



PEM / PG-III, BHEL, Noida

**SPECIAL CONDITIONS OF CONTRACT (SCC) Rev-00**

**2X660 MW THDC Khurja STPP- TG & Associated Packages (Job No. 475)**

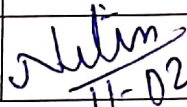
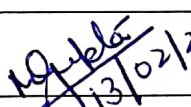
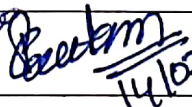
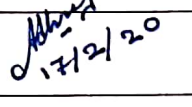
These Conditions shall be read and construed along with General Conditions of Contract (GCC) rev.07 to be enclosed along with the tender enquiry. In case of any conflict or inconsistency, the conditions given in SCC shall prevail over the GCC and its corrigendum.


Sl No.	Title	Description
1.	Project Name	2X660 MW THDC Khurja STPP- TG & Associated Packages
2.	Nature of project & Type of Bidding	Non-Mega & ICB
3.	Customer Order Ref No	THDC-RKSH-CC-9915-371-FC-NOA-3115 dated 03.10.2019 THDC-RKSH-CC-9915-371-SC-NOA-3116 dated 03.10.2019
4.	BHEL's Customer	THDC India Limited (Formerly Tehri Hydro Development Corporation) is a joint venture of Govt. of India & Govt. of Uttar Pradesh
5.	THDC GST No.	09AAACT7905Q1ZO
6.	Customer Consultants	NTPC
7.	Consignee Address (Bill To)	<p>For supply package: BHEL, Power Sector-Project Engineering Management, Power Project Engineering Institute, Plot No. 25, Sector-16A, Noida, Uttar Pradesh-201301. <b>GSTIN: 09AAACB4146P2ZC</b></p> <p><b>For turnkey packages</b> (where BHEL-PEM will issue only the LOA and Purchase Order shall be issued by BHEL-PSNR): Construction Manager, Bharat Heavy Electricals Limited, Khurja Super Thermal Power Project, Khurja, Distt. Bulandshahar, Uttar Pradesh <b>BHEL PSNR GSTIN No.- 09AAACB4146P2ZC</b></p>
8.	Delivery Address (Ship To)	Construction Manager, Bharat Heavy Electricals Limited, Khurja Super Thermal Power Project, Khurja, Distt. Bulandshahar, Uttar Pradesh
9.	BHEL Site Office Address	Construction Manager, Bharat Heavy Electricals Limited, Khurja Super Thermal Power Project, Khurja, Distt. Bulandshahar, Uttar Pradesh
10.	Location of Plant	Khurja Super Thermal Power Project is located in Bulandshahar district of Uttar Pradesh, between 28°08'35" to 28°10'25" Northern latitude and 77°53'47" to 77°55'22" Eastern longitude. The site is situated near villages Dushhara-kherli, Jahanpur, Naiphal (Unchagaon) and Rukunpur. The district Headquarters Buland Shahar is about 32 kms. The nearest railway station Danwar on Delhi-Kolkata Section (via Aligarh) is approximately 5 km away from the project site. The nearest major railway station is Khurja at a distance of about 11 kms.
11.	Mode of Dispatch	For indigenous supplies: By Rail/Road on door delivery and freight pre-paid basis. For imported supplies: On C&F basis.
12.	BHEL GSTIN Details	For supply packages: BHEL-PEM is registered in the State of Uttar Pradesh with GSTIN 09AAACB4146P2ZC <b>For Turnkey packages: BHEL PSNR GSTIN No.- 09AAACB4146P2ZC</b>
13.	Transit Insurance	<p>In BHEL Scope.</p> <p>For each dispatch, vendor shall inform the following to the Underwriter under intimation to BHEL-PEM and BHEL Site office:</p> <ul style="list-style-type: none"><li>(i) Policy No.</li><li>(ii) Consignee Name.</li><li>(iii) Consignment Details (items with their weights and value (in INR).</li><li>(iv) Project Name and P.O. No.</li></ul>

