

भारतीय कृषि अनुसंधान परिषद
कृषि भवन नई दिल्ली

मि.स. 21(9)/2019 समन्वय

दिनांक 10 अप्रैल, 2019

सेवा में,

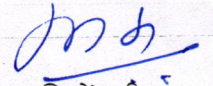
भारतीय कृषि अनुसंधान परिषद
संस्थानों /राष्ट्रिय अनुसंधान केन्द्रों के
समस्त निदेशक/परियोजना निदेशक

महोदय,

कृपया इस पत्र के साथ सलग्न पत्र आवश्यक कार्यवाही हेतु देखें

धन्यवाद

भवदीय


(विन्सेंट टी)

अनुभाग अधिकारी (समन्वय)



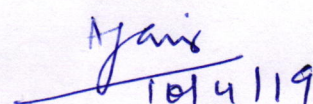
INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN : NEW DELHI

F.No.GAC-21(9)/2019-Cdn.

Dated 10th April, 2019

ENDORSEMENT

The Principal Secretary to Prime Minister has issued DO letter No.330/31/C/64/2018-ES-I dated 3.1.2019 regarding complaints that Government entities are indicating foreign make/brands and/or restrictive conditions in their tenders thereby excluding local manufacturers from bidding process and the Ministry of Commerce & Industry has issued OM No.P-45021/168/2018-BE-II dated 31.12.2018 regarding clarification on Local content in respect of man-power component. Both the above mentioned DO letter and the OM have been uploaded on the ICAR website www.icar.org.in and e-office for information and compliance.


(Ajai Verma)
Under Secretary (GAC)

Distribution:

1. All Directors/Project Directors of ICAR Research Institutes/National Research Centres/Project Directorates/Bureaux/ATARIs
2. All Officers/Sections at Krishi Bhavan, KAB-I, KAB-II and NASC.
3. PD, DKMA for placing the DO letter on the ICAR website.
4. PSO to DG, ICAR/PPS to Secretary, ICAR/PPS to FA, DARE & ICAR
5. Secretary (Staff Side), CJSC, IIS&WC, Dehradun
6. Secretary (Staff Side), HJSC, ICAR, KAB-II, Pusa, New Delhi-110012.
7. Guard File/Spare Copies



सत्यमेव जयते

नृपेन्द्र मिश्र

Nripendra Misra

Principal Secretary to Prime Minister

सचिव (डेयर) एवं फिन्सि (भा. कृ. अनु. परिषद) का कार्यालय
Office of Secy (DARE) & DG (ICAR)

eOffice Dy. No. 234913

Date. 8/1/19

अपर सचिव एवं फिन्सि सलाहकार
(डेयर/भा. कृ. अनु. परिषद)

Addl. Secretary & Fin Adviser
(DARE/ICAR)

डा. सं./Dy. No. 13/R Date. 9/1/19

अपर सचिव एवं फिन्सि सलाहकार
(डेयर/भा. कृ. अनु. परिषद)

Addl. Secretary & Fin Adviser
(DARE/ICAR)

डा. सं./Dy. No. Date.

DO. No. 330/31/C/64/2018-ER-I

3rd January, 2019

Dear Secretary,

Complaints are being received, alleging that Government entities are indicating foreign make/brands and/or restrictive conditions in their tenders, thereby excluding local manufacturers from bidding process.

2. It may be noted that such stipulation of foreign make/brands and/or restrictive conditions (like mandatory requirement of certification by foreign bodies) in the tenders is not only violative of Public Procurement (Preference to Make in India) Order, 2017 (PPP-MII Order 2017) issued by DIPP, but also in violation of the General Financial Rules. In this regard, it is necessary to follow the following general guidelines:

- Indicating foreign make/brands in the tender, and thereby excluding local manufacturers and service providers from participation, is in violation of Public Procurement (Preference to Make in India) Order, 2017. Also, as per Rule 144(i) (b) of GFR 2017, procuring agency shall not indicate a requirement for a particular trade mark, trade name or a brand.
- As per Rule 144(iii) of GFR 2017, the technical specifications shall, to the extent practicable, be based on the national technical regulations or recognized national standards.
- Ministries/Departments should also ensure that their procurement entities do not incorporate any such restrictive and discriminatory eligibility criteria regarding turnover, specifications/testing/other standards in tender documents that exclude local manufacturers/service providers.

3. Please ensure compliance of the above guidelines strictly at the level of the Ministry/Department, as also by all attached/subordinate offices and PSUs/ Autonomous bodies under the administrative control of your Ministry/Department. Any violation in this regard shall be viewed seriously.

With regards,

Yours sincerely,

(Nripendra Misra)

Shri Trilochan Mohapatra,
Secretary,
D/o Agricultural Research & Education,
New Delhi.

Urgent. 8/1/19
Dir(F)/DDF

Sup (D)

Secy, ICAR
Asst FA

Dir(F)

DDF(F)

to circulate among all Directors

9.1.2019

प्रधान मंत्री कार्यालय, साउथ ब्लॉक, नई दिल्ली-110 011

PRIME MINISTER'S OFFICE, SOUTH BLOCK, NEW DELHI-110 011

TEL 23013040 FAX-23017475

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URGENT

S.O. LCN (ABA)

2.1.19

276100
14/1/2019

Government of India
Ministry of Commerce & Industry
Department of Industrial Policy & Promotion
(Public Procurement Section)

Udyog Bhawan, New Delhi
Dated: 31 December, 2018

OFFICE MEMORANDUM

Subject: PPP –MII Order 2017-Clarification on Local Content in respect of man power component

One of the procuring entities has sought a clarification as to whether in case of manpower component in goods and services, salary paid to foreign personnel in Indian Rupees may be considered as Local Content component. This issue has been examined in light of the provisions of the Public Procurement (Preference to Make in India) Order, 2017(PPP-MII Order 2017).


2. As per the definition clauses in the 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 to this order.

3. In this regard, it is clarified that salary/professional fees paid in Indian Rupees to India-based foreign employees will be treated as local content, if they are ordinarily resident in India for a longer period (6 months or more). However, salary/professional fees paid to foreign professionals coming to India on short-term basis, or payments made in foreign currency, will not be treated as local content.

This is issued with the approval of Secretary, DIPP.

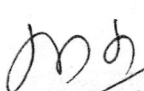

31/12/18
(Rakesh Kumar)
Director

Phone: 011-23063478

E-mail: rakesh.k72@gov.in

To

All Ministries/ Departments


18.1.19
Smt. K K VS (YAC)
18/1/19
re clous

Secy (P) - in mg -
Secy, CAR - Not in position
DS (DARE)
DS (CIAC)