भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड) (Railway Board)

No. 2020/RS(L)/779/1 नईदिल्ली New Delhi Dated:12/08/2021.

The General Managers, All Indian Railways/PUs, NF(C), CORE
DG/RDSO/Lucknow, NAIR/Vadodara,
PCAO, DMW/Patiala, COFMOW
CAO, WPO/Patna, RWP/ Bela.

Sub: **Revised Consolidated Instructions regarding Global Tender Enquiry (GTE) under Rule 161(iv) of General Financial Rules (GFRs) 2017 upto Rs 200 crore-reg**

Ref:
(i) DoE O.M. No. F.4/1/2021-PPD dt. 30.06.2021
(ii) This Office letters No. 2015/RS(G)/779/5 dt. 26.05.2020 & 03.06.2020 circulating DoE OMs No. 12/17/2019-PPD dt 15.05.2020 & 28.05.2020, respectively.
(iii)This Office letter No. even no. dt. 16.10.2020, 28.10.2020 & 24.11.2020
(iv)This Office letter No. 2020/RS(L)/779/1(2) dt. 24.11.2020
(v) This Office letter No. even no. dt. 13.04.2021, 30.04.2021 & 03.05.2021 Circulating DoE OM dated 08.01.2021, 12.03.2021 & 05.04.2021 respectively
(vi) This office letter of even no. dated 22.07.21 circulating DoE O.M. No. F.4/1/2021-PPD dt. 30.06.2021
(vii) **Revised** Consolidated instructions regarding Global Tender Enquiry (GTE) vide DoE O.M. No. F.4/1/2021-PPD dt. 03.08.2021(copy enclosed)

Vide reference (vii) Department of Expenditure has issued **Revised** consolidated instructions regarding Global Tender Enquiry (GTE) under Rule 161(iv) of General Financial Rules (GFRs) 2017 upto Rs 200 crore vide their letter No. F.4/1/2021-PPD dt. 03.08.2021.

This is for your kind information and compliance.

DA: As above.

Digitally signed by CHANDAN KUMAR
Date: 2021.08.12 17:22:47 +05'30'

(Chandan Kumar)
Director Railway Stores/IC
Railway Board

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All AMs, PEDs & Executive Directors of Railway Board

No. F.4/1/2021-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

264-C, North Block,
New Delhi Dated the 03rd August, 2021

OFFICE MEMORANDUM

Subject: **Revised Consolidated Instructions regarding Global Tender Enquiry (GTE) under Rule 161(iv) of General Financial Rules (GFRs) 2017 upto Rs 200 crore.**

Attention is invited to this Department's OM No. F.12/17/2019-PPD dated 15.05.2020 regarding amendment in Rule 161(iv) of General Financial Rules (GFRs) 2017 stipulating that no Global Tender Enquiry (GTE) shall be invited for tenders upto Rs.200 crore or such limit as may be prescribed by this Department from time to time. It further stipulates that in exceptional cases, where the Ministry or the Department feels that there are special reasons for GTE, it may record its detailed justification and seek prior approval for relaxation to the above Rule from the competent authority i.e. Secretary (Coordination), Cabinet Secretariat.

2. Applicability: Restriction on Global tenders as specified in the revised Rule 161(iv) of GFRs, 2017 will be applicable on all procurements including Goods, Non-consulting services, Consultancy Services and Works including turnkey projects. The instructions are applicable for all the tenders published in newspapers or website after 15.05.2020.

3. It is noted that 40-45 % of the proposals being sent by Ministries/ Departments are either not complete or not in accordance with the instructions issued by this Department and Cabinet Secretariat for submission of the proposals. Due to this, such proposals are returned to proposing Ministry/ Department for rectification. In order to avoid shuttling of the proposals and to save time, all instructions for submission of proposals have been consolidated as under for convenience of proposing Ministries/Departments:

3.1 The proposal for approval shall be submitted by Administrative Ministry with the **concurrence of Financial Advisor and approval of Secretary** concerned. The proposals submitted by individual offices/ organisations (e.g. autonomous bodies, Central Public Sector Undertakings and subordinate offices of Central Government etc.) will not be entertained.

3.2 The proposals shall be submitted along-with **duly filled format** (issued by Cabinet Secretariat vide ID No. 213/2/1/2020-C.A.IV dated 06.10.2020, Annexure-I). **Every page should be attested by Administrative Ministry**.