		<p>(v) LR No. and date, Dispatch origin and destination details, Invoice No.</p> <p>Vendors to intimate the underwriters quoting the insurance Policy No. as mentioned in Purchase Order.</p>
14.	Dispatch intimation	<p>Yes, in writing, Not less than 30 (Thirty) days prior to date of shipment and dispatch details to be sent to:</p> <p>BHEL Site office (As mentioned in Sl. No. 9)  BHEL PEM Noida (As mentioned in NIT for POs issued by PEM)  BHEL PSNR Noida (For POs issued by BHEL PSNR)</p>
15.	Document required for Vendor's payment.	<p>For claiming the payment, documents as mentioned in GCC rev 07 shall be submitted by vendor to BHEL.</p> <p><b>Packing List</b> must comply to Clause No. 19.3 of General Commercial Terms &amp; Conditions of GCC rev.07. Description of items in packing list shall be as per PO such that proper correlation between PO &amp; packing list must be furnished.</p> <p>Soft copy of documents for claiming payment shall be submitted by vendor as advance copy.</p>
16.	Buyer and Paying Authority	<p>For packages where PEM will issue the Purchase Order: <b>BHEL PEM</b> will be the paying authority. For packages where BHEL-PEM will issue only the LOA and Purchase Order shall be issued by BHEL-PSNR: <b>BHEL Khurja Site</b> will be the paying Authority.</p>
17.	Demurrage charges	<p>Demurrage charges shall be paid by supplier/ vendor only to the transporter. No claim shall be acceptable to BHEL in this regard.</p>
18.	Unloading, Storage & Movement of material at site	<p>a.) By BHEL site office for supply packages (where only supply is in vendor's scope).  b.) By vendors for Turnkey (where supply and E&amp;C is in vendor scope)</p> <p><b>Note:</b> The Supplier shall furnish LR wise Gross Wt. of the consignment for the purpose of handling the consignment by BHEL Site Contractor. Please note that unloading of materials at Site shall sometimes may take 3-4 days. As such, transporters to be advised suitably before dispatch of materials in this regards. Also, no claim on a/c of delay in unloading before this period shall be entertained. Prior intimation as mentioned in sl. no. 14 above is solicited</p>
19.	Concessional custom duty against Essentiality certificate (EC)	<p>The project has been qualified through Project Import route. Accordingly, the benefits applicable to PI project would be granted for this project In this regard applicable documents such as Essentiality certificate will be issued by Customer. Under this, Concessional rate of Customs Duty shall be applicable on the Import Contents of the supplier respectively. Based on the above EC, Customs Duty Benefits will be passed on to the vendor. The Bidder to indicate the Import contents i.e. list of the item, Currency of Import and Country of Import including CIF value in their offers. BHEL shall inform, the availability of CIF value for a particular package, if any, at the time of NIT. The benefits availed in Concessional Customs Duty must be passed on to BHEL in their offer.</p> <p>Vendor shall inform BHEL and provide the necessary documents to obtain required certificates from BHEL to avail exemption. Obtaining custom duty benefit in line with the Essentiality Certificate issued shall be in vendor's scope.</p>
20.	Taxes & Duties (For Domestic Vendor)	<p>As per General Conditions of Contract (GCC rev 07).</p>
21.	Taxes & Duties (For Order Directly to Foreign Bidders)	<p>In case of foreign vendors, quoted prices &amp; Dispatches shall be on C &amp; F (Port-Mumbai) basis and the Taxes &amp; duties in the country of dispatch shall be borne by Foreign vendor. All the Taxes &amp; duties and other charges applicable in India shall be borne by BHEL-PEM for the direct order placed by PEM to the foreign bidder and by BHEL-PSNR for the orders placed by PSNR.</p>
22.	Inspection Agency	<p>Inspection of packages shall be carried out by agency as per below Inspection category of packages:</p> <ol style="list-style-type: none"> <li>1) Cat-I: Inspection shall be done jointly or separately by NTPC/THDC and BHEL or BHEL's TPIA</li> <li>2) Cat-II: Inspection shall be done by BHEL only.</li> <li>3) Cat-III: Certificate of Compliance shall be furnished by Vendor.</li> </ol> <p><b>Note:</b> Please note, for Cat I &amp; II items BHEL reserve the right to carry inspection by themselves or through nominated third party inspection agency (TPIA). For Inspecting Agency for various items, vendor may refer to Quality Plan. Third party inspection agency, if any, shall be informed after award of contract.</p>



23.	Inspection procedure	<p><u>For Domestic supplies</u></p> <p>Please refer clause no. 14.0 of GCC Rev 07. Vendor to furnish photographs pertaining to packing of materials before despatch. MDCC shall be issued on the basis of clear inspection report (CQIR).</p> <p><u>For Foreign supplies</u></p> <p>In case of Foreign supplies, if THDC approved 3rd party inspection agency does not participate in the inspection, test certificates &amp; inspection reports duly accepted by the agreed Inspection agency shall be submitted in soft copy to BHEL-PEM. The same shall be reviewed by PEM and then, sent to THDC/NTPC for clearance. The dispatch clearance (MDCC) by THDC (NTPC)/ BHEL as applicable shall be given to the foreign supplier or representative in India after acceptance of above test certificates.</p>
24.	Material Dispatch Clearance Certificate (MDCC) Issuing Agency	<p><b>For Cat-I item</b>, MDCC shall be issued by NTPC/THDC and it's the responsibility of vendor to arrange MDCC from them and furnish <b>original MDCC to BHEL</b>. Copy of NTPC/THDC MDCC shall be attached with Invoice by Vendor for claiming payment from BHEL.</p> <p><b>For Cat- II &amp; Cat-III items</b>, MDCC shall be issued by BHEL, which shall be valid for the vendor payment. However, the vendor shall furnish all requisite documents like Material Test Certificates, Inspection Reports etc. required for obtaining of NTPC/THDC MDCC by BHEL.</p>
25.	Submission of Final Drgs/Docs alongwith O&M Manual, Type Test Certificates (if any)	<p>No. of O&amp;M Manuals</p> <p>As per GCC rev.07/ Technical Specification/Kick-off meeting.</p> <p>If not specified anywhere, Vendor to submit final approved O&amp;M Manual in 12 Hard copies and 4 No of CD ROMs/DVDs/Portable Hard Disk.</p>

	Prepared by	Checked by	Reviewed by	Approved by
Designation	Dy. Mgr/ PG III	Manager/ PG III	SDGM/PG-III	AGM & DH/ PG III
Signature	 11-02-2020	 13/02/2020	 14/02/2020	 17/2/20

	<b>CORPORATE QUALITY ASSURANCE</b> <b>MAIN CONTRACTOR EVALUATION REPORT</b>			


i.	Main Contractor					