

MOST IMMEDIATE

F.No.Y-11016/1/2019-PC
Government of India
Ministry of Health & Family Welfare
Directorate General of Health Services
(Procurement Cell)

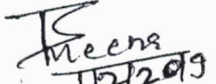
Nirman Bhavan, New Delhi 110011
Dated: the 1st February, 2019

OFFICE MEMORANDUM

Subject:- Complaints against putting restrictive conditions in the tenders for barring local manufacturers from bidding process - PMO instructions to follow the Gol guidelines – reg.

The undersigned is directed to forward herewith a copy of DO Letter No.330/31/C/64/2018-BS-I dated 3.1.2019 from Principal Secretary to Prime Minister to Secretary(HFW) for information and strict compliance by all establishment under administrative control of Dte.GHS while framing the Technical Specifications and resorting tender process for procurement of health sector goods. Any violation in this regard shall be viewed seriously.

Encl.: As above.


(B. L. Meena)
Dy. Director(BLM)
Ph. 011-23061950

To

1. The Medical Superintendent, Dr. RML Hospital, New Delhi-110001
2. The Medical Superintendent, Safdarjung Hospital, New Delhi-110001
3. The Director & Medical Superintendent, LHMC & Associated Hospitals, New Delhi-01
4. The Director, CIP, Ranchi(Jharkhand)
5. The Director, AIIPMR/AIHH&PH, Mumbai/Kolkata
6. The DCG (I), FDA Bhawan, New Delhi
7. The Director, NCDC/NVBDCP, Delhi/New Delhi
8. The Director, RHTC, Najafgarh
9. The DDG(St), MSO, RK Puram, New Delhi
10. The Director, CRI, Kasauli,
11. The Director, BCG VL Guindy
12. The Chief Serologist, IoS, Kolkata
13. All APHO/PHO/RoHFW,
14. All Leprosy Institutes.

Copy to:

JS(RM)/DDG(P) / DDG(M) / DDG(MH&IH) / DDG(Lep.) / Adviser(PH) / Adviser(NCD) / Director(EMR) / Addl.DDG(PS) / Director(CBHI) / Director(CHEB) / DDG(Store) / Director(NML).

Copy also to:

1. Dir.(MKC) / Dir.(HQ) / Dir.(LT).
2. Dy. Dir.(SKT)/Dy. Dir.(VP / Dy. Dir.(TF) / Dy. Dir.(AC) / Dy. Dir.(SS) / Dy. Dir.(VM).
3. I/c of IT Cell, Dte.GHS with a request to upload this letter on the Directorate's Website for information of Stakeholders

Copy for information to:

1. Sr.PPS to DGHS/Addl.DGHS
2. Sr.PPS or PPS to Principal Advisors in Dte.GHS

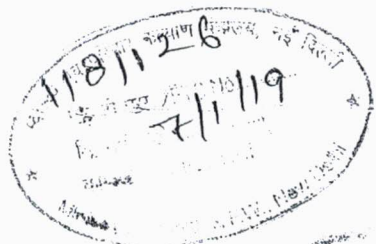
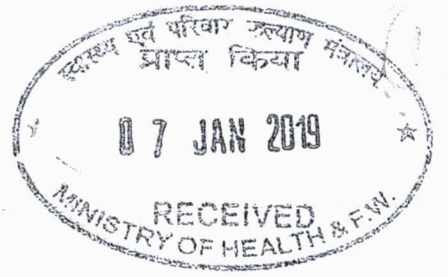
IT cell



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सत्यमेव जयते



नृपेन्द्र मिश्र

Nripendra Misra

Principal Secretary to Prime Minister

D.O. No. 330/B1/C/04/20R-EG-2

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:

- a. 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.
- b. 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.
- c. 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,

DD (BL Meena) →
for info for strict compliance
7/1/19

(Nripendra Misra)

Ms. Preeti Sudan,
Secretary,
D/o Health & Family Welfare,
New Delhi.

ASCAS
JS(SB)
Adl Adl Secys | JSs | B&HS ✓

Circular & restriction under AC-GHS
consultant Prod)

(L1)
Office of Work
FTS No. 118/1126(E)
Date 07-1-19

P.S. to
Secy
(H)

DDG (P)
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ADDG (SK)
3/3690682
10/1/19

DDG (P)
JS (AM)

No. Y.11016/1/2019-PC
(Procurement Cell)

Copy to:-

1. JS (RM) FTS - 1216409/2019
2. DDG(P) FTS - 1216409(1)/2019
3. DDG(M) FTS - 1216409(2)/2019
4. DDG(MH&H) FTS - 1216409(3)/2019
5. DDG(Lep.) FTS - 1216409(4)/2019
6. Advisor(PH) FTS - 1216409(5)/2019
7. Advisor(NCD) FTS -
8. Director(EMR) FTS - 1216409(6)/2019
9. Ad. DDG(PS) FTS - 1216409(7)/2019
10. Director(CBHI) FTS - 1216409(8)/2019

Copy also to:-

1. Dir.(MKC) FTS - 1216409(9) Dir.(HQ) FTS - 1216409(10) Dir.(LT) 1216409(11)/2019
2. Dy. Dir.(SKT) FTS - 1216409(12)/2019
Dy. Dir.(VP) FTS - 1216409(13)/2019
Dy. Dir.(TF) FTS - 1216409(14)/2019
Dy. Dir.(AC) FTS - 1216409(15)/2019
Dy. Dir.(SS) FTS - 1216409(16)/2019
Dy. Dir.(VM) FTS - 1216409(17)/2019
3. I/c of IT Cell, Dte. GHS with a request to upload this letter on the Directorate's Website for information of stakeholders. FTS - 1216409(18)/2019

Copy for information to:-

1. Sr. PPS to DGHS/Addl. DGHS FTS - 1216409(19)/2019 / FTS - 1216409(19)/2019
2. Sr. PPS or PPS to Principal Advisors in Dte. GHS
 - ① Dr. B. D. Athani, Principal Adviser → FTS - 1216409(20)/2019
 - ② Dr. N. S. Sharmshaktu, Principal Adviser → FTS - 1216409(21)/2019
 - ③ .