3.3 Proposals are to be simultaneously sent to the following:

(i) Cabinet Secretariat, email: ca4-cabsec@gov.in,

(ii) Department for Promotion of Industry & Internal Trade (DPIIT) emails: manmeet.nanda@ias.nic.in & rajesh.gupta66@gov.in, and

(iii) Department of Expenditure, email: kanwal.irss@gov.in and sudesh.kumar85@gov.in

3.4 Before sending proposals for approval of the Global Tenders, following is to be ensured:-

(i) Domestic open tender must be floated to identify the domestic manufacturers/ service providers for the items/ services for which approval is being sought for issuance of Global Tenders. In case, if the Ministry/ Department has not floated a domestic open tender after 15.05.2020 for the items to be procured through GTE, such proposals will not be entertained. **The proposal must contain the details of domestic open tenders, issued after 15.05.2020** (Tender Number, date of opening, number of offers received, details of offers received, reasons why domestic suppliers were not considered etc.)

(ii) The proposal **must contain the details of deliberations with DPIIT/ relevant industrial bodies for identification of domestic manufacturers/ service providers.**

(iii) The **3/5-year procurement plan** as mandated by Public Procurement (Preference to Make in India) (PPP-MII) Order issued by DPIIT must be published on website, before forwarding proposals for the purpose of procurement through GTE. Web-link of published procurement plan should be provided in proposal.

4. Exemptions/Clarifications

4.1 For procurement of specialised equipments required for research purposes, and spares and consumables, for such equipments upto Rs. 200 crore for the use of Educational and Research Institutes, Secretary of Ministry/ Department concerned shall be the competent authority to approve issue of Global Tender Enquiries for such requirements subject to fulfilment of conditions as laid down in Annexure-II. The equipment should be of specialized nature required for research purposes and not the routine equipment used in offices. (OM No. 20/45/2020-PPD dated 08.01.2021)

4.2 **Special relaxation for procurement of Covid-19 related items/ equipments/ services etc. through GTEs till 31.10.2021**: Secretary of Ministry/ Department concerned shall be the competent authority to approve issue of such Global Tender Enquiries (OM No. 4/1/2021-PPD dated 11.06.2021).

4.3 Further, instructions issued vide this department OM No. 12/17/2019-PPD dated 15.05.2020 will not be applicable in following cases:

(i) On procurement of spare parts of the equipments/ Plants & Machinery etc. on nomination basis from Original Equipments Manufactures (OEMs) or Original Equipment Suppliers (OES) or Original Part Manufacturers (OPMs) as no competitive tenders are invited in such cases (OM No. 12/17/2019-PPD dated 29.10.2020).

(ii) Where procuring entities need to issue GTEs to fulfil contractual commitments/ obligations entered by them before 15.05.2020 i.e. bid has been submitted by them to their clients before 15.05.2020. Similarly, where procuring entities need to issue GTEs in view of existing collaboration agreements entered by them with foreign suppliers before 15.05.2020. (OM No. 4/1/2021-PPD dated 12.03.2021).

03/08/2021.

(Kanwalpreet)
Director (PPD)
Tel.No. 2309 3811
Email: kanwal.irss@gov.in

To,

All the Secretaries and Financial Advisers to Government of India

Annexure-I

Format for seeking the approval of the Competent Authority as per DoE order on rule 161(iv) of GFR dated 15.05.2020 and 28.05.2020

S.No.	Particulars	Remarks
1	Name of the Ministry:	
2	Name of the Department:	
3	Name of the sub-ordinate office (If applicable):	
4	Detailed Description of the Item	
5	Use of the Item	
6	Life time of the item proposed (In years)	
7	Whether item is procured regularly? (If so, Details of procurement of the said item over the past three years (Three completed financial years or last three tenders and the current financial year) inclusive of supply details as per format at Annexure-A.	
8	Quantity required to be procured with justification for the quantity (State/UT/Region wise projection)	
9	Estimated procurement price along with basic of such estimation (International Price comparison chart)	

Stamp and Signature of the
Authorized officer of the proposing Department
Name and Designation

10	Justification to be submitted as under		
	a	Detailed justification for Global Tender and essentiality of import (Item wise)	
	b	Who are the (possible) vendors of the item under procurement, in the global (including India) market?	
11	1	Whether the Department has tried and floated the tender to identify the domestic suppliers in the past financial year (If not, the reason thereof)	
	2	Capacity of all domestic local suppliers as per the domestic tender floated, if any	
12	**What are technical alternatives** available **within country and whether** they can be used ***(substituted) for the** proposed item **under GTE?***		
13	Whether the Department had in the past attempted at development of local suppliers/phased indigenization/promotion of alternative technology having sufficient local suppliers. (If so, details thereof)		

Stamp and Signature of the
Authorized officer of the proposing Department
Name and Designation

14	Consequences of non-procurement of the item through GTE.	
15	Whether BIS standards are available for the items proposed under procurement. If not, the efforts made to operationalize such standards.	
16	Whether the department had published procurement plan for next 5 years, for the item under discussion?	

