GM (MM) – HOD, BCCL, Dhanbad
- GM (MM) – HOD, CCL, Ranchi
- GM (MM) – HOD, ECL, Sanctoria
- GM (MM) – HOD, MCL, Sambalpur
- GM (MM) – HOD, NCL, Singrauli
- GM (MM) – HOD, SECL, Bilaspur
- GM (MM) – HOD, WCL, Nagpur
- GM (NEC), Margherita
- HOD (MM), CMPDIL, Ranchi

Office Order

Dear Sir,

Sub: Public Procurement (Preference to Make in India) Order, 2018 - Reg.

Please find enclosed the following two notifications of Government of India:

1. F.No. 1(10)/2017-CLES dated 02.07.2018 of Ministry of Electronics and Information Technology
 2. No. 9/45/2017-HE&MT dated 08.06.2018 of Department of Heavy Industry, Ministry of Heavy Industries & Public Enterprises
- for your information and compliance.

Encl: As above

Yours faithfully,

General Manager (MM)

CC:

1. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
2. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admin)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
8. All executives of MM Division, CIL

हिंदी संस्करण दूसरी ओर

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लाट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.inईमेल: gmmm.cil@coalindia.in**COAL INDIA LIMITED**

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.inE mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी2डी/क्रय नियमावली/२०१८/६६८

दिनांक: ०४.०९.२०१८

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड

कार्यालय आदेश

महोदय,

विषय: सार्वजनिक खरीद ('मेक इन इंडिया' को प्राथमिकता) आदेश, २०१८ से संबंधित

भारत सरकार की संलग्न निम्नवर्णित अधिसूचनाएं:

1. इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय की अधिसूचना संख्या एफ.नं. १(१०)/२०१७-सीएलइएस दिनांक ०२.०७.२०१८
2. भारी उद्योग विभाग, भारी उद्योग एवं लोक उद्यम मंत्रालय की अधिसूचना संख्या नं. ९/४५/२०१७-हेचइ&एमटी दिनांक ०८.०६.२०१८

आपकी जानकारी एवं अनुपालन हेतु अग्रेषित की जा रही हैं।

संलग्न: उल्लेखानुसार

भवदीय,

विभागाध्यक्ष विश्वास
महाप्रबंधक (सा प्र) 04/09/18

वितरण:

१. निदेशक (वित्त)/निदेशक (विपणन)/निदेशक (तकनीकी)/निदेशक (कार्मिक), सीआईएल
२. सी.एम.डी, बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
३. निदेशक (तकनीकी), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. मुख्य सतर्कता अधिकारी, सीआईएल
५. सीआईएल के अध्यक्ष के तकनीकी सचिव
६. महाप्रबंधक(वित्त)/महाप्रबंधक(सिविल)/महाप्रबंधक(सीएमसी)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(ईईडी)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(सीवी), सीआईएल
७. महाप्रबंधक (वित्त), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
८. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण

English Version Overleaf

File No.1(10)/2017-CLES
Government of India
Ministry of Electronics and Information Technology

Electronics Niketan, New Delhi
Dated: 2nd July, 2018

NOTIFICATION

Subject: Public Procurement (Preference to Make in India) Order 2018 for Cyber Security Products

Reference: Department of Industrial Policy & Promotion (DIPP) Notification No. P-45021/2/2017-B.E.-II dated 15.06.2017 and revised notification P-45021/2/2017-PP(BE-II) dated 28.05.2018

The Government has issued Public Procurement (Preference to Make in India) Order 2017 vide the Department of Industrial Policy and Promotion (DIPP) Notification No. P-45021/2/2017-B.E.-II dated 15.06.2017 and partially modified order no No.P-45021/2/2017-PP(BE-II) was issued on 28.05.2018, to encourage 'Make in India' and to promote manufacturing and production of goods and services in India with a view to enhancing income and employment.

2. In furtherance of the Public Procurement (Preference to Make in India) Order 2017 notified vide reference cited above, the Ministry of Electronics and Information Technology (MeitY) hereby notifies that Cyber Security being a strategic sector, preference shall be provided by all procuring entities to domestically manufactured/produced Cyber Security Products as per the aforesaid Order.

3. Definition of Cyber Security Product:

For the purpose of this Notification, Cyber Security Product means a product or appliance or software manufactured/produced for the purpose of protecting, information, equipment, devices computer, computer resource, communication device and information stored therein from unauthorized access, use, disclosure, disruption, modification or destruction.

4. Definition of 'local supplier' of domestically manufactured/ produced Cyber Security Products

4.1 For the purpose of this Notification, the 'local supplier' is defined as follows:

(A) A company incorporated and registered in India as governed by the applicable Act (Companies Act, LLP Act, Partnership Act etc.) or startup that meet the definition as prescribed by DIPP, Ministry of Commerce and Industry Government of India under the notification G.S.R. 364 (E) dated 11th April 2018 and recognized under Startup India initiative of DIPP.

AND

(B) Revenue from the product(s) in the India and revenue from Intellectual Property (IP) licensing should accrue to the aforesaid company/Startup in India. The entity claiming benefits under the Public Procurement Order 2017 in addition to being an Indian registered/~~incorporated~~ entity, and supplying products should satisfy the conditions of IP ownership as under:

(B)(i) Domestically manufactured/produced Cyber Security product means a product, whose intellectual property is owned by the Indian Company/Startup (as defined above) such that it has rights to:

- (a) Use and commercialize without third party consents; and
- (b) Distribute; and
- (c) Modify

AND

The Indian Company/Startup should demonstrate ownership of intellectual property associated with the product, in addition to trademarks applicable, if any.

(B)(ii) Even in case of open source products, all the three IP ownership rights as outlined in paragraph B(i) above should rest with the Indian entity.

(B)(iii) IP ownership rights would need to be substantiated by adequate proof, such as (a) adequate documentation evidencing ownership (evidenced by supporting proof such as documentation related to development but not limited to IP assignments, shrink wraps,

license agreements, click wraps); OR (b) IP registrations. It may be noted that IP registrations is not a compulsory criteria as it is not necessary to register to exercise copyright in India.

4.2 Exclusion:

(a) Resellers, Dealers, Distributors, implementation/ support services agencies of products, who may have limited rights to IP to enable transfer of rights to use, distribute and modify.

(b) Digital content is not considered a product e.g. videos, e-books, etc.

Definition of domestically manufactured/produced Cyber Security product and Indian Company should be applied in conjunction with conditions 4.1 (A) and 4.2 (B) outlined above and read along with the aforesaid exclusion criteria, to suppliers of products to identify Indian Product Company/Startup.

5. Product List

A committee headed by Additional Secretary MeitY and comprising of Group Coordinator (R & D in Electronics) MeitY, DG CERT-In, DG STQC, CEO DSCI, Additional Chief Secretary to Government of Karnataka Department of Personnel and Administrative Reforms (e-Governance), representative of Ministry of Defence and Group Coordinator (Cyber Security) MeitY as convener will be constituted to define and review framework for the evaluation of the products and will be empowered to approve the products to be included in the list of products eligible for benefit under this notification. The committee may co-opt domain specific official members for evaluation. The committee, inter-alia, is to assess capacity and capability and recommend following :

- i. The product is secure to use and its performance.
- ii. Adequate support infrastructure is available in country.
- iii. Meeting international standards/best practices wherever available.
- iv. The committee while making recommendations bear in mind the need to promote development of indigenous 'Make in India' capabilities in cyber security sector.
- v. Products with multiple sub-components can be covered under this notification. Total licensing/Royalty fee going out in any such product should not exceed 50% of the total cost of the product.

6. Verification of 'local supplier' of domestically manufactured/ produced Cyber Security Products

a. The local supplier at the time of tender, bidding or solicitation shall provide self-certification that the item offered meets the definition of 'local supplier' of domestically manufactured/produced Cyber Security Products, as per Para 4 above.

b. In cases of procurement for a value in excess of Rs. 10 crores, the local supplier shall provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) that the item offered meets the definition of 'local supplier' of domestically manufactured/ produced Cyber Security Products, as per Para 4 above.

c. In case a complaint is received by the procuring agency or the concerned Ministry/ Department against the claim of a bidder regarding supply of domestically manufactured/ produced Cyber Security Product, the same shall be referred to STQC, an attached office of MeitY.

d. Any complaint referred to STQC shall be disposed off within 4 weeks. The bidder shall be required to furnish the necessary documentation in support of the domestically manufactured/ produced Cyber Security product to STQC. If no information is furnished by the bidder, STQC may take further necessary action, to establish the bonafides of the claim.

e. In order to avoid frivolous complaint designed to overreach the preference given to local supplier, it is proposed to strengthen and make accountable the entire complaint process. Accordingly, a complaint fee of Rs.2 Lakh or 1% of the value of the domestically manufactured/produced Cyber Security Product being procured (subject to a maximum of Rs. 5 Lakh), whichever is higher, shall be paid by Demand Draft to be deposited with STQC. In case, the complaint is found to be incorrect, the complaint fee shall be forfeited. In case, the complaint is upheld and found to be substantially correct, deposited fee of the complainant would be refunded without any interest.

f. False declarations will be in breach of the Code of Integrity under Rule 175(1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151 (iii) of the General Financial Rules along with such other actions as may be permissible under law.

7. For reasons to be recorded in writing, a procuring entity may choose to procure a higher percentage of domestically manufactured electronic products than specified in the Public Procurement (Preference to Make in India), Order 2017. This would enable the procuring entities to meet their special requirements or wherever a special policy provision exists/decision is taken by the Government to meet the demand from domestic manufacturers.

8. The Notification comes into effect immediately and shall remain valid till the revised Notification is issued.

9. The Cyber Security Products notification shall also be applicable to the domestically manufactured/produced Cyber Security products covered in turnkey/system integration projects. In such cases the preference to domestically manufactured/produced Cyber Security products would be applicable only for the value of Cyber Security product forming part of the turnkey/ system-integration projects and not on the value of whole project.

10. MeitY shall be the nodal Ministry to monitor the implementation of the Cyber Security Products Notification.

11. In case of a question whether an item being procured is a Cyber Security Product to be covered under the Public Procurement (Preference to Make in India) Order 2018 for Cyber Security Products, the matter would be referred to the Ministry of Electronics and Information Technology for clarification.



(Rakesh Maheshwari)

Senior Director & Group Co-ordinator (Cyber Laws & E-Security)

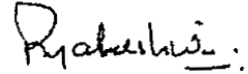
Tel.: 011-24361814

New Delhi, Dated 02.07.2018

Copy to:

- 1. All Ministries/Departments of Government of India**
- 2. Cabinet Secretariat**
- 3. PMO**
- 4. NITI Aayog**

5. **Joint Secretary (DIPP), Member-Convener of Standing Committee of Public Procurement Order 2017**
6. **Controller and Auditor General of India**
7. **AS&FA, Ministry of Electronics and Information Technology**
8. **Internal Distribution**



(Rakesh Maheshwari)
Senior Director & Group Co-ordinator (Cyber Laws & E-Security)
Tel.: 011-24361814



No.9/45/2017-HE&MT
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Heavy Industry

Udyog Bhawan, New Delhi
Dated the 08th June , 2018.

NOTIFICATION

Subject: Public Procurement (Preference to Make in India) Order 2017- Notifying specified Capital Goods in furtherance of the Order.

Reference: Department of Industrial Policy & Promotion (DIPP) Notification No.P-45021/2/2017-B.E.II dated 15.06.2017.

The Government has issued Public Procurement (Preference to Make in India) Order 2017 vide the Department of Industrial Policy & Promotion (DIPP) Notification No.P-45021/2/2017-BE.II dated 15.06.2017 to encourage 'Make in India' and to promote manufacturing and production of goods and services in India with a view to enhancing income and employment.

2. In furtherance of the Public Procurement (Preference to Make in India) Order 2017 notified vide reference cited above, the Ministry of Heavy Industries & Public Enterprises (HI&PE) hereby notifies that preference shall be provided by all Government Procuring Entities to domestically manufactured Capital Goods as per the aforesaid Order.

3. Capital Goods notified under the Public Procurement (Preference to Make in India) Order 2017, are annexed.

4. The Notification comes into effect immediately and would be reviewed as and when Department feels appropriate to do so.

5. This Notification shall remain valid till the revised Notification is issued.

6. **Procedure for calculating local content/domestic value addition**

6.1 Bill of Material sourced from domestic manufacturers (Dom-Bom) may be calculated based on one of the followings depending on data available. Each of these calculations should provide consistent result.

- a. Sum of the costs of all inputs which go into the product (including duties and taxes levied on procurement of inputs except those for which credit/set-off can be taken) and which have not been imported directly or through a domestic traders or an intermediary.
- b. B. Ex-Factory Price of product minus profit after tax minus sum of imported Bill of Material used (directly or indirectly) as inputs in producing the product (including duties and taxes levied on procurement of inputs except those for which credit/set off can be taken) minus

warranty costs.

- c. Market price minus post-production freight, insurance and other handling costs minus profit after tax minus warranty costs minus sum of Imported Bill of Material used as inputs in producing the product (including duties and taxes levied on procurement of inputs except those for which credit/set-off can be taken) minus sales and marketing expenses.

6.2 Total Bill of Material (Total-BOM) may be calculated based on one of the following depending on data available. Each of these calculations should provide consistent result.

- a. Sum of the cost of all inputs which go into the product (including duties and taxes levied on procurement of inputs except those for which credit/set-off can be taken).
- b. Ex-Factory Price of product minus profit after tax, minus warranty costs.
- c. Market price minus post-production freight, insurance and other handling costs minus profit after tax, minus warranty costs minus sales and marketing expenses.

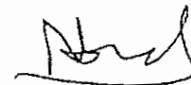
6.3 The percentage of domestic value-addition may be calculated based on information furnished as per the following formula:

$$\text{Percentage of domestic value-addition} = (\text{Dom-Bom} / \text{Total-BOM}) \times 100$$

It is recommended that each agency assessing should calculate the domestic local content/value addition using at least two of the above formulae so as to validate the assessments in this regard and ensure that the domestic value addition that is claimed is consistent.

7. Verification of local content/Domestic Value Addition

- a. The local supplier at the time of tender, bidding or solicitation shall provide self-certification that the item offered meets the minimum local content and shall give details of the location(s) at which the local value addition is made.
 - b. In cases of procurement for a value in excess of Rs. 10 crore, the local supplier shall provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practising cost accountant or practising chartered accountant (in respect of suppliers other than companies) giving the percentage of local.
 - c. False declaration will be in breach of the Code of Integrity under Rule 175(1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151 (iii) of the General Financial Rules along with such other actions as may be permissible under law.
8. MHI&PE shall be the Nodal Ministry to monitor the implementation of the Notification.