The above proposal is submitted, with the approval of the Secretary of the Administrative Department/Ministry, for the consideration of the Competent Authority, as mandated by D/o Expenditure order dated 15th May, 2020 regarding Amendment in GFRs-2017, regarding Global Tender Enquiry.

Also, it is informed that the above proposal had been sent to Cabinet Secretariat (Via Email ID: ca4-cabsec@gov.in), D/o Expenditure (via Email ID: GTEnquiry-200@gov.in) and to DPIIT, for their consideration.

Stamp and Signature of the
Authorized officer of the proposing Department

Name

Designation

Contact Number

Email ID

ANNEXURE-A

FORMAT FOR GTE

Details of procurement of the said item over the past three years (Three completed financial years and the current financial year) inclusive of supply details.

Year of contract	Item	Contract No. & date	Supplier	Quantity of supply with unit	Rate per unit	Completion date of contract	Country of Origin of goods	Local content in %

****

Stamp and Signature of the
Authorized officer of the proposing Department.
Name and Designation

Annexure-II

Efforts to locate domestic suppliers

Educational, Research institutions and other units will make full efforts towards reducing of imports in following manner. This will result in substantial effects both within the institutions and also through impact on the eco-system:

(i) Identification of equipment being procured time and again from abroad, and help developing them in India by identifying potential manufacturers and providing them technical help and expertise for developing the equipment. This programme will be coordinated by the Empowered Technology Group (constituted by Cabinet and chaired by the PSA)

(ii) Efforts to promote technology transfer through agreements or to encourage technological collaboration with foreign manufacturing in India at the Start-ups set up in Research Parks.

(iii) Sharing and updating of information about the availability of research equipment across various Indian Institutes on a single portal (thein I-STEM portal has been developed for this purpose) so that those can be utilized by the needy institutes.

(iv) Without compromising quality, Institutes should indicate alternative/ equivalent technical specifications that could suit their requirement, so that there are more chances of local manufacturers participate in the tendering process.

(v) Regular Interaction between academia and Indian industry organizations at the level of the institution about the requirement of equipment of foreign origin and for encouraging the domestic manufacturing.

(vi) Regular requirement of proprietary/ non-proprietary research consumables may be assessed and domestic alternatives are explored for use.

(vii) A national level programme for indigenous development of scientific equipment be initiated by the Office of PSA.

(viii) Without compromising quality, Institutes should be flexible with specifications so that domestic manufacturers are encouraged to meet requirements.

2. Guidelines for resorting to GTE :

(i) Market assessment should be done by the concerned institution, as certified by the Head of the Institution. Only after no Indian manufacturer is found, a GTE should be issued.

(ii) In case no Indian manufacturer/ suppliers are found, procurement may be done, through GTE, subject to compliance of provisions of GFR and requirement of procurement through GeM.

(iii) DEAN (R&D) or an appropriate authority within the institute will issue certificates as per para 3 below, before inviting GTE. As a reporting matter in the Board of Governors, such certificates should be tabled, and also shared with Office of the PSA, DPIIT and concerned Administrative Ministry.

(iv) The information about the procurement of equipment should be shared across various Educational and Research Institutes, through the I-STEM portal, already established for this purpose by the PSA's office. This will allow the equipment to be used by other institutions too, for research purposes.

(v) Analyze the equipment being procured time and again from abroad, and help developing them in India by identifying potential manufacturers an providing them technical assistance and expertise for developing the equipment. Half-Yearly reports on this action to be shared by the Institutes with the Office of the PSA, DPIIT and concerned Administrative Ministry. A national level scheme will also be initiated by the Office of PSA for indigenous development of scientific equipment.

(vi) Preference to local suppliers over foreign supplier as per the existing GoI guidelines, should be observed as applicable.

3. **Certificates to be issued**

(i) Confirmation of non-availability in India of particular equipment/ consumables of foreign origin through Government e-Marketplace (GeM) and other sources;

(ii) Certification that locally available alternatives with equivalent specifications are not suitable for research purposes;

(iii) The non-availability of such equipment for research purposes with nearby research institutes or within the institute.

(vi) Certification of the requirement of proprietary items of foreign origin for research purposes (where applicable).