(N.Sivanand)

Joint Secretary to Government of India

Tel: 23062367

भारत सरकार/भारत सरकार
भारत सरकार एवं लोक उद्योग विभाग
Ministry of Heavy Industries & Public Enterprises
भारत सरकार/Department of Heavy Industry
नई दिल्ली/New Delhi

New Delhi, the Dated 30.05.2018

Copy to:

1. All Ministries/Departments of Government of India
2. Cabinet Secretariat
3. PMO
4. Niti Aayog
5. Comptroller and Auditor General of India
6. SS&FA, DHI
7. Joint Secretary (DIPP), Member-Convener of Standing Committee of Public Procurement Order 2017
8. Internal Distribution



(N. Sivanand)

Joint Secretary to Government of India

Tel: 23062367

श्री. निधिमानंद एन. शिवानंद
संयुक्त सचिव/Joint Secretary
भारी उद्योग एवं लोक उद्यम मंत्रालय
Ministry of Heavy Industries & Public Enterprises
भारी उद्योग विभाग/Department of Heavy Industry
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Specified Capital Goods

SN	Product	HSN Code	Minimum Local Content%	Imported Materials
A	STATIC EQUIPMENTS			
1	PRESSURE VESSELS	8419 8910		
	a) Amonia Converter(special type of pressure vessels used in Fertilizer industry)	8419 8910	50	Shell Plates, Forgings
	b) Urea Reactors (special type of pressure vessels used in Fertilizer industry)	8419 8910	50	Shell Plates, UG Liner Plates Forgings
	c) Hydroprocessing Reactor (special type of pressure vessels used in Petrochemicals industry)	8419 8910	40	Shell forgings, Clad plates
	d) Coke Drum (special type of pressure vessels used in Petrochemicals industry)	8419 8910	50	Forgings
2	HEAT EXCHANGERS	8419 5010		
	a) Urea Stripper (special type of heat exchangers used in Fertilizer industry)	8419 50 10	40	UG Liner plates, UG Tubes/Bi-metallic tubes, Channel shell plates, T/S & Forgings(Indian Tube manufacturers are not qualified at present)
	b) Carbamate Condenser(special type of heat exchangers used in Fertilizer industry)	8419 5010	40	Channel shell plates, UG Tubes, UG Liner plates, T/S & Forgings
	c) High Pressure Heat Exchangers	8419 5010	45	Tubes, plates of exotic material like incoloy, Forgings
3	BOILERS	8402 1910		

a	RG Boilers/Synloop Boilers (special type of boilers used in Fertilizer industry)	8402 1910	45	Shell plates, Tubes, Refractory
B ROTATING EQUIPMENTS				
1	PUMPS:CENTRIFUGAL	8413 9120	95%	Special seals/High alloys/parts
2	COMPRESSORS	8421 2900	90%	Special seals/High alloys/parts/intercoolers
C INSTRUMENTATION AND AUTOMATION				
1	INSTRUMENTS FOR PRESSURE	9026 2000	90%	Sensors
2	INSTRUMENTS FOR TEMPERATURE	9026 2000	90%	Sensors
3	INSTRUMENTS FOR FLOW	9026 1010	70%	Special Technology Ultrasonic/ Mass Flow Sensors
4	INSTRUMENTS FOR LEVEL	9026 1090	75%	Radar/Guided/Ultrasonic sensors
5	PROCESS ANALYSER SYSTEM	9027 1000	65%	Online Analysers and Accessories
6	CONTINUOUS EMISSION MONITORING SYSTEM	9027 1000	65%	Online Analysers and Accessories
7	AMBIENT AIR QUALITY MONITORING SYSTEM	9027 1000	65%	Online Analysers
8	DISTRIBUTED CONTROL SYSTEMS	9032 8990	70%/80%	Electronic Cards
D PIPE LINE VALVES				
1	CONTROL VALVES	7318 1600	85%	Smart Positioners and Accessories
2	STEAM CONDITIONING VALVES/TURBINE BYPASS VALVE	8481 8010 / 8481 8090	80%	Special Actuators/Smart Positioners
3	VALVES FOR HIGH TEMPERATURE AND PRESSURE (GATE,GLOBE,BALL,BUTTERFLY)	8481 8010 / 8481 8090	≈ 80%	Special Actuators & High Alloys

कोल इंडिया लिमिटेड
(एक महारत्न कंपनी)
सामग्री प्रबंधन विभाग
कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए
न्यू टाउन, राजरहाट, कोलकाता - ७००१५६
फ़ोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५
वेबसाइट: www.coalindia.in
ईमेल: gmmm.cil@coalindia.in



COAL INDIA LIMITED
(A MAHARATNA COMPANY)
Materials Management Division,
Coal Bhavan, Premises No.04, Action Area I A,
New Town, Rajarhat, Kolkata-700156
PHONE: 033-2324 4127, FAX: 033-2324 4115
Website: www.coalindia.in
E mail: gmmm.cil@coalindia.in

Ref: CIL/C2D/KrayNiyamavali/2018/ 917

Date: 14.11.2018

To:

GM (MM) – HOD, BCCL, Dhanbad
GM (MM) – HOD, CCL, Ranchi
GM (MM) – HOD, ECL, Sanctoria
GM (MM) – HOD, MCL, Sambalpur
GM (MM) – HOD, NCL, Singrauli
GM (MM) – HOD, SECL, Bilaspur
GM (MM) – HOD, WCL, Nagpur
GM (NEC), Margherita
HOD (MM), CMPDIL, Ranchi

Office Order

Dear Sir,

Sub: Public Procurement (Preference to Make in India) Order, 2017 - Reg.

Please find enclosed the following three notifications issued by various ministries of Government of India:

1. No. 14023/4/2018-FP dated 27.07.2018 of Department of Fertilizers, Ministry of Chemicals & Fertilizers
2. No. 7/49/2014-M.IV dated 16.10.2018 of Ministry of Mines
3. No. C.I-43012/52/2017-Chem-1(B) dated 23.10.2018 of Department of Chemicals & Petrochemicals, Ministry of Chemicals & Fertilizers

for your information and compliance.

Encl: As above

Yours faithfully,

General Manager (MM) 14/11/18

CC:

1. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
2. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
3. Director (Tech.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admin)/GM (EED)/GM (Prod.)/GM (CV), CIL
7. GM (Fin.), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL
8. All executives of MM Division, CIL

हिंदी संस्करण दूसरी ओर

F.No.F0206/16/2018-Coord.
Government of India
Ministry of Coal

.....

Shastri Bhawan, New Delhi
Dated 8th August, 2018

Office Memorandum

Subject:- Public Procurement (Preference to Make in India) Order (PPO), 2017 (revised) - related to procurement of Goods, Services & Works in Fertilizer Sector - reg.

The undersigned is directed to enclose a copy of Order No. 14023/4/2018-FP dated 27.07.2018 received from M/o Chemical and Fertilizers, D/o Fertilizers Public Procurement (Preference to Make in India) Order (PPO), 2017 (revised) - related to procurement of Goods, Services & Works in Fertilizer Sector.

This is for information and necessary compliance.

Encl. As above



(Rishan Rynthiang)

Under Secretary to the Government of India
Tel.No.011-23073936

To

All Officers/All Sections in the Ministry of Coal

Copy to:-

1. Chairman, Coal India Limited, Coal Bhawan Premise No.04 MAR,No.AF-III, Action Area-1A, Newtown, Rajarhat, Kolkata-700156
2. CMD, NLC India Limited, Neyveli, Distt. Cuddalore, Tamil Nadu-607801
3. Coal Controller, Coal Controller Organisatin, 1, Council House Street, Kolkata-700001
4. Commissioner, Coal Mines Provident Fund Organisation, Police Line Dhanbad, Jharkhand-826001

31/7/18
SSA

F.No.14023/4/2018- FP
Government of India
Ministry of Chemicals and Fertilizers
Department of Fertilizers

Shastri Bhawan, New Delhi
Dated : 27th July, 2018

ORDER

Subject: Public Procurement (Preference to Make in India) Order (PPO), 2017 (revised) - related to procurement of Goods, Services & Works in Fertilizer Sector.

Reference: Department of Industry Policy & Promotion (DIPP) Notification No. P-45021/2/2017-B.E.-II dated 15.06.2017 revised vide DIPP Order No. P-45021/2/2017-PP (B.E.-II) dated 28.05.2018.

The Government has issued "Public Procurement (Preference to Make in India) Order 2017" vide the Department of Industrial Policy and Promotion (DIPP) Notification No. P-45021/2/2017-B.E.-II dated 15.06.2017 revised vide DIPP Order No. P-45021/2/2017-PP (B.E.-II) dated 28.05.2018 to encourage 'Make in India' and to promote manufacturing and production of goods, services and works in India with a view to enhancing income and employment.

2. The Department of Fertilizers has assessed the domestic manufacturing/supply/services base and the available capacity and the extent of local competition while identifying goods, services & works and prescribing minimum local content and the manner of its calculation, with a view to avoid cost increase from the operation of this Order.

3. In furtherance to the Public Procurement (Preference to Make in India) Order 2017 notified vide reference above, Department of Fertilizers hereby notifies that purchase preference shall be given to local suppliers by all procuring entities so as to ensure local content of at least 50% in the following commonly used items by fertilizer industry as per Para 3 (a) of DIPP Order 2017:

S. No.	Items
1	Bags
2	Neem Oil
3	Electrical fittings of general nature
4	All services excluding consultancy services of licensor
5	Cleaning materials
6	Paints of general nature
7	Rails and sleepers
8	Loco and spares
9	Belt conveyers
10	Structural Steel
11	Gratings
12	Switchgear
13	Sulphuric Acid
14	Poly aluminum chloride
15	Liquid Chlorine
16	LDPE sheets
17	PP thread
18	Rubber Goods
19	Insulating Materials
20	Paints and Varnishes
21	Firefighting equipment
22	Industrial Gases
23	Low Voltage Transformers
24	Conductors, Cables & Wires
25	Pipes and pipe fittings for general use
26	Steel fabricated structures (tanks, vessels etc.)
27	Building Materials (Sand, stone, bricks, cement)
28	Horticulture & Agriculture Stores and equipments
29	Tarpaulin
30	Office furniture
31	Linen
32	Stationary and cutlery Items

4. In terms of clause 13 of DIPP Order 2017, in case the product is being manufactured in India under foreign collaboration/ a license from a foreign manufacturer who holds intellectual property rights, where there is a technology

collaboration agreement/ transfer of technology agreement for indigenous manufacture of product developed abroad with clear phasing on increase in local content, the party may be treated as Indian Party provided they have met the targeted indigenous content as per collaboration agreement, on applicable date.

5. As per provisions of clause 14 (c) of PPO 2017, the Department of Fertilizers further exempts following items being used in fertilizer industry from provision of Public Procurement (Preference to Make in India) Order 2017. These items are either of critical nature, patented/ proprietary items or are in shortage in India.

S.No.	Items
1	All chemical fertilizers
2	Rock phosphate & Potash
3	LNG
4	Precious metals like Platinum rhodium, palladium
5	Proprietary items & chemicals of foreign vendors
6	Process licensor's proprietary items/ Procurement from recommended vendors of licensors
7	Consultancy services from licensor
8	Catalysts except Low temperature & High Temperature shift conversion
9	Critical pumps & Valves
10	Urea grade equipment, fittings, fasteners
11	Reformer Catalyst tubes
12	Critical Bearings
13	Automation Instrumentation
14	High voltage transformers
15	High end hardware and proprietary software
16	Critical Refractory Material
17	Critical Filter/Filter Cartridges
18	High Voltage Generators

6. Procuring entity shall constitute a Committee with representatives not below the rank of Sr. Managers (E-5 scale) from technical, finance, materials/commercials for independent verification of self-declarations and auditor's/accountant's certificates on random basis. In case a complaint is received

by the procuring entity, the Committee of procuring entity shall have full rights to inspect and examine all the related documents and take a decision. In case of any clarification, the matter may be referred to the Committee constituted at Department of Fertilizers.

Committee proposed at Department of Fertilizers:

Chairperson- Additional Secretary / Joint Secretary (Fertilizers)

Member- Director (PSU)

Member- Director (Technical from concerned PSU)

7. As per clause 9 (e) of the DIPP Order 2017, a fee-of Rs. 1000/- will be charged for each complaint filed under the DIPP Order 2017.

8. Department of Fertilizers may issue such clarifications and instructions as may be necessary for the removal of any difficulties arising from implementation of this order.

9. All other terms and conditions shall be as per the DIPP Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 revised vide DIPP Order No. P-45021/2/2017-PP(B.E.-II) dated 28.05.2018.

10. The notification comes in to effect immediately and would be reviewed as and when required. This Notification shall remain valid till revised notification is issued.



(Gurveen Sidhu)

Joint Secretary to Government of India

Copy to:

1. All Ministries/Departments of Government of India
2. Cabinet Secretariat
3. Prime Minister's Office
4. Niti Aayog
5. Controller and Auditor General of India
6. All Fertilizer CPSEs
7. Internal distribution

F.No.F0206/24/2018-Coord,
Government of India
Ministry of Coal

.....

Shastri Bhawan, New Delhi
Dated 24th October, 2018

Office Memorandum

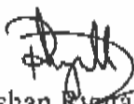
Subject:- Public Procurement (Preference to Make in India) Order, 2017-Notifying products in respect of Mineral and Metal (except Steel) Sector in furtherance of the Order - reg

The undersigned is directed to enclose Order No.7/49/2014-M.IV dated 16.10.2018 received from Ministry of Mines on the above subject.

Ministry of Mines has assessed the domestic manufacturing /supply base and the available capacity and the extent of local competition while identifying items related to Mineral and Metal (except Steel) Sector and prescribing minimum local content. Ministry of Mines have notified the purchase preference to be accorded by all procuring entities as defined in PPP-MII Order, as per minimum local content requirement for each products.

This is for information and compliance.

Encl.:As above


(Rishan Rynthiang)
Under Secretary to the Government of India
Tel No.011-23073936

To.

All Section, Ministry of Coal

Copy also for necessary action and compliance to:-

1. Chairman,Coal India Limited, Coal Bhawan Premise No.04 MAR, Plot No. AF-III, Action Area-1A, Newtown, Rajarhat, Kolkata-700156.
2. CMD, NLC India Limited, Neyveli, Distt. Cuddalore, Tamil Nadu-607801.
3. Coal Controller, Coal Controller Organisation, 1, Council House Street, Kolkata- 700001.
4. Coal Mines Provident Fund Organisation, Police Line Dhanbad, Jharkhand-826001.

No. 7/49/2014-M.IV
Government of India
Ministry of Mines

Shastri Bhawan, New Delhi
Dated: 16 October, 2018

ORDER

Subject: Public Procurement (Preference to Make in India) Order, 2017 – Notifying products in respect of Mineral and Metal (except Steel) Sector in furtherance of the Order.

Reference: Department of Industrial Policy & Promotion Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 & Order No. P-45021/2/2017-PP (BE-II) dated 28.05.2018 (PPP-MII Order).

The Government of India has issued Public Procurement (Preference to Make in India) Order, 2017 vide the Department of Industrial Policy & Promotion (DIPP) Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 & Order No. P-45021/2/2017-PP (BE-II) dated 28.05.2018 to encourage 'Make in India' and to promote manufacturing and production of goods and services in India with a view to enhancing income and employment.

2. Ministry of Mines has assessed the domestic manufacturing / supply base and the available capacity and the extent of local competition while identifying items related to Mineral and Metal (except Steel) Sector and prescribing minimum local content.

3. In furtherance of the Public Procurement (Preference to Make in India) Order, 2017 notified vide reference cited above, the Ministry of Mines hereby notifies the purchase preference to be accorded by all procuring entities as defined in PPP-MII Order, as per the minimum local content requirement for each products as specified under.

Minimum Local Content for Products related to Mining Sector			
S. No.	Mineral/Metal	Minimum Local Content (%)	
		For first 2 years of the notification	After 2 years of the notification
1	Zinc Metal (Ingots)	50%	60%
2	Iron Ore	60%	75%
3	Barytes Ore	50%	50%

4. The local supplier at the time of tender, bidding or solicitation shall be required to provide self-certification that the item offered meets the minimum local content and shall give details of the location(s) at which the local value addition is made. In cases of procurement for a value in excess of Rs. 10 Crores, the local supplier shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.

5. False declarations will be in breach of the Code of Integrity under Rule 175(1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151 (iii) of the General Financial Rules along with such other actions as may be permissible under law.

6. The Ministry of Mines may review the local content requirements, subject to availability of sufficient local competition with adequate quality.

7. Ministry of Mines may constitute a Committee with internal and external experts for independent verification of self-declarations and auditor's / accountant's certificates on random basis and in the case of complaints. Ministry of Mines and procuring entities may prescribe fees for such complaints.

8. Ministry of Mines may issue such clarifications and instructions as may be necessary for the removal of any difficulties arising in the Implementation of this Order.

9. All other terms and conditions will be as per the Department of Industrial Policy & Promotion Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 & Order No. P-45021/2/2017-PP (BE-II) dated 28.05.2018.

10. This Order comes into effect immediately and would remain valid till a revised Order is issued.



(Dr Niranjana Kumar Singh)

Joint Secretary to the Government of India

To:

- i. All Ministries/Departments of Government of India (As per list)
- ii. Cabinet Secretariat
- iii. Prime Minister's Office
- iv. NITI Aayog
- v. Comptroller and Auditor General of India
- vi. Secretary, Department of Industrial Policy & Promotion, Chairman of Standing Committee for Implementation of Public Procurement Order, 2017
- vii. Joint Secretary (DIPP), Member-Conger of Standing Committee for Implementation of Public Procurement Order, 2017
- viii. Internal Distribution

37. To The Secretary, Department of Public Enterprises Block No.14, CGO Complex, Lodhi Road, New Delhi-110003	38. To The Secretary Department of Official Language NDCC-II Bhawan, 'A' Wing, 3rd Floor, Jai Singh Road, New Delhi-110001	39. To The Secretary, Department Inter State Council Secretariat/ Department of Border Management Vigyan Bhavan Annexe, Maulana Azad Road, New Delhi-110011
40. To The Secretary, Ministry of Housing & Urban Poverty Alleviation Nirman Bhawan, New Delhi-110011	41. To The Secretary Department of Higher Education C-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001	42. To The Secretary Department of School Education and Literacy, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001
43. To The Secretary Ministry of Information and Broadcasting, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi	44. To The Secretary Ministry of Labour & Employment Shram Shakti Bhawan, Rafi Marg, New Delhi	45. To The Secretary Department of Justice, Shastri Bhawan, New Delhi
46. To The Secretary Department of Legal Affairs, Shastri Bhawan, New Delhi-110001	47. To The Secretary Legislative Department Shastri Bhawan, New Delhi-110001	48. To The Secretary Ministry of Micro, Small & Medium Enterprises Udyog Bhawan, New Delhi-110011
49. To The Secretary Department of Chemicals and Fertilizers, Ministry of Chemicals and Fertilizers, Shastri Bhawan, New Delhi-110001	50. To The Secretary Ministry of Minority Affairs 11 th Floor, Paryavaran Bhawan CGO Complex, New Delhi-110003	51. To The Secretary, Ministry of New & Renewable Energy Block-14, CGO Complex, New Delhi-110021
52. To The Secretary, Ministry of Overseas Indian Affairs, Akbar Bhawan, Chanakapuri, New Delhi-110021	53. To The Secretary, Ministry of Panchayati Raj Krishi Bhawan, New Delhi-110001	54. To The Secretary, Ministry of Parliamentary Affairs, Room No. 8, Parliament House, Sansad Marg, New Delhi-110001
55. To The Secretary, Department of Personnel & Training, North Block, New Delhi-110001	56. To The Secretary, Department of AR&PG/ Department of Pensions & Pensioners, 5 th Floor, Sardar Patel Bhawan, Sansad Marg, New Delhi-110001	57. To The Secretary, Ministry of Petroleum and Natural Gas Shastri Bhawan, New Delhi-110001
58. To The Secretary Ministry Power, Shram Shakti Bhawan, New Delhi-110001	59. To The Secretary Ministry of Road Transport & Highways Transport Bhawan, New Delhi-110001	60. To The Secretary Department of Rural Development Krishi Bhawan, New Delhi-110001
61. To The Secretary, Ministry of Biotechnology/Department of Scientific and Industrial Research, Block 2, CGO Complex, Lodhi Road, New Delhi-110003	62. To The Secretary Department of Science and Technology, Technology Bhawan, New Mehrauli Road, New Delhi-110016	63. To The Secretary, Ministry of Shipping Transport Bhawan, Sansad Marg, New Delhi-110001
64. To The Secretary M/o Skill Development & Enterprises 2 nd Floor, Shivaji Stadium Annexe, Shaheed Bhagat Singh Marg, Near Connaught Place, New Delhi-110001	65. To The Secretary, Department of Empowerment of Persons with Disabilities, 5 th Floor, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003	66. To The Secretary Department of Social Justice & Empowerment Shastri Bhawan New Delhi-110001
67. To The Secretary Department of Space 3 rd Floor, Lok Nayak Bhawan, New Delhi-110003	68. To The Secretary, Ministry of Statistics & Programme Implementation, Sardar Patel Bhawan, Sansad Marg, New Delhi-110001	69. To The Secretary Ministry of Steel, Udyog Bhawan New Delhi-110011
70. To The Secretary, Transport Bhawan New Delhi-110001	71. To The Secretary, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi-110001	72. To The Secretary, Ministry of Urban Development Nirman Bhawan, New Delhi-110011
73. To The Secretary Ministry of Water Resources, River Development & Ganga Rejuvenation, Shram Shakti Bhawan, New Delhi-110001	74. To The Secretary, Ministry of Women & Child Development, Shastri Bhawan, New Delhi-110001	75. To The Secretary, Department of Sports Shastri Bhawan, New Delhi-110001
76. To The Secretary, Department of Youth Affairs, Shastri Bhawan, New Delhi-110001	77. To The Secretary, Ministry of Home Affairs, North Block, New Delhi-110001	78. To The Secretary, Department of Land Resources, Krishi Bhawan, New Delhi-110001

1. To The Secretary, Department of Agriculture and Cooperation, Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi-110001	2. To The Secretary, Department of Agricultural Research and Education, Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi-110001	3. To The Secretary, Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi-110001
4. To, The Secretary, D/o Atomic Energy Anushakti Bhavan, Chhatrapati Shivaji Maharaj Marg, Mumbai-400001	5. To, The Secretary, Department of Ayush Ayush Bhavan, B-Block, GPO Complex, INA New Delhi-110023	6. To, The Secretary Department of Chemicals and Petrochemicals A-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001
7. To, The Secretary Department of Fertilizers A-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001	8. To The Secretary, Department of Pharmaceuticals 3 rd Floor, B-Wing, Janpath Bhawan, New Delhi-110001	9. To The Secretary, Ministry of Civil Aviation Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi-110003
10. To The Secretary, Ministry of Coal A-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001	11. To The Secretary, Department of Commerce Udyog Bhawan, New Delhi-110011	12. To The Secretary, Department of Industrial Policy & Promotion Udyog Bhawan, New Delhi-110011
13. To The Secretary, D/o Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi-110003	14. To The Secretary D/o Posts Dak Bhavan, Sansad Marg, New Delhi-110003	15. To The Secretary D/o Telecommunications Sanchar Bhawan, Rafi Marg, New Delhi-110003
16. To The Secretary, D/o Consumer Affairs Krishi Bhavan Dr. Rajendra Prasad Road, New Delhi-110001	17. To The Secretary, D/o Food and Public Distribution Krishi Bhavan Dr. Rajendra Prasad Road, New Delhi-110001	18. To, The Secretary Ministry of Corporate Affairs A-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001
19. To, The Secretary, Ministry of Culture Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001	20. To The Secretary, Department of Defence South Block, New Delhi- 110001	21. To The Secretary, Department of Defence Production, South Block, New Delhi-110001
22. To The Secretary Department of Defense Research & Development South Block, New Delhi-110001	23. To The Secretary, Department of Ex-Servicemen Welfare South Block, New Delhi- 110001	24. To The Secretary, Ministry of North Eastern Region, Vigyan Bhawan Annexe, Maulana Azad Road, New Delhi-110011
25. To The Secretary, Ministry of Drinking Water and Sanitation 9 th Floor, Paryavaran Bhawan, CGO Complex, Lodhi Road New Delhi- 110003	26. To, The Secretary, Department of Disinvestment Block No. 14, 3 rd Floor, CGO Complex, Lodhi Road New Delhi- 110003	27. To, The Secretary, Ministry of Earth Sciences Mahasagar Bhawan, Block-12, C.G.O Complex, Lodhi Road, New Delhi- 110003
28. To, The Secretary, Ministry of Environment, Forests & Climate Change Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003	29. To The Secretary, Ministry of External Affairs South Block, New Delhi-110001	30. To The Secretary, Department of Economic Affairs North Block, New Delhi-110001
31. To The Secretary, Department of Expenditure North Block, New Delhi-110001	32. To The Secretary Department of Financial Services 68, 3 rd Floor, Jeevandeep Building, Sansad Marg, New Delhi-110001	33. To The Secretary Room No 144-B, Department of Revenue North Block, New Delhi-110001
34. To The Secretary, Ministry of Food Processing Industries Panchsheel Bhawan, August Kranti Marg, New Delhi-110049	35. To The Secretary, Ministry of Health & Family Welfare Nirman Bhawan, New Delhi-110011	36. To The Secretary, Department of Heavy Industry Block No. 14, CGO Complex, Lodhi Road, New Delhi-110003

F.No.F0206/24/2018-Coord.
Government of India
Ministry of Coal

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Shastri Bhawan, New Delhi
Dated 1st November, 2018

Office Memorandum

Subject:- Public Procurement (Preference to Make in India) Order, 2017-Notifying products additional Chemical & Petrochemical products in furtherance of the Order - reg

The undersigned is directed to enclose Order CI-43012/52/2017-Chem-1(B) dated 23rd October 2018 received from Ministry of Chemical & Fertilizers on the above mentioned subject.

This is for necessary action and compliance.

Encl.:As above



(Rishan Jyotathiang)

Under Secretary to the Government of India
Tel No.011-23073936

To

US(Admin)

Copy also for necessary action and compliance to:-

1. Chairman,Coal India Limited, Coal Bhawan Premise No.04 MAR, Plot No. AF-III, Action Area-1A, Newtown, Rajarhat, Kolkata-700156.
2. CMD, NLC India Limited, Neyveli, Distt. Cuddalore, Tamil Nadu-607801.
3. Coal Controller, Coal Controller Organisation, 1, Council House Street, Kolkata-700001.
4. Coal Mines Provident Fund Organisation, Police Line Dhanbad, Jharkhand-826001.

No.C.I-43012/52/2017-Chem-1(B)
Government of India
Ministry of Chemicals & Fertilizers
Department of Chemicals & Petrochemicals

Shastri Bhawan, New Delhi
Dated the 23rd October, 2018

ORDER

Subject: Public Procurement (Preference to Make in India) Order 2017 – Notifying additional Chemical & Petrochemical Products in furtherance of the Order.

Reference: (i) Department of Industry Policy & Promotion (DIPP) Notification No. P-45021/2/2017-BE.II dated 15th June, 2017
(ii) Department of Chemicals & Petrochemicals Order No. C.I-43012/52/2017-Chem-1(B) dated 25th May, 2018

In continuation of Department of Chemicals & Petrochemicals Public Procurement (Preference to Make in India) Order, 2017 dated 25th May, 2018, Department of Chemicals and Petrochemicals hereby notifies that preference shall be provided by all procuring entities to the following additional domestically manufactured Chemicals, Petrochemicals, Pesticides and Dyestuff products, as specified under along with minimum local content for each product.

MINIMUM LOCAL CONTENT FOR CHEMICAL & PETROCHEMICAL PRODUCTS

Sl.No.	Chemicals / Petrochemicals	Minimum Local Content (%)			
		2018-19	2019-21	2021-23	2023-25
CHEMICALS					
1.	Titanium Dioxide	50	60	70	80
2.	Red Phosphorus	50	60	70	80
3.	Acetic Anhydride	50	60	70	80
4.	Nitrobenzene	50	60	70	80
5.	Acetaldehyde	50	60	70	80
6.	Ethyl Acetate	50	60	70	80
7.	Menthol	50	60	70	80
PETROCHEMICALS					
8.	Polyester Staple Fibrefill	50	60	70	80
9.	Polyester Filament Yarn	50	60	70	80
10.	Polyester Staple Fiber	50	60	70	80
11.	Polypropylene Staple Fibre	50	60	70	80
12.	Polyester Industrial Yarn	50	60	70	80
13.	Polyestyrene	50	60	70	80

14.	Expandable Polystyrene	50	60	70	80
15.	Styrene Acrylonitrile	50	60	70	80
16.	Polyester Chips/ PET Chips	50	60	70	80
17.	Butadiene	50	60	70	80
18.	Benzene	50	60	70	80
19.	Mixed Xylene	50	60	70	80

PESTICIDES

20.	Malathion	50	60	70	80
21.	D.D.V.P.	50	60	70	80
22.	Quinalphos	50	60	70	80
23.	Monocrotophos	50	60	70	80
24.	Phosphamidon	50	60	70	80
25.	Phorate	50	60	70	80
26.	Fenvalerate	50	60	70	80
27.	Cypermethrin	50	60	70	80
28.	Accephate	50	60	70	80
29.	Chlorpyrifos	50	60	70	80
30.	Triazophos	50	60	70	80
31.	Deltamethrin	50	60	70	80
32.	Lambda Cyhalothrin	50	60	70	80
33.	Permethrin Tech	50	60	70	80
34.	Imidacloprid Tech	50	60	70	80
35.	Hexaconazole	50	60	70	80
36.	2,4-D	50	60	70	80
37.	Thiamethoxam Technical	50	60	70	80
38.	Pendimethalin	50	60	70	80
39.	Metribuzin	50	60	70	80
40.	Isoproturon	50	60	70	80
41.	Glyphosate	50	60	70	80
42.	Zinc Phosphide	50	60	70	80

DYESTUFF

43.	Azo Dyes	50	60	70	80
44.	Acid Direct Dyes (Other than Azo)	50	60	70	80
45.	Disperse Dyes	50	60	70	80
46.	Oil Soluble (Solvent Dyes)	50	60	70	80
47.	Optical Whitening Agents	50	60	70	80
48.	Organic Pigment	50	60	70	80
49.	Reactive Dyes	50	60	70	80

2. Procedure for calculating local content/ domestic value addition will be as under:

CALCULATION BY MANUFACTURER Cost per one unit of product			
COST COMPONENT	Cost (Domestic Component) (a)	Cost (Imported Component) (b)	Total Cost (in Rs.) (c= a+b)
I. Direct material cost			
II. Direct labour cost			
III. Factory overhead			
IV. Total production cost			

$$\% \text{ Local Content} = \frac{\text{Total cost (IV.c)} - \text{Total imported component cost (IV.b)}}{\text{Total Cost (IV.c)}} \times 100$$

3. Department of Chemicals and Petrochemicals may constitute a Committee with internal and external experts for independent verification of self-declarations and auditor's/accountant's certificates on random basis and in the case of complaints.

4. Department of Chemicals & Petrochemicals and procuring entities may prescribe fees for the administrative costs of handling such complaints.

5. Department of Chemicals and Petrochemicals may issue such clarifications and instructions as may be necessary for the removal of any difficulties arising from implementation of this Order.

6. It is specified that for all Central Schemes (CS)/ Central Sector Schemes (CSS), for which procurement is made by States and Local Bodies, would come within the purview of this Order, if that project or scheme is fully or partially funded by Government of India.

7. All other terms & conditions will be as per the Department of Industrial Policy and Promotion (DIPP) Order No.P-45021/2/2017-BE.II dated 15th June, 2017.

8. The Notification comes into effect immediately and would be reviewed as and when required. This Notification shall remain valid till revised Notification is issued.

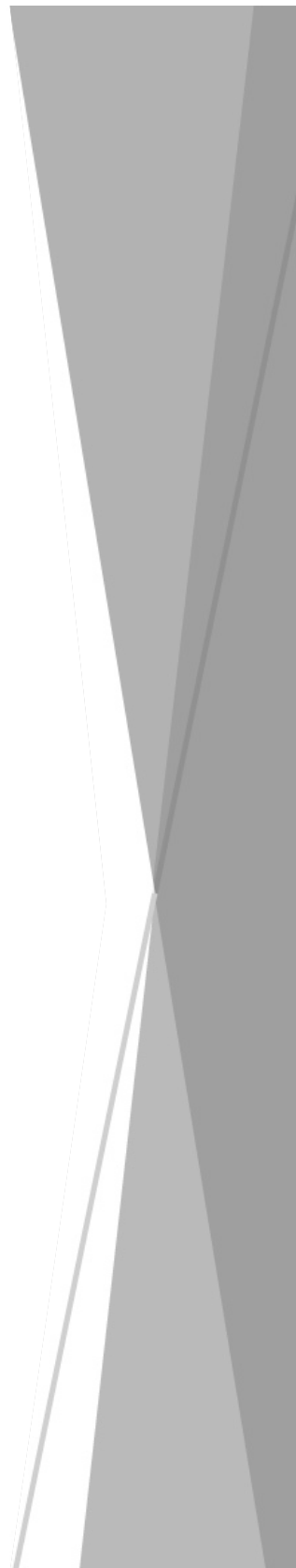


(Samir Kumar Biswas)

Joint Secretary to Government of India

1. All Ministries/Departments of Government of India
2. Cabinet Secretariat
3. Prime Minister's Office
4. NITI Aayog
5. Comptroller & Auditor General of India
6. Chief Secretaries to all State Governments/UTs
7. Internal Distribution

Miscellaneous Guidelines



कोल इण्डिया लिमिटेड

10, नेताजी सुभाष रोड, कलकत्ता-700 001

फोन : 220-9980, ग्राम : कोल इण्डिया
टेलीक्स : 21-7180, सीआईएल इन



Coal India Limited

10, NETAJI SUBHAS ROAD, CALCUTTA-700 001

PHONE : 220-9980, GRAMS : COALINDIA
TELEX : 21-7180 CIL IN

संदर्भ संख्या Ref. No.

CIL/C2D/Moel Depot Agreement/ 67

दिनांक Date 19

17.01.2007.

Chairman-cum-Mg. Director,
ECL, Sanctoria/BCCL, Dhanbad/CCL, Ranchi/WCL, Nagpur/
SECL, Bilaspur/NCL, Singrauli/ MCL, Sambalpur.

Dear Sir,

Sub: Model Depot Agreement.

CIL Board in its 229th meeting held on 22.12.2006 has approved the following for the above subject: -

Quote

- 4.8 The Board, after detailed deliberation, approved the Model Depot Agreement as at Annexure-C of the agenda subject to the following: -
- Considering the effect of non-availability of break down/emergency spares on coal production and its adverse financial implications thereof, it was decided to pay bonus @ 0.15% of list price, for advancement of delivery period by each week compared to sixty days for indigenous items and ninety days for imported items as brought out in the agenda (subject to a ceiling of 1% of list price) for break down/emergency spares and
 - A mechanism to be evolved for enforcing this agreement.
- 4.9 The Board further advised that this model depot agreement being a guideline, Subsidiary companies should examine the same and modify if necessary, with the approval of competent authority at their level before final adoption and implementation.

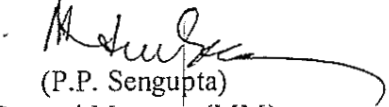
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As per the above approval of the Board, I am directed to enclose the following for favour of your kind needful action: -

- 1) Tender Committee recommendation regarding formulation of terms and conditions for Model Depot Agreement and name of the lead companies etc. as indicated in Annexure-A, as approved by the board. Action for finalization of depot agreement by the lead companies, as at para 1 of the Annexure A, may, therefore be taken by the respective lead companies.
- 2) Draft Model Depot Agreements for both Bipartite and Tripartite Agreement as indicated in Annexure-C and as approved by the Board now.
- 3) General Terms and conditions of supply of stores, which should form the part of the depot agreement as corrected and signed by the TC members is enclosed as Annexure-B1.

You are also requested to kindly go through the board's directive regarding Item No.4.8 (i)& 4.8(ii) as mentioned above and include it suitably in the model depot agreements, to be adopted .
Encl. As above.

Yours Faithfully,


(P.P. Sengupta)
General Manager (MM)

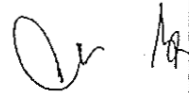
Copy to:

Chief General Manager (MM)/GM (MM),
ECL, Sanctoria/BCCL, Dhanbad/CCL, Ranchi/WCL, Nagpur/
SECL, Bilaspur/NCL, Singrauli/ MCL, Sambalpur.

Director (Tech.), CIL, Kolkata

TS to Chairman, CIL, Kolkata

Dy. CE (Exec.), CIL, Kolkata.



ITEM NO. 229:4(F)

Sub: Model Depot Agreement with OEMs (or their authorized agents) for procurement of Imported and Indigenous spare parts for HEMM.

4.8. The Board, after detailed deliberation, approved the Model Depot Agreement as at Annexure- C of the agenda subject to the following:-

i). Considering the effect of non-availability of break down/emergency spares on coal production and its adverse financial implications thereof, it was decided to pay bonus @ 0.15% of list price, for advancement of delivery period by each week compared to sixty days for indigenous items and ninety days for imported items as brought out in the agenda (subject to a ceiling of 1% of list price) for break down/emergency spares and

ii). A mechanism to be evolved for enforcing this agreement.

4.9. The Board further advised that this model depot agreement being a guideline, Subsidiary companies should examine the same and modify if necessary, with the approval of competent authority at their level before final adoption and implementation.

Sub: Committee recommendation regarding formulation of terms and conditions for Model Depot Agreement.

611 (6) 547

Constitution of a Committee comprising following members was approved by Chairman, CIL vide diary No. CH/492/N dated 3.8.2005 to consider and finalise recommendations of the workshop on Depot Agreement for supply of spare parts held on 4th Nov., 2004 at IICM, Ranchi during vigilance awareness week:

- 1) Shri R.D. Mahto, CGM (MM), CIL.
- 2) Shri A.K. Karan, CGM (MM), BCCL.
- 3) Shri P. Bhattacharya, GM (F), CIL.
- 4) Shri A.K. Sural, GM(Vig.), CIL.
- 5) Shri V.K. Rao, CE (Excvn.), CIL.

The Committee met on 03.08.2005. The Committee noted that during the vigilance awareness week in Nov. 2004, the workshop held on Depot Agreement at IICM, Ranchi, representatives of various Original Equipment Manufacturers (OEM), apart from officers of different subsidiaries, participated. Subsequently, CVO, CIL vide his confidential letter No CIL/VIG/Depot Agreement/1561 dated 22.11.2004 addressed to Chairman, CIL suggested for constitution of a Committee to go through the recommendation of the workshop so that a Modal Depot Agreement could be framed and accordingly, the existing depot agreements are updated on a uniform basis.

Copy of the recommendation of the workshop is placed at page 158/c.

DELIBERATION / RECOMMENDATION OF THE COMMITTEE:

The Committee deliberated on the recommendations of the workshop held at IICM and recommend that the finalized terms and conditions for Model Depot Agreement should be applicable both for indigenous and imported spares to be supplied by OEMs which are their proprietary items.

1) **Lead Company** – The Committee appreciated and agreed with the concept of having a lead company for Depot Agreements. The Committee recommends that one lead company may be nominated for finalization of Depot Agreement with a particular OEM and its authorized distributors (Depot holder), if any.

Considering the OEM equipment population in the subsidiary companies, the committee recommends the following:

Name of the OEM/ Authorised Distributors

Lead Company

BEML
 CDSS
 Caterpillar, HM/GMMCO
 Caterpillar, HM/TIL
 L&T
 Allison Transmission, Delco Remy, HM/
 Bharat Power Corporation
 RECP
 Atlas Copco

NCL, Singaurli.
 SECL, Bilaspur
 CCL, Ranchi.
 ECL, Sanctoria.
 MCL, Sambalpur.
 WCL, Nagpur.
 BCCL, Dhanbad.
 BCCL, Dhanbad

2) Categorisation of spares – For the purpose of Depot Agreement, the spares may be categorized as under:

b) Fast Moving Spares (FMS) – These spares are required for day-to-day running maintenance of machine. During the workshop the definition of fast moving spares was identified as under:

- i) Dumpers – Items which are issued 12 times in a year.
- ii) For other equipment – Items which are issued 4/6 times in a year.

The Committee deliberated on the above and felt that the above definition will restrict the number of items to be kept in the depot for supply on “off the shelf” basis. This may result in non-availability of some of the critical spares required for normal maintenance / operation of the HEMM. On the other hand if the scope is broadened, subsidiary companies may have to pay more in terms of depot surcharge for more items. The Committee considered this aspect and felt that the cost of non-availability of spares in due time, causing prolonged down time of the equipment may be much higher than the normal depot surcharge likely to be paid for such coverage.

Therefore, the Committee recommended the following definition for identification of fast moving items:

- i) For Dumpers – Items which have been procured at least 6 times in a year during the recent past.
- ii) For other equipment – Items which have been procured at least 4 times in a year during the recent past.

However depending upon the actual consumption vis-à-vis availability of spares, the above criteria may have to be reviewed in future.

The fast moving items may be identified by the Technical Deptt. of the respective subsidiary companies in consultation with the OEM/their authorized representatives before entering into an agreement. It is recognized that the list of the fast moving spares may differ from company to company.

b) Capital Overhaul / Rehabilitation Spares

These are the spares which are required for planned rehabilitation of individual equipment comprising mainly capital spares / modules / sub-assemblies excluding those identified as fast moving spares. List of such spares need not form a part of the agreement but separate lists for each individual equipment (having separate identity i.e. Sl. No., Engine No., Year of supply etc.) may be prepared (well before actual capital overhaul / rehabilitation work is under taken) by the subsidiary in consultation with the OEM or their authorized representatives after inspection of the equipment and study of its performance history.

c) Breakdown / Emergency spares

Apart from fast moving spares, other spares necessary to attend to machine breakdowns, which may comprise modules and kits and other parts of machine which are not required to be replaced during running / scheduled maintenance. In the event of a breakdown, list of such spares will have to be prepared which will obviously vary depending upon the nature of breakdown. The list may be prepared after a diagnostic study of the breakdown carried out jointly by the purchaser and the seller. The list so prepared will separately show the fast moving spares required for rectification of

3) Delivery Schedule – In this respect the workshop recommendations are as follows:

- a) Fast Moving spares (FMS)
Off the Shelf – 07 days from the date of receipt of order.
- b) Other than FMS – 60 to 90 days (Atlas Copco & RECP did not agree)
- c) Rehab & Module – 90 days in case of GMMCO. 5/6 months in case of BEML. In case of other firms, delivery shall be the same as in case of other items.

The Committee broadly agreed with the recommendations of the workshop with certain modification as under:

a) Fast Moving spares (For all Depot holders)

- ii) Off the shelf – 7 days from the date of supply order.
- ii) – 21 days from the date of supply order by Direct Demanding officers (DDOs) for modular spares / kits with matching items if any.

b) Capital Overhaul / Rehabilitation of spares -

- b) BEML – 5 months (Imported or indigenous).
- c) Caterpillar /HM/GMMCO – 3 months (Imported or indigenous).
- d) Caterpillar/HM/TIL – 3 months (Imported or indigenous).
- e) CDSS – 3 months (Imported or indigenous).
- f) Allison Transmission /Delco Remy/HM/BPCL – 3 months (Imported or indigenous).
- g) L&T – 3 months (Imported or indigenous)
- h) Atlas Copco – Indigenous – 3 months & Imported – 5 months.
- i) RECP – Indigenous – 3 months & Imported – 5 months.

c) Breakdown / Emergency spares -

60 days for indigenous spares and 90 days for imported spares (For all Depot holders).

4) L.D. Clause - The Committee recommends for prescribing LD clause @ 0.5% per week for delay from the last date of delivery subject to maximum of 10% on the undelivered items as per Purchase Manual. Further no depot surcharge will be paid on the items delivered beyond last date of delivery.

5) Payment – Considering the probability that credit payment system for depot supplies may result in higher drawal of spares at times, the committee agreed with the recommendation of the workshop that spares against depot agreement may be drawn only against Proforma Invoice (PI) (100%).

However, the cheque for payment will be handed over only after receipt of material. The Committee felt that the validity of any PI submitted should be limited to a maximum of 3 months. In case any spares are not drawn within this period, the PI will automatically get cancelled and fresh PI may have to be obtained.

6) Genuineness of spares - In case of imported spares the Committee agreed with the recommendation of the workshop that OEMs shall furnish a certificate that the items are imported and they stand guarantee for the same. This certificate may be a general certificate and not order specific but the OEM will submit the same any time on demand.

The Committee recommends the above considering the fact that most of the OEMs import the spares in bulk and sell them on piecemeal basis out of this bulk import to various purchasers.

However, against each supply order for all categories of spares, the depot holder / OEM shall submit a copy of the above general certificate duly endorsed and signed by him, mentioning the order reference number and date.

For indigenous spares also similar certificate will be submitted by the depot holder with endorsement and the original will be produced on demand by the purchaser for verification.

Further, the Committee recommends that to the extent possible all the OEMs may be advised to provide proprietary markings on each spares being supplied, both indigenous and imported.

7) Pricing for spares - The Committee agreed with the recommendations of the workshop and recommends acceptance of the conversion factor as under:

For imported spares not covered under DGS&D rate contracts, the FOR destination prices shall be arrived at by multiplying the Distributors Net Price-after discounts (DNP) in foreign currency with conversion factor as per DGS&D formula. For indigenous spare parts, for items not covered DGS&D Rate contracts price shall be applicable as per price list submitted by OEM after discounts and agreed to by the purchaser.

For items covered under DGS&D rate contract, for both indigenous and imported spares, DGS&D rates will be applicable.

8) Depot Surcharge - Committee considered the recommendations of the workshop and recommends the following:

- a) Fast Moving Spares - Depot surcharge @ 2.5% may be paid only on those items which are supplied within the delivery schedule as specified in Clause 3.
- b) Capital Overhaul/Rehabilitation Spares - No Depot surcharge will be paid for rehabilitation / capital overhaul spares.
- c) Breakdown/Emergency Spares - Depot surcharge @ 2.5% may be paid only on those items which are supplied within the delivery schedule as specified in clause 3.
- d) However, for spares of CDSS not covered by DGS&D rate contract (ORC items) depot surcharge will not be paid.

9) CHANGE OF PART NUMBER/INTERCHANGEABILITY OF PARTS -

The Committee considered the recommendations of the workshop and recommends for acceptance of the following:

- a) Whenever the Seller makes any modification of part numbers of spares, he will immediately inform the same to the Purchaser the reasons thereof. Further, before affecting any supply against a pending order specifying old part numbers, the Seller will inform the same to the Purchaser and get the order amended in accordance with modified part numbers. He will also inform the consignee regarding change in the part numbers. In such events, the seller will give a certificate to the effect that the spare parts with the superseded part number are same as given in the order and will not affect the interchangeability of the same. Also, the price given in the order will not be affected by the change in part

- b) If against any item, for any other reason whatsoever, it becomes necessary to supply parts bearing a part number other than specified in the supply order / written demand, seller will be required to give following certificate to the DDO before arranging supply of spare parts bearing different part number.

"The changed part number is an exact replacement of part ordered and is suitable and will fit in machine in the existing fittings for which they are intended".

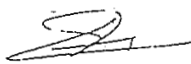
If, however, there is any obvious typographical and clerical error in the part number and / or description of any item, the supplier shall inform the correct part no. & description of any item, as the case may be and accordingly change in price, if any to the ordering authority who shall arrange to issue necessary amendment.

- c) If, however, the substituted part number is not a mere replacement of spare parts originally ordered and involves purchase of other items in addition, as would be the case when a kit is offered instead of small item forming part of a kit, the supply of the kit, would be subject to the following conditions:
- i. The Seller will inform the DDO whether the supply of kit involves any change in the price and if so the revised price would be stated for scrutiny and incorporation of the same in the supply order, if found acceptable and
 - ii. The OEM will certify that the manufacturer has definitely stopped supply of the spare parts but are supplying only as a kit.
- d) The seller shall furnish original part no and superceded part no on their invoice. The seller shall also incorporate all the old as well as new and superceded part no in their next price list.

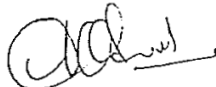
10) **Price List:** The committee agreed with the recommendations of the workshop and recommends prescribing the following conditions of the Model Depot Agreement.

The price list shall be kept valid for at least one year from the date of its effectiveness. Revised price list if any shall be submitted at least two months in advance of its effectiveness for acceptance by the purchaser in full or part.

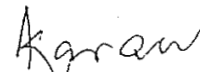
Based on the above, a draft Model Depot Agreement both for indigenus and imported spares is placed for consideration and approval.



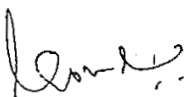
(R.D. Mahto)
CGM(MM),CIL.



(A.K. Sural)
GM(Vigilance),CIL



(A.K. Karan)
CGM(MM), BCCL



(V.K. Rao)
CE(Excv), CIL



(P. Bhattacharjee)
GM(Fin), CIL

Sub: Committee recommendation regarding formulation
of terms and conditions for Model Depot Agreement after
examination by Legal Deptt.

The draft Model Depot Agreement and recommendations of the Committee was referred to Legal Deptt. for vetting. The Legal Deptt. sent their comments on the Model Depot Agreement pointing out certain deficiencies. / absence of clarities (p-22/N) & opinion of Legal Deptt. vis-à-vis Model of Depot Agreement Clauses, point wise are placed in a table at page No. 406. The Committee met in the office of CGM (MM), CIL on 6th December, 2005 to deliberate on the comments of Legal Deptt. Shri P. Bhattacharya, GM (F), CIL could not attend the meeting due to preoccupation. GM (F) was represented by Shri C. Mukundan, CFM, CIL. Shri A.K. Sinha, Sr. Law Officer attended as an invitee.

The Committee discussed at length regarding opinion of Legal Dept. and its practical applicability in the draft Model Depot Agreement. After detailed deliberations the Committee arrived at the following resolutions enumerated parawise (as per table placed at Page No. 408/c):

- 1) The Committee agreed with the comments of the Legal Deptt. to the extent that there may be occasion for execution of bipartite or tripartite agreement and it needs separate formats with proper covenants for bipartite and tripartite agreement. However, it was observed that in some cases the original equipment manufacturers are of foreign origin and they are not in a position to be a party to the agreement. It was recommended that in such cases their authorized distributors will represent the OEM and bipartite agreement will be concluded. Also, in case of OEMs who would like to be a party to the agreement directly operating the depot, bipartite agreement will be concluded.

In case the OEM intends to operate their depot through their distributors / agents / dealer (to be designated seller in the agreement), a tripartite agreement will be required to be concluded.

The Committee agrees that two separate model agreement will have to be prepared in accordance with the above.

- 2) The Committee felt that before termination of the contract a show cause notice is to be issued to the depot holder directing him to send his reply within 10 days from the date of issue of the show cause notice and after obtaining the reply of the depot holder, if the reply is not satisfactory, the agreement may be terminated on and from the 31st day of the issue of show cause notice.

Regarding the words "at least" the Committee felt that in certain cases the depot holder may offer validity of the price list for a period of more than one year. This was explained to Shri A.K. Sinha, Sr. Law Officer. Finally it was decided that the words "at least" will be substituted by "not less than".

- 3) The Committee agreed to the suggestion of the Legal Deptt. in respect of the Clause of "Price List" as mentioned in the minutes of the meeting (Page -20/N). The model depot agreement will be re-drafted with incorporation of the suggestion of Legal Deptt. that - "Revised Price List, if any, shall be submitted at least two months in advance before the revised price list becomes effective for acceptance by the purchase in full or part."
- 4) Regarding Clause - 6 (Additional Services), Legal Deptt. has suggested to add the following provisions at the end - "The purchaser shall not be liable for payment of any amount whatsoever towards rendering the above mentioned services by the seller". The Committee agreed to the suggestion of the Legal Deptt. in toto.
- 5) The Legal Deptt. suggested provision for security deposit / Performance Bank Guarantee against supply of spares in the model depot agreement. This aspect was deliberated at length in presence of the Sr. Law Officer. While the Committee consentiously felt that it should be some kind of insurance against faulty spares / non-performing spares; it would be impracticable to relate and quantify non-performance of the equipment with a particular or a set of spares supplied by the depot holder. Further, there is no norm against which performance of a particular type of spares could be judged. Since there is no method of evaluating the performance of spares it becomes very impractical to have performance guarantee of the spares.

Further, the members of the Committee from the MM Divn. were of the opinion that in the past agreements there is no such provision for performance guarantee (nor it was discussed during workshop at IICM held on 4th Nov., 2004) and the OEM's are not likely to be agreed to such provision. CGM (MM), BCCL informed the Committee that in case of failure of the spares the depot holders are replacing the faulty spares within the reasonable time and there has been no instance of any complaint in this regard. Therefore, the Committee felt that the Performance Guarantee Clause in the Model Depot Agreement can not be actually implemented.

- 6) Legal Deptt. has pointed out that there is no provision for schedule of payment pertaining to Depot surcharge. The Committee explained to the Sr. Law Officer that depot surcharge is a part and parcel of the bill against each individual order. Therefore, there is no scope for scheduling of depot surcharge.
- 7) The Legal Deptt. has pointed out that, it is covenanted for payment of depot surcharge @ 2.5% of list price in case of fast moving spares and breakdown / emergency spares; it may be considered whether payment of depot surcharge could be justified for the spares which will not be delivered "off the shelf".

Regarding breakdown / emergency spares; draft Model Agreement provides for separate identification of fast moving spares for which depot surcharge is to be paid. In any case for other spares required for breakdown / emergency the time period of delivery which was generally 180 days for imported items and 120 days for indigenous items have been reduced to 90 days and 60 days respectively. This will cut down breakdown time considerably and the depot holder is to be compensated for reduced delivery schedule. However, the Committee re-looked on the Para - 14 of the draft Model Depot Agreement sent to the Legal Deptt. It is felt that for normal maintenance / quarterly projection for spares have to be prepared and the depot holder is to be notified accordingly. The depot holder will be responsible for supply of the projected spares "as and when required basis" of firm orders limited to the projected items. Such projected items will form the 4th category of spares which was not earlier included. Model Depot Agreement will be modified accordingly in delivery schedule, depot surcharge, LD Clause and other Clauses. Depot Surcharge @ 2.5% will be paid for the supplies made /

[Handwritten signature]
/within the above
delivery schedule.

- 8) The Legal Deptt. has pointed out that the Depot Agreement intended to be executed by the concerned subsidiary company with the seller / OEM and CIL has not been a party to the said Depot Agreement but in the Force Majeure condition of draft Model Depot Agreement, at Clause - 23 the name of Coal India Ltd. is indicated.

Legal Deptt. has therefore, suggested that the words "Coal India Ltd or its subsidiary companies" may be substituted with the word "Purchaser" and in the 4th line the word "any" may be substituted with the word "may".


- 9) The comments of the Legal Deptt. was well taken by the Committee. The Committee recommended that the Force Majeure Clause and other clauses if any, will be suitably modified in this regard.


The Committee also agreed to the point raised by the Legal Deptt. The words "Coal India and / or its subsidiary companies" etc. will be substituted by the words "purchaser".

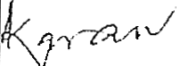
- 10) The Legal Deptt. has pointed out that the general terms and conditions of supply of stores (Annexure - B) should be redrafted excluding inapplicable provision / covenants and definition. The Committee recommended that although the general terms and conditions is a part of the Purchase Manual of Coal India, however, this general terms and conditions have to be suitably modified. Anything which is not applicable is to be deleted.

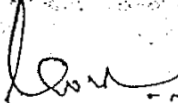
- 11) As per the last minutes the clause "Price List" is to be included in the model depot agreement suitably and authenticated price list is to be submitted by the seller duly certified by the MM Divn. and this authenticated price list will be a part of Model Depot Agreement as Annexure - A and General Terms and Conditions of the Depot Agreement will be a part of Model Depot Agreement as Annexure - B.

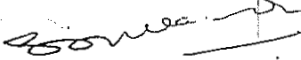
CGM (MM), CIL has been requested to make the modification as recommended by the committee as above. After signature of the modified Model Depot Agreement, the same will be again vetted by Legal Deptt. and finalized version will be placed before D(T), CIL for his perusal.


16/12/05
(R.D. Mahto)
CGM(MM), CIL.


29/12/05
(A.K. Sural)
GM(Vigilance), CIL


(A.K. Karan)
CGM(MM), BCCL


(V.K. Rao)
CE(Excv), CIL


(C. Mukundan)
CFM, CIL

Sub: Committee recommendation regarding formulation
of terms and conditions for Model Depot Agreement.

The draft Model Depot Agreement (Page - 423 to 452/c) and recommendation of the Committee in between Pages 16/N to 20/N & pages 24/N to 26/N was referred to Legal Department for their vetting before concurrence and approval of D(T), D(F) & Chairman, CIL.

However, Legal Dept. while examining the case had given comments at page - 28/N and their observations against Committee's recommendation at point 5 and point 7 (Page-24/N and 25/N) were as under:

"At serial no. 5 the committee has expressed impracticability of implementation of performance guarantee on purely technical grounds for non feasibility of judging the performance of the spares. While making no comments on the above technical observation of the committee, it is reiterated that alternate provision for security deposit to protect the financial interest of CIL as suggested by us has escaped the notice of the committee. This should be looked into.

At serial no7, the committee has proposed for amending the delivery schedule and recommended for payment of depot surcharge at the rate of 2.5% of the supplies made within the delivery schedule. This aspect is purely commercial and may be viewed in that perspective."

The case was put up to Director (Tech.), CIL and as per his approval GM (MM), CIL has directed to convene a further meeting.

A note for inclusion of Sri R.D. Mahto, CGM(MM), MCL, as he has been transferred from CIL to MCL and change in designation of sri P. Bhattacharjee on his promotion from GM(Finance) to CGM(Finance) was sent for approval of management on 27.03.06. The meeting was held in anticipation of competent approval of the changes.

The meeting has been convened on 30.03.2006 at 11 A.M. The following members were present:

- 1) Shri R.D. Mahto, CGM(MM), MCL
- 2) Shri A.K. Karan, CGM(MM), BCCL
- 3) Shri P. Bhattacharjee, CGM(F), CIL
- 4) Shri A.K. Sural, GM(Vigilance), CIL
- 5) Shri V.K. Rao, CE(Excv), CIL

Shri M.N. Ghosh, CLM, CIL and Shri A.K. Sinha, Dy. Legal Manager were also invited to be present in the meeting.

The Committee discussed at length regarding the above opinion of Legal Dept. and its practical applicability in the draft Model Depot Agreement. After detailed deliberation the committee arrived at the following decision enumerated para-wise:-

- 1) Committee discussed the point at sl no/ 5, as above and observed that the concern of Legal Dept. about some provision to protect the financial interest of CIL is genuine and valid. The Committee observed that there may be three different kind of situation of default / breach of the agreement:
 - a) Supply of defective spare parts.
 - b) Delay in supply of -
 - i) Spare parts or
 - ii) Replacement of spares in case of failure of spares.
 - c) Non-supply of spares or non-replacement of defective spares.
- a) Supply of defective spare parts - The Committee discussed in detail about the same and observed the following practical difficulties to implement the security deposit clause:
 - I) Depot Agreement is between subsidiary companies of CIL and the OEMs, who are the only source for authentic and genuine spare parts.
 - II) There is no methodology for assessing performance of spares, as earlier deliberated by the committee
 - III) OEMs may not agree for such type of security deposit clause for Depot agreement of spares, since they are expressing their reluctance even for the security deposit in case of contracts for supply of HEMM also, as observed by CGM (MM), BCCL.
 - IV) The point of Legal Dept. for incorporation of Security Deposit clause in "Depot Agreement" is quite appreciable but in view of practical operational difficulty and in absence of alternative sources of OEMs it is not practical to implement the same.
 - b) Delay in -

12/4/06
21/4/06
5/4/06



COAL INDIA LIMITED
Materials Management Division
Coal Bhawan
Annexe Building (3rd & 4th Floor)
10, Netaji Subhas Road,
Kolkata – 700 001,

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FAX: (033) – 2243 5778

E-MAIL: gmmm@coalindia.in

WEBSITE: www.coalindia.in

Ref. No. CIL/C2D/Depot Agreement/ 768

Date: 08.08.2012

General Manager (MM),
ECL, Sanctoria / BCCL, Dhanbad / CCL, Ranchi/ WCL, Nagpur /
SECL, Bilaspur / NCL, Singrauli / MCL, Sambalpur.
HOD (MM), CMPDIL, Ranchi.
CGM/MM, NEC, Assam.

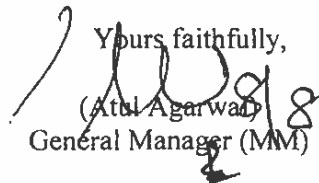
Dear Sir,

During investigation of one of the complaints, it was observed by CVO that M/s. BEML are charging different rates from different subsidiaries for the same items. He has advised to direct all concerned to ensure that the interest of CIL is protected and excess payment made to the firm, if any, is recovered from the firm at the earliest.

CVO, CIL has also advised that wherever techno-economically feasible, the bought out items may be kept out of scope of Depot Agreements. In this context, it is to state that as per revised policy for procurement of spares for HEMM, duly approved by CIL Board and circulated vide CIL's letter No. CIL/C2D/HEMM Spares Policy/2012/6902 dated 26.03.2012, bought out items are to be excluded from the Depot Agreements as far as possible.

You are requested to take needful action in the matter for strict compliance of the above directives.

This is issued with the approval of Director (Tech.), CIL.

Yours faithfully,

(Atul Agarwal)
General Manager (MM)

Copy to:

- 1) Director (Tech.), CIL
- 2) CVO, CIL - This has reference to his letter No. CIL/VIG/F-92/VD-1647/ 38(CBI /35 (CBI)/222 dated 15.06.2012 addressed to Chairman, CIL
- 3) CGM (EED), CIL.
- 4) GM (Excvn.)/GM (F), ECL, Sanctoria / BCCL, Dhanbad / CCL, Ranchi/ WCL, Nagpur /SECL, Bilaspur / NCL, Singrauli/ MCL, Sambalpur/ CMPDIL, Ranchi.



Coal India Limited
A MAHARATNA COMPANY
10, Netaji Subhas Road, Kolkata-700001
PHONE:033-2248 5123, GRAM:COALINDIA.
FAX:033-2231-5060
Email – mviswanathan2@coalindia.in
WEBSITE:www.coalindia.in

RefNo.CIL:XI(D):04112:2013: 7404 .

Dated 30th Nov.' 2013

To
GM (MM),
Coal India Limited,
10, N.S. Road,
Kolkata – 700 001.



Sub: Minutes of 301st CIL Board Meeting held on 13th Nov.'2013.

Dear Sir,

Reproduced below is the relevant extracts from the minutes of 301st meeting of Board of Directors of Coal India Limited held on 13th Nov.'2013 at New Delhi with regard to the following items :

ITEM No.301: 4 (C)

Sub:- Non-payment of Depot Surcharge under Depot Agreements.

- 4.3 Director (Technical) apprised the Board the details of the proposal. Hence, after detailed deliberations and as recommended in the CMD's meet, Board accorded its approval for concluding Depot Agreements without payment of Depot Surcharge for supply of spares under Depot Agreement as brought out in the agenda note.

ITEM No.301: 4 (L)

Sub:- Conclusion of Long Term Agreement with M/s IOCL for supply of Bulk Loading Explosives.

- 4.12 Director (Technical) apprised the Board that in order to ensure assured source of supply for bulk explosives from a reliable source on a long term basis and to cope with any disruption in explosive supply by explosive manufacturers, long term agreement with M/s IOCL was concluded for a period of 5 years from 1st August'2008 to 31st July'2013. It is proposed to extend the long-term agreement with M/s IOCL for another 5 years from 1st August'2013 to 31st July'2018 with a provision that it might be renewed for a further period of 5 years on mutually agreed terms and conditions. The price for the period from 1st August'2013 to 31st October'2013 shall be the base price of long-term agreement. The base date for fresh LTA would be 1st August'2013 and the prices will be fixed in line with the price variation formula.

In view of the above, Board accorded its approval for conclusion of long term agreement from 1st August 2013 to 31st July 2018 with M/s IOCL for supply of Bulk Loading Explosives as brought out in the agenda note. Based on allocated quantities for 2013-14 and current updated rates, the approximate off-take for 2013-14 shall be Rs.324.35 crore (inclusive of ED @ 12.36% and CST @ 2%). At the present rates, the approximate off-take for 5 years shall be Rs.1,621.77 crore (inclusive of ED @ 12.36% and CST @ 2%). However, this is subject to PVC provisions and variation in Govt. statutory taxes and duties.

ITEM No.301: 4 (P)

Sub:- Procurement of 40.00 x 57 – 68 PR E4, bias OTR tyres on trial basis.

- 4.16 Director(Tech.) apprised the Board that for want of Dumper Tyres many 240T Dumpers are lying idle at SECL, leading to loss of production. Hence global e-tender was floated for procurement of 24 nos. of 40.00 x 57 – 68 PR E 4 Bias OTR tyres on trial basis. He further apprised the Board, the details of the proposal. After detailed deliberations, Board accorded its approval for placement of order on M/s M.S. Conveyor & Transmission Co. Pvt. Ltd., Kolkata for 24 nos. of 40:00x57 – 68 PR, E4, Bias OTR tyre with 950 TKPH on trial basis at an estimated cost of Rs.3,35,63,287/- (Rupees Three crore thirty five lacs sixty three thousand two hundred eighty seven only) as brought out in the agenda note.

Further, Board advised that since the company is suffering for want of tyres and in order to have more sources for procurement, in case if the L2 Party agrees to match the L1 rate, order for the required quantity on trial basis could also be placed on them and the same be informed to the Board in the subsequent meeting.”

ITEM No.301: 4 (Z-4)

Sub:- Procurement of Off the Road (OTR) tyres for 100 Te & 240 Te Dumpers against annual requirement of 2013-14.

- 4.30 Director(Tech.) apprised the Board that global e-tender was floated for procurement of 27.00 x 49 – 48 PR E 4, Bias tyre with O-ring for 100 Dumper for all subsidiaries of CHL, 40.00 x 57 – 68 PR E 3 Bias tyres and 40 R 57 2 star E 4 Radial tyre, for 240 Te Dumpers at SECL. He apprised the Board the details of the tender proceedings against each size. After the detailed deliberations, Board accorded its approval for placement of order on M/s J.K. Tyre & Industries Ltd., Kolkata for 474 nos. of 27 x 49 – 48 PR, E 4 tyres, 'JK' brand at a landed cost of Rs.13,62,90,298/- (Rupees Thirteen crore sixty two lacs ninety thousand two hundred ninety eight only) and on M/s The Ukrainian Plant of Super Giant Tyres Ltd. for 78 nos. of 40.00 x 57 – 68 PR, E 3, 900 TKPH Bias tyre, 'EUROTIRE' brand at a landed cost of Rs.18,08,80,039/- (Rupees Eighteen crore eight lakhs eighty thousand thirty nine only) as brought out in the agenda note.

Thus the total cost for the above two sizes of tyres worked out to Rs.31,71,70,337/- (Rupees Thirty one crore seventy one lacs seventy thousand three hundred thirty seven only).

Board also agreed with the recommendations of the Tender Committee to go for re-tender for procurement of 40.00 R 57 Radial Tyres after the review of requirement/ specification by EED Department.”

This is for your information and taking necessary action please.

Yours faithfully,

MVB
30/11/13

(M. Viswanathan)
Company Secretary

Coal India Limited
(A Govt. of India Enterprise)

कोल इण्डिया लिमिटेड
(भारत सरकार का उपक्रम)



A Maharatna Company

CIN.L23109WB1973GOI028844
Website: www.coalindia.in

VIGILANCE DIVISION

सतर्कता विभाग

"COAL BHAWAN"

Premises No. 04 MAR, Plot No. AF-I
Action Area - 1A, New Town, Rajar
Kolkata 700156 (WB)

Ph. (033)2324 4134/4152, Fax: 232-

E-Mail: cvo.cil@coalindia.in

संदर्भ संख्या / Ref. No. CIL/VIG/2015/11011/04/ 698-712 तिथि / Date: 06.06.2017
7

कार्यालय ज्ञापन / Office Memorandum

Numerous complaints have been received against procurement of fabricated items in the name of rest shelter, blasting shelter, mobile pit shelter, spacious rest shelter, watch tower various types of fencing item, conveyor brackets on different names, steel cogs, steel props, steel sleepers, various fabrication items for belt conveyor with varying nomenclature (like discharge guard for conveyors, self-aligning adjustable roller bracket, hangers for bottom roller, loop take up assembly, tail end assembly, walkway plates, dust collector, wiper assembly,) etc. All these items are basically steel fabricated items and do not have requirement of any sort of special / specialized technology but were procured with restrictive eligibility / proveny criteria at very high cost.

In order to prevent repetition of the such irregularity/mistake the following guidelines shall be strictly adhered to for increasing Competitiveness of tenders for procurement of such fabricated items:

- (i) Possibility should be explored to manufacture the required fabricated item departmentally in the same Area or in other Areas of the Subsidiary.
- (ii) Consolidated requirement of the Area / Company should be considered for floating Open Tender with detailed specification, dimensional drawing, approximate weight and scope of work. Splitting of requirements should not be allowed.
- (iii) The description of indented items should be clear. The indent should be accompanied with a certificate from the indenting authorities to the effect that the specification/description and drawing are complete and without any ambiguity.
- (iv) The cost estimation may be got prepared from Civil Engineering Department in the light of prevailing rate as per SOR and market rate for the items not covered in SOR. This estimated value shall be considered for preparation of Indent, if found to be lower than LPP.
- (v) While scrutinizing the indent, the HoD of concerned technical deptt shall examine that the details of the item provided in the indent is correct, complete and cost estimation has been done properly. If not so, necessary correction shall be made by them before forwarding the indent for concurrence and approval. A certificate need to be provided by the HoD of concerned technical department to this effect.

Contd. -2-

- (vi) The concurring authority and the approving authority shall ensure that the proposal is complete in all respect before according concurrence/approval of indent.
- (vii) MM deptt shall ensure compliance of the above guideline before initiation of procurement of such items.
- (viii) The provency criteria should include tendered items as well as similar items. General fabrication work of same or higher Quantum of Work Done in terms of Weight shall be considered as similar items irrespective of nomenclature. Wherever, technical parameters and testing norms are to be complied as per DGMS circular (like steel cogs, steel props etc.), the same may be made a part of Technical specification.
- (ix) The cost estimation of Civil Engineering Deptt. (the cost of raw materials and other input costs like labour cost etc.) shall also be considered for justification of L-1 offered Price in addition to LPP by the Tender Committee, concurring authority and approving authority.

This has approval of Chairman, CIL.

मनोज कुमार
2.6.17
मुख्य सतर्कता अधिकारी

Distribution

1. Director(Fin)/Director(Tech), CIL, Kolkata
2. CMD ECL, BCCL, CCL, CMPDIL, MCL, NCL, SECL & WCL
3. CVO, ECL, BCCL, CCL, CMPDIL, MCL, NCL, SECL & WCL
4. ED (Safety), CIL, Kolkata
5. TS to Chairman, CIL, Kolkata

COAL INDIA LIMITED
(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata -- 700 156

Phone: 033-2324 4127, Fax: 033-2324 4115

Website : www.coalindia.in, E mail : gmmm.cil@coalindia.in



कोल्हंडिया लिमिटेड

(महारत्नकंपनी)

कोयलाभवन

सामग्रीप्रबंधनविभाग,

परिसरसंख्या ४, एक्शन एरिया १ए

न्यूटाउन, राजरहाट, कोलकाता- ७००१५६.

फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in, ईमेल: gmmm.cil@coalindia.in

क्र० सं० सीआइएल/2018/Sys Imp/1179

दिनांक: 03.01.2018

GM (MM)/HOD

ECL, Sanctoria	-	Fax No. : 0341 -2522061
BCCL, Dhanbad	-	Fax No.: 0326-2230183/153
CCL, Ranchi	-	Fax No.: 0651-2360198
SECL, Bilaspur	-	Fax No.: 07752-246471.
WCL, Nagpur	-	Fax No.: 0712-2510284.
NCL, Singrauli	-	Fax No.: 07805-266388
MCL, Sambalpur	-	Fax No.: 0663-2542734
HOD (MM), CMPDI	-	Fax No.: 0651-2230684
Chief Manager (MM), NEC	-	Fax No.: 03751-220354

Sub: System Improvement suggestions for Procurement of Spares for Underground Mining Machinery (UGMM)

Dear Sirs,

CIL is in the process of finalizing the Uniform Policy for Procurement of UGMM Spares. Till finalization of such Policy, the following System Improvement measures are being circulated in respect of procurement of UGMM Spares:

1. Subsidiary companies may identify the bought-out items of UGMMs and arrange procurement of such bought out items through competitive bidding between OEMs & OPMs, as procurement from OPMs may result in cost saving without any compromise with the quality of spares. The details of bought-out items of any equipment and their OPMs, as available with any subsidiary company may be shared with other subsidiaries.
2. There are some bought-out items which are common in the machines of different manufacturers. The HOD of E&M Dept. may identify such items and these items may be procured through OEM & OPM at the lowest available rates i.e. the same bought-out item used in different equipment must be procured at the lowest available rates and should not be procured at different rates from different sources.
3. Conclusion of Rate Contract for spares, directly with OEM/OPM, from subsidiary HQ may be considered for all UG equipment which is expected to yield following benefits:
 - i. OEMs/OPMs may participate directly considering the quantum of requirement.
 - ii. There will be uniformity of rates.
 - iii. This will also reduce the burden of several tenders for the same items being floated at different areas.
 - iv. RC will ensure faster availability of spare parts as delay of tendering by various areas will be eliminated.

Du
03/01/18

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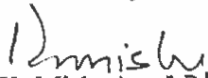

-2-

4. In case any OEM/OPM does not bid/supply spares in India directly as a matter of their Policy and supply spares through agent/distributor/dealer, such firms should give a specific undertaking that they do not bid/supply in any tender in India directly. If subsequently, it is detected that firm has given wrong declaration; penal action may be taken against the firm.
5. OEMs may be advised to share the details of bought-out items and their manufacturers at the time of bidding for equipment, by putting such clause in the NIT for procurement of UG equipment. Such spares may be procured by competitive bidding between OEM and OPMs.
6. At the time of procurement of equipment, the bidders may also be advised to agree that the supply of spares manufactured by them (i.e. proprietary items), if any in due course, will be made directly by them. In case any firm does not bid/supply spares in India directly as a matter of their policy and supply spares through agent/distributor/dealer, such firms should give a specific undertaking that they do not bid/supply in any tender in India directly. If subsequently, it is detected that firm has given wrong declaration, penal action may be taken against the firm.

The above system improvement measures have been approved by Chairman, CIL.

You are requested to take necessary action for implementation of the above.

Yours faithfully,


(T. K. Mishra) 03/01/18
General Manager (MM)-HOD


Copy to:

1. Director(Technical)/Director(Finance), CIL
2. CMDs/Director(Technical)/Director(Finance), All Subsidiary Companies
3. CVO, CIL-This has reference to his note No. CIL/VIG/2017/F-244/1302 dated 25.09.2017
4. GM/TS to Chairman, CIL
5. General Manager (EED), CIL-This has reference to his note No. CIL/EED/F/41 dated 28.12.2017
6. GM(E&M)/GM(Finance), All Subsidiary Companies
7. All Sectional Heads, MM Dept., CIL

COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhawan,

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New Town, Rajarhat, Kolkata – 700 156

PHONE:033-2324 4127. FAX: 033-2324 4115

Website : www.coalindia.in, E. mail : gmmm.cil@coalindia.in**कोयला इंडिया लिमिटेड**

(महाराज कंपनी)

कोयला भवन

सामग्री प्रबंधन विभाग,

परिसर संख्या ४, एक्शन एरिया १ए

न्यू टाउन, राजरहाट, कोलकाता- ७००१५६,

फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५वेबसाइट:

www.coalindia.in, ई मेल: gmmm.cil@coalindia.in

क(0) सं(0) सीआईएल/सी2 डी/एम् डी ए/एलएंडटी/कोमात्सु/ 53

दिनांक: 10.04.2018

महा प्रबंधक (सामग्री प्रबंधक)/विभागाध्यक्ष

ईसीएल, संकटोरिआ/बीसीसीएल, धनबाद/सीसीएल, रांची/

एसईसीएल, बिलासपुर/डबल्यूसीएल, नागपुर/

एनसीएल, सिंगरौली/एमसीएल, सम्बलपुर/

महा प्रबंधक, एनईसी/विभागाध्यक्ष (सामग्री प्रबंधन) . सीएमपीडीआई

फैक्स एवं ई-मेल दवावा

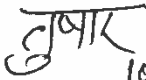
बिषय/Sub: Nomination of NCL as 'Lead Company' for conclusion of Model Depot
Agreement with M/s.L&T Ltd for Spare Parts for Komatsu make equipment.

महोदय,

Northern Coalfields Limited is hereby nominated as Lead Company to finalize Model Depot Agreement with M/s. L&T Limited to meet the requirement of spare parts for various Komatsu make equipment of all the subsidiaries. The said Depot Agreement to be finalized by NCL will be followed by all other subsidiaries.

This issues with the approval of Chairman, CIL.

भवदीय,


10/4/18
(टी.के.मिश्रा)

महाप्रबंधक(सा.प्र)-विभागाध्यक्ष

वितरण/Distribution:

1. CMD, ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL.
2. Director (Fin)/Director (Mktg.)/Director (Tech)/Director (Pers.),CIL.
3. Director (Tech.),ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL.
4. CVO, CIL.
5. TS to Chairman, CIL.
6. GM(Fin)/GM(Excav)/GM(E&M),CIL.
7. GM(Fin),ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL.
8. All executives of MM Deptt, CIL (HQ), Kolkata.

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in

ईमेल: gmmn.cil@coalindia.in



COAL INDIA LIMITED

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Materials Management Division,

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New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.in

E mail: gmmn.cil@coalindia.in

संक्र०: CIL/C2D/Purchase Manual/2018/ 549 .

दिनांक: 09.08.2018

सेवा में,

- महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थ कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड
महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स
विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिजाइन इंस्टिट्यूट लिमिटेड

कार्यालय आदेश

महोदय,

विषय: Systemic Improvement Measures in Procurement Process

The following Systemic Improvement Measures suggested by Vigilance Division, CIL in their report to CVC and MOC were accepted for implementation by CMDs in their 123rd Meeting held on 08.07.2018 at Kolkata:

1. The following Price Fall Clause of the existing Integrity Pact is to be incorporated in all the tenders irrespective of value of tender to protect the interest of the company:

Quote

The Bidder undertakes that it has not supplied/ is not supplying similar product/ systems or subsystems at a price lower than that offer in the present bid in respect of any other Ministry/ Department of the Govt. of India or PSU and if it found at any stage that similar product/ systems or subsystems was supplied by the bidder to any other Ministry/ Department of the Govt. of India or PSU at a lower price than that very price, with due allowance for elapsed time, will be applicable to the present case and the difference in cost would be refunded by the bidder to buyer, if the contract has already been concluded.

Unquote

2. To keep a check on the commission/ margin of Indian Agents/ Dealers/ Representatives/ Distributor of Overseas/ Indian manufacturers who do not quote directly as per their policy, following clauses are to be incorporated in the future NITs:
 - a. Disclosure for quantum of commission/ margin of the Indian Agent and scope of services they have to provide.

गुप्ता
09/08/18

contd..

- b. If an Indigenous/ Foreign manufacturer does not quote directly, the authorized agents/ distributors quoting on their behalf should submit tender specific authorization and confirmation from the manufacturer that, as a matter of their corporate policy, they do not quote directly. In case a manufacturer happens to quote directly elsewhere, it will be treated as furnishing false information and shall be liable for action as per the provision of the Purchase Manual.
- c. The bidders are to be advised to quote rates of imported equipment in foreign currency only. The payment of the imported equipment is to be made directly to the manufacturer through LC. Accordingly, the BOQ is to be prepared.
3. Relevant provisions of Office Memorandum No. F-23(1)-E-II(A/89) dated 31st Jan, 1989 of Department of Expenditure, Ministry of Finance, GOI (enclosed) are also to be complied with.

This is for your information and compliance.

संलग्नक: उल्लेखानुसार

भवदीय,

हुपार
09/12/18

महाप्रबंधक (सा प्र) विभागाध्यक्ष

वितरण:

१. निदेशक (वित्त)/निदेशक (विपणन)/निदेशक (तकनीकी)/निदेशक (कार्मिक), सीआईएल
२. सी.एम.डी, बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
३. निदेशक (तकनीकी), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. मुख्य सतर्कता अधिकारी, सीआईएल
५. सीआईएल के अध्यक्ष के तकनीकी सचिव - यह 08.07.2018 को आयोजित सीएमडी की 123 वीं बैठक के मिनटों के संदर्भ में है
६. महाप्रबंधक(वित्त)/महाप्रबंधक(सिविल)/महाप्रबंधक(सीएमसी)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(ईईडी)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(सीवी), सीआईएल
७. महाप्रबंधक (वित्त), बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
८. सामग्री प्रबंधन विभाग, सी.आई.एल के सभी अधिकारीगण

Government of India
Ministry of Finance
(Department of Expenditure)

.....

New Delhi, the 31st January, 1989.
11 Magha, 1910 (Saka)

OFFICE MEMORANDUM

Subject : Indian Agents of Foreign Suppliers- Policy on.

The attention of Government has been drawn to certain doubts expressed regarding existing instructions on the role of Indian agents of foreign suppliers and agency commission they get in contracts entered into by Government departments for purchase of imported stores and equipments. It is, therefore, considered necessary to restate the policy with a view to strengthening and streamlining the existing monitoring arrangements and introducing control mechanisms.

2. Purchase of stores and equipments by Government departments is governed by the provisions of the General Financial Rules (GFRs) of the Government of India. So far as imported items are concerned, Appendix VIII of the GFRs provides that for articles manufactured abroad which need to be specially imported, preference be given to offers received for supply through India-based establishments. The same policy is laid down in the Manual of office Procedure for supplies, inspection and disposal (1960 Edition), namely, that in the procurement of articles manufactured abroad, offers received through India-based establishments would be given preference (Para 96 of the Manual). Para 97 goes further and states:

"Subject to the period of delivery, quality and price of goods being suitable and subject to the existence of adequate after sales service in India, wherever required, the DGS&D should place orders on authorized Indian agents and not cross-mandate the indent to the foreign manufacturers direct."

3. The Public Accounts Committee, in a series of reports in 1974-75, 1975-76 and 1976-77, examined the involvement of Indian agents and payment of agency commission to them. In a follow-up of the recommendations made in the 160th Report of PAC (1974-75), an Inter-Ministerial Working Group was set up by the Government in June, 1975, with the Director General, Revenue Intelligence as the convener, to study the matter in depth. The recommendations of the Working Group were, by and large, accepted by the Government and reported to PAC, which are incorporated in the 185th Report of the PAC (1975-76). These recommendations were also communicated to the concerned purchasing Departments, vide Department of Supply No.P.III-3(5)/76 dated the 19th July, 1976.

4. The Policy has been that involvement of Indian agents may be allowed where they have to render after-sales-service; the quantum of agency commission would be determined on the merits of each case and the commission would be paid in Indian Rupees. Following a further recommendation made by the PAC, in the 231st Report (5th Lok Sabha 1976-77) on procurement of oil, the Department of Supply prepared and adopted standardized clauses requiring inter alia disclosure of the details of their principals by the Indian agents and of agency commission payable by the foreign suppliers. The said clause are contained in DGS&D Form-237.

5. Briefly, the instructions governing Indian agents of foreign suppliers in matters of Government purchases are restated below:

It is not the policy of Government Per se to look for, encourage or engage agents. Wherever it is possible to secure supplies and ensure after-sales-services etc., on reasonable terms without the intercession of agents, there is no need for engaging any such agent. In all other cases, the employment of Indian agents by foreign supplies, as may be found necessary, on a case to case basis, shall be regulated by the following :

- (i) There shall be compulsory registration of agents. Pending enactment of necessary legislation in this regard, this will immediately be achieved by issue of appropriate administrative instruction by the purchasing Departments by making compulsory registration a condition in the Tender Inquiry/Contract.
- (ii) All cases of agency arrangements and the amount of commission payable should be brought on record and made explicit so as to ensure compliance of tan laws and prevent leakage of foreign exchange. A photostat copy of the Agency Agreement should also be mandatory filed by the registered agent while bringing on record the agency arrangements. All purchasing organizations should continue and ensure that the commissions payable are paid in Indian rupees only in compliance with the existing provisions of FERA, 1973, and the Handbook on Import/Export Procedure.
- (iii) For the above, a set of model clauses on the lines already prepared and adopted by the Department of Supply may be adopted with suitable modifications, wherever found necessary.
- (iv) As part of the standardized clauses, a suitable clause for enforcement of the disclosure provision should be incorporated to provide in the contract that, in the event of any breach or default on the part of the supplier to disclose the agency arrangements in India, there would be a penalty of banning business dealings with the Government or damages or payment of a named sum. This clause will be formulated by the Department of Supply, in consultation with the Ministry of Law and forwarded to all concerned Departments thereafter for appropriate necessary action.

- (v) All particulars relating to agency commission should be reported to the Enforcement Directorate. The Enforcement Directorate will send this information also the CBDT, CBEC and RBI to prevent leakage of foreign exchange and tax evasion on agency commission.

6. The above guidelines will be applicable to all civil purchases of imported stores by all Government Departments and public sector enterprises under the administrative control of different Ministries/ Departments. A review mechanism is being separately set up to ensure compliance with the guidelines, as aforesaid and orders in this regard would be issued later. The Financial Advisers of different Ministries /Departments will ensure meticulous compliance of these instructions. Supplementary instructions in regard to defence purchases will be issued by the Ministry of Defence.

7. The arrangements indicated above are intended to build further safeguards into the existing system keeping in view various recommendations of the Public Accounts Committee and other expert bodies.

8. Hindi version will follow.

Sd/-

(A. JAYARAMAN)
JOINT SECRETARY TO THE GOVT. OF THE INDIA.

To

1. All Ministries/Departments and C&AG, UPSC etc., with usual number of spare copies.
2. All Financial Advisers.

No. F. 23(1)-E.II(A)/89.
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi, the 31st January, 1989.

11 Magha, 1910 (Saka).

OFFICE MEMORANDUM

Sub j- Indian Agents of Foreign suppliers-
Policy on.

The attention of Government has been drawn to certain doubts expressed regarding existing instructions on the role of Indian Agents of foreign suppliers and agency commission they get in contracts entered into by Government departments for purchase of imported stores and equipments. It is, therefore, considered necessary to restate the policy with a view to strengthening and streamlining the existing monitoring arrangements and introducing control mechanisms.

2. Purchase of stores and equipments by Government departments is governed by the provisions of the General Financial Rules (GFRs) of the Government of India. So far as imported items are concerned, Appendix VIII of the GFRs provides that for articles manufactured abroad which need to be specially imported, preference be given to offers received for supply through India-based establishments. The same policy is laid down in the Manual of Office Procedure for supplies, inspection and disposal (1960 edition), namely, that in the procurement of articles manufactured abroad, offers received through India-based establishments would be given preference (Para 96 of the Manual). Para 97 goes further and states :

"Subject to the period of delivery, quality and price of goods being suitable and subject to the existing of adequate offer sale, service in India, whenever required, the DESAD should place orders on authorised Indian agents and not cross-mandate the indent to the foreign manufacturers direct".

3. The Public Accounts Committee, in a Series of reports in 1974-75, 1975-76 and 1976-77, examined the involvement of Indian agents and payment of agency commission to them. In a follow-up of the recommendations made in the 16th Report of PAC(1974-75), an Inter-Ministerial Working Group was set up by the Government in June, 1975, with the Director General, Revenue Intelligence as the convener, to study the matter in depth. The recommendations of the Working Group were, by and large, accepted by the Government and reported to PAC.

Cont'd...../s.

which were incorporated in the 165th Report of the PAC (1975-76). These recommendations were also communicated to the concerned purchasing departments, vide Department of Supply No.F.III-3(5)/76 dated the 19th July, 1976.

4. The policy has been that involvement of Indian agents may be allowed where they have to render after sales service, the quantum of agency commission and the commission would be paid in Indian Rupees. Following further recommendations made by the PAC in the 231st Report (5th Lok Sabha 1976-77) on procurement of oil the Deptt. of Supply prepared and adopted standardised clauses requiring inter-alia disclosure of the details of their principals by the Indian Agents and of agency commission payable by the foreign suppliers. The said clauses are contained in DSS&D Form-237.

5. Briefly, the instructions governing Indian agents of foreign suppliers in matters of Government Purchases are recastated below :

It is not the policy of Government per se to look for, encourage or engage agents. Wherever it is possible to secure supplies and ensure without the intermediation of agents, there is no need for engaging any such agent. In all other cases, the employment of Indian agents by foreign suppliers, as may be found necessary, on a case to case basis, shall be regulated by the following :

- (i) There shall be compulsory registration of agents. Pending enactment of necessary legislation: in this regard, this will immediately be achieved by issue of appropriate administrative instructions by the purchasing Departments by making compulsory registration a condition in the Tender Enquiry/Contract.
- (ii) All cases of agency arrangements and the amount of commission payable should be through on record and made explicit so as to ensure compliance of tax laws on prevention of foreign exchange. Photostat copy of the agency agreement should also be mandatorily filed by the registered agent while bringing on record the agency arrangements. All purchasing organisations should continue and ensure that the commissions payable are paid in Indian Rupees only in compliance with the existing provisions of FEMA, 1973, and the Back Book of Import/Export Procedure.
- (iii) For the above, a set of model clauses on the lines already prepared and sketched by the Department of Supply may be adopted with suitable modifications, wherever found necessary.

Cont'd....p/3

(iv) all part of the standardised clauses, with the clause for enforcement of the discipline para (vi) should be incorporated to provide in this effect that, in the event of any breach of default on the part of the supplier or delay in the supply arrangements in India, there shall be a penalty of suspending business dealings with the Government as obligor or payment of a bond etc. This clause will be formulated by the Department of Supply, in consultation with the Ministry of Industries thereafter for appropriate necessary action.

(v) All particulars relating to agency commission should be reported to the Enforcement Directorate. The Enforcement Directorate will send this information also to CDDP, CBS and FBI to prevent leakage of foreign exchange and tax evasion by agency commissions.

6. The above guidelines will be applicable to all civil purchases of imported stores by all Government Departments and Public Sector Enterprises under the administrative control of different Ministries/Departments. A review mechanism is being separately set up to ensure compliance with the guidelines, as stipulated and orders in this regard will be issued soon. The Financial Advisors of different Ministry Departments will ensure meticulous compliance of these instructions. Supplementary instructions in regard to defence purchases will be issued by Ministry of Defence.

7. The arrangements indicated above are intended to build further safeguards into the existing system keeping in view various recommendations of the Public Accounts Committee and other expert bodies.



Coal India Limited
A Maharatna Company
Coal Bhawan, Premise No.04, MAR,
Plot No.AF-III, Action Area – 1A
New Town, Rajarhat, Kolkata – 700156 (W.B)
Corporate Identity No.L23109WB1973GOI028844
WEBSITE: www.coalindia.in

Ref. No. CIL/Fund/

Date: 17/09/2018

To,
The General Manager (Finance)
ECL/BCCL/CCL/WCL/SECL/NCL/MCL/CMPDIL
General Manager (NEC)

Dear Sir,

Sub: Implementation of TReDS Platform in CIL and its Subsidiaries

CIL Board in its 370th Meeting held on 11th August, 2018 has approved implementation of TReDS (Trade Receivables Discounting System) through Receivables Exchange of India Limited (RXIL) and also approved Uniform Guidelines for CIL and its Subsidiaries in this regard (Minutes enclosed). The matter was also discussed in the D (F) Co-Ordination meeting held on 15th and 16th September, 2018.

The uniform guidelines are as follows:

- a. Coal India / Subsidiary submits documentation for Registration.
- b. Coal India/Subsidiary will submit National Automated Clearing House (NACH) Auto-Debit Mandate for each plant/unit/location from where the payment will be made and this will be the Designated Settlement Account.
- c. RXIL will register the Auto-Debit Mandate with Designated Settlement Account through National Payments Corporation of India (NPCI) NACH Auto-Debit Mandate Registration process.
- d. RXIL will activate Coal India / Subsidiary on the TReDS platform.
- e. RXIL will send the Invitation Letter along with User id for Coal India / Subsidiary.
- f. Coal India / Subsidiary will initiate the Buyer - Seller link.
- g. MSME Vendor will accept the Buyer-Seller link. Only on acceptance of the Buyer - Seller by the MSME Vendor will the vendor be permitted to upload invoices for financing.
- h. Invoice will be forwarded to Finance Dept. for release of payment. Coal India / Subsidiary Finance Dept. will validate the invoices, verify the SRV/GRN issued by the User Dept. and also verify if all documents have been received from the MSME vendor. After confirmation of everything found ok for release of payment, Finance Dept. gives its approval for payment.
- i. Coal India / Subsidiary user will click on "Send to Auction" button on the RXIL TReDS platform only if all conditions have been complied with by vendor.
- j. Financers registered on the RXIL TReDS platform will enter their bids for financing the invoices and MSME Vendor will accept the lowest bid from the financier.

- k. RXIL TReDS platform sends a confirmation email to the MSME Vendor, Coal India / Subsidiary and the Financier whose bid has been accepted.
- l. RXIL will generate obligations for the parties involved. The MSME vendor will receive funds in their designated bank account from the financier.
- m. On the next business day, RXIL will debit the financiers designated bank account and credit the MSME vendors account on successful debit of the financiers account.
- n. On the due date, RXIL will debit the designated bank account of Coal India / Subsidiary.

Further, CIL Board advised that subsidiaries shall take the requisite approvals for necessary documentation required for onboarding the RXIL platform from their respective boards. (As per the minutes of CIL Board enclosed)

The details of the Chief Operating Officer of RXIL are as follows. He may be contacted for any clarifications.


Shri V Chandramouli, Chief Operating Officer, RXIL

Mobile: 9884045379

Phone: 022 26598336

E-mail: vc@rxil.in

Yours faithfully,



17/09/18

(S Sarkar)

General Manager (Finance)

कोल् इंडिया लिमिटेड (महारत्न कंपनी)

कोयला भवन
सामग्री प्रबंधन विभाग,
परिसर संख्या ४, एक्शन एरिया Iए
न्यू टाउन, राजरहाट, कोलकाता- ७००१५६.
फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४११५
वेबसाइट: www.coalindia.in, ई मेल: gmmm.cil@coalindia.in



An ISO 9001:2015, ISO 14001:2015 &
ISO 50001:2011 Certified Company

COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area IA,

New Town, Rajarhat, Kolkata – 700 156

PHONE:033-2324 4127, FAX: 033-2324 4115

Website : www.coalindia.in, E mail :

gmmm.cil@coalindia.in

क्र० सं० सीआइएल/सी२डी/ १८१

दिनांक: 30.11.2018

महाप्रबंधक(सामग्री प्रबंधन)/विभागाध्यक्ष,
ईसीएल, संकटोरिया/बीसीसीएल, धनबाद/सीसीएल, रांची/
एसईसीएल, बिलासपुर/डबल्यूसीएल, नागपुर/
एनसीएल सिंगरौली/एमसीएल, सम्बलपुर/
महाप्रबंधक, एनईसी/ विभागाध्यक्ष (सामग्री प्रबंधन), सीएमपीडीआई

फैक्स एवं ई-मेल द्वारा

विषय/Sub: MSME Support & Outreach Campaign module

महोदय,

Please find enclosed herewith Office Memorandum No. DPE-7(4)/2007-Fin dated 29.11.2018 of Director, Ministry of Heavy Industries & Public Enterprises, Department of Public Enterprises (DPE), regarding MSME Support & Outreach Campaign module for furnishing information on weekly basis in this respect on online in DPE website under "Online Applications". Relevant important instructions for accessing this module are enclosed along with the above memorandum.

You are, therefore, requested to take necessary action for uploading of said information as per the instructions of DPE.

संलग्न: यथावत

भवदीय,

दुषार
(टी. के. मिश्रा) 30/11/18

महाप्रबंधक (सा प्र)/विभागाध्यक्ष

DM

वितरण/Distribution:

1. CMD, ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
2. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
3. Director (Tech.), ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
4. CVO, CIL
5. TS to Chairman, CIL
6. GM/TS to Director (Tech.), CIL
7. GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admn.)/GM (EED)/GM (Prod.)/GM (CV), CIL
8. GM (Fin.)- ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
9. All executives of MM Deptt., CIL (HQ), Kolkata

URGENT
IMPORTANT

No. DPE-7(4)/2007-Fin
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprise Bhawan
Block No. 14, CGO Complex
Lodhi Road, New Delhi- 110003

Date: 28.11.2018

OFFICE MEMORANDUM

Sub: MSME Support and Outreach Campaign- regarding

The undersigned is directed to invite reference to this office OM of even number dated 22.11.2018 on the above subject, wherein it was requested to furnish the following information regarding Ease of Cash flow to MSEs through TReDS and Ease of Access to Markets to MSEs through GeM in the identified districts on weekly basis (Week I, II,..) to DPE:

I. Information in respect of TReDS:

- i) No. of CPSE registered on TreDS
- ii) No. of MSMEs of CPSEs registered on TreDS
- iii) Amount of bills uploaded on TreDS by sellers-MSME (INR in Lakhs)
- iv) Amount of bills approved on TreDS by buyers-CPSE (INR in Lakhs)
- v) Amount of bills discounted on TreDS (INR in Lakhs)

II. Information in respect of procurement through GeM:

- i) No. of CPSE's Registered on GeM
- ii) Amount of procurement by CPSEs on GeM from MSMEs (Rs in lakhs)

2. In this regard, it is informed that information in respect of TReDS and GeM is yet to be received from a number of CPSEs. It is requested to kindly furnish the above information in the format attached at Annex-I, by **05:00PM, today (28th November 2018)**. As the progress of MSME Outreach Programme is being reviewed regularly at the Cabinet Secretariat level, the information referred above may be given on priority by today evening at the email address kalyani.mishra@nic.in

3. This issues with the approval of competent authority.



(Kalyani Mishra)

Director

Tel. 24362061

Encl.: As above

To
CMDs of CPSEs

Copy also to:
The Secretaries to the Administrative Ministries/Departments of CPSEs.

Weekly Information (Week I, II,....)

Sl. No.	Name of CPSE	Ministry/ Department	Whether CPSE is registered on TReDS	No. of MSMEs of CPSEs registered on TReDS			Amount of bills uploaded on TReDS by Sellers-MSME (Rs in Lakhs)			Amount of bills approved on TReDS by Buyers-CPSEs (Rs in Lakhs)			Amount of bills discounted on TReDS CPSE (Rs. In Lakhs)			Whether CPSE is registered on GeM	Amount of procurement by CPSEs on GeM from MSME (Rs. In Lakhs)		
				Yes/ No	Particulars	Weekly	Cumulative	Particulars	Weekly	Cumulative	Particulars	Weekly	Cumulative	Particulars	Weekly		Cumulative	Yes/ No	Particulars
1				Identified Districts			Identified Districts			Identified Districts			Identified Districts			Identified Districts			Total*

कोल् इंडिया लिमिटेड

(महाराज कंपनी)

कोयला भवन

सामग्री प्रबंधन विभाग,

परिसर संख्या ४, एक्सन एरिया १ए

न्यू टाउन, राजारहाट, कोलकाता- ७००१५६.

फोन : ०३३-२३२४ ४१२७, फैक्स : ०३३-२३२४ ४१२५

वेबसाइट: www.coalindia.in, ई मेल: gmmm.cil@coalindia.in



COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Coal Bhavan,

Materials Management Division

Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata - 700 156

PHONE:033-2324 4127, FAX: 033-2324 4115

Website : www.coalindia.in,

E mail : gmmm.cil@coalindia.in

क्र० सं० सीआइएल/सी२डी/२०१९/Bearings/1208

दिनांक : 04.02.2019

परिपत्र/CIRCULAR

विषय/Sub: Systemic improvement in procurement procedure for purchase of Bearings

A Committee was constituted for recommending Systemic Improvement Measures in respect of procurement of Bearings. The Committee recommendations, which have been duly approved by the Competent Authority are indicated as below:-

1. Centralized Procurement for High Consumption/ Requirement Value Bearings:

Almost all CIL subsidiaries do the same exercise for procurement of bearings for maintenance of their fleet of equipment, machinery, vehicles, etc. In order to avoid duplication of efforts, the Committee is of the view that there should be a centralized procurement for high value bearings falling under 70% value of the total requirement value of the bearings on whole Coal India basis. This centralized procurement may be done either by CIL (HQ) or any subsidiary company to be nominated by CIL as a 'Lead Company' on behalf of all other subsidiaries.

Since requirement of these bearings is of repetitive in nature, the Committee was of the view that Rate Contracts (RCs) should be concluded for such bearings.

2. Procurement of low Consumption/ Requirement Value Bearings: For procurement of bearings falling under 30% value of the total requirement value, open e- tenders should be floated based on annual requirement/MBs and Purchase Orders/ RCs should be issued. This should be done by Headquarters of the subsidiary companies.

3. Emergency/ Unanticipated requirement of bearings: The Areas, Units, etc. of subsidiary companies should be allowed to procure bearings only on emergency basis to attend the breakdown of the equipment or for those requirement of bearings which could not be anticipated and covered in annual MBs/ requirement, with the approval of concerned Dir (Tech) of the subsidiary company.

4. Mode of Tender: RCs for high value bearings should be finalized against Global open e-tenders and finalization of orders for low value bearings should be done against global or domestic open e- tenders as the case may be.

5. Procurement from manufacturers: Efforts should be made to finalize procurement either through RCs or Purchase Orders with bearing manufacturers only. However, in case of bearing manufacturers, which as a matter of their Corporate Policy, do not sell bearings directly, their authorized Indian Agents (dealer/ distributor) may be considered for execution of the supplies. However, the bearing manufacturers shall be held responsible for fulfillment of all the contractual obligations.

कुषर
04/2/19

6. **Validity of the RC:** RCs will be valid for 2 years from the date of conclusion.
7. Technical specifications, eligibility and provenness conditions, etc. for procurement of bearings for HEMM, UGMM, E&M equipment, CHP, Washeries and other applications should be formulated by a technical committee consisting of excavation and E&M engineers, to be nominated by CIL management for the purpose. However, for items to be dealt at Subsidiary level, such technical committee should be nominated by Subsidiary Management.

The above is circulated for information and implementation.

04/2/19
(टी. के. मिश्रा)

महाप्रबंधक (सा प्र)/विभागाध्यक्ष

प्रतिलिपि/Copy to:

1. Director (Fin.)/Director (Mktg.)/Director (Tech.)/Director (Pers.), CIL
2. CMD, ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
3. Director (Tech.), ECL/BCCL/CCL/CMPDIL/ MCL/NCL/SECL/WCL
4. CVO, CIL – This has reference to his letter No.CIL/VIG/F-167/IR-390/(H)/2884 dated 24.01.2019
5. GM/TS to Chairman, CIL/GM/TS to DT, CIL
6. GM (EED)/GM (E&M)/GM (EXCV.)/GM (Fin.)/GM (Civil)/GM (CMC)/GM (Admn.)/GM (Prod.)/GM (CV), CIL
7. GM (MM)/GM (EXCV.)/GM (E&M)/GM (Fin.)- ECL/BCCL/CCL/CMPDIL/MCL/NCL/SECL/WCL
8. All executives of MM Deptt., CIL (HQ), Kolkata

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

सामग्री प्रबंधन विभाग

कोल भवन, प्लॉट सं.-ए.एफ-३, एक्शन एरिया-१ए

न्यू टाउन, राजरहाट, कोलकाता - ७००१५६

फोन: ०३३-२३२४ ४१२७, फैक्स: ०३३-२३२४ ४११५

वेबसाइट: www.coalindia.in

ईमेल: gmmm.cil@coalindia.in



COAL INDIA LIMITED

(A MAHARATNA COMPANY)

Materials Management Division,

Coal Bhavan, Premises No.04, Action Area 1A,

New Town, Rajarhat, Kolkata-700156

PHONE: 033-2324 4127, FAX: 033-2324 4115

Website: www.coalindia.in

E mail: gmmm.cil@coalindia.in

संक्र०: सीआईएल/सी२डी/२०१९/ १५००

दिनांक: 25.03.2019

सेवा में,

महाप्रबंधक (सा प्र) विभागाध्यक्ष, भारत कोकिंग कोल लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, सेंट्रल कोलफील्ड्स लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, ईस्टर्न कोलफील्ड्स लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, महानदी कोलफील्ड्स लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, नॉर्थर्न कोलफील्ड्स लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, साउथ ईस्टर्न कोलफील्ड्स लिमिटेड

महाप्रबंधक (सा प्र) विभागाध्यक्ष, वेस्टर्न कोलफील्ड्स लिमिटेड

महाप्रबंधक, नार्थ ईस्टर्न कोलफील्ड्स

विभागाध्यक्ष (सा प्र), सेंट्रल माइन प्लानिंग एंड डिज़ाइन इंस्टिट्यूट लिमिटेड

महोदय,

विषय: Survey Off and Grounding of assets which have outlived their life

Company Secretary, CIL has vide his letter no. CIL/XI(D):04112:2019:226797 dated 05.03.2019, communicated the decision of CIL Board on the subject, during its 379th Meeting held on 12th Feb, 2019 [Item No. 379:3(A)]. A copy of the above said letter is enclosed.

It is requested to adhere to the directives of the CIL Board on the subject.

संलग्न: उल्लेखानुसार

भवदीय,

तुषार

(तुषार कांत मिश्र)

महाप्रबंधक (सा प्र) विभागाध्यक्ष

वितरण:

१. सीआईएल के निदेशक (तकनीकी) के तकनीकी सचिव
२. महाप्रबंधक(ईईडी) - यह आपके पत्र संक्र० CIL/EED/8A/81 दिनांक 07.03.2019 के संदर्भ में है
३. महाप्रबंधक(उत्खनन)/महाप्रबंधक(ईएंडएम)/महाप्रबंधक(एसएंडआर)/महाप्रबंधक(उत्पादन)/महाप्रबंधक(प्रणाली)/महाप्रबंधक(दूरसंचार)/महाप्रबंधक(सिविल)/महाप्रबंधक(प्रशासन)/महाप्रबंधक(वित्त),
सीआईएल/बीसीसीएल/सीसीएल/सीएमपीडीआईएल/ईसीएल/एमसीएल/एनसीएल/एसईसीएल/डब्ल्यूसीएल
४. सा प्र विभाग, सी.आई.एल के सभी अधिकारीगण



Coal India Limited
A MAHARATNA COMPANY
Coal Ehawan, 3rd Floor, Core - 2
New Town, Rajarhat, Kolkata- 700 156.
PHONE: 033-2324-6526, FAX:033-2324-6510
Email – mviswanathan2.cil@coalindia.in
WEBSITE:www.coalindia.in
CIN – L23109WB1973GOI028844

Ref No.CIL:XI(D):04112:2019: 22697

Dated 5th March 2019

To
GM (EED),
Coal India Limited,
3rd Floor, New Town,
Rajarhat, Kolkata – 700 156.

প্রাপ্ত করা / RECEIVED
CIL / EED 235
তারিখ / Date 6.3.19

Sub: Minutes of 379th CIL Board Meeting held on 12th February 2019.

Reproduced below is the relevant extracts from the minutes of 379th meeting of Board of Directors of Coal India Limited held on 12th Feb. 2019 at New Delhi with regard to the following item:

"ITEM No.379:3(A)

Sub : Action Taken Report of previous decisions

- 2) **Assets which had outlived its life** :- Director(Technical) apprised the Board number of outlived HEMM as on 25th July 2018 and the action taken by the Company for survey-off and procurement of replacement assets against survey-off. After detailed deliberations, it was decided that all equipment which were surveyed-off before 5 years should be grounded off (except dragline) and all the equipment which were grounded off before 3 years should be disposed-off."

This is for your information and taking necessary action please.

Yours faithfully,

(M.Viswanathan)
Company Secretary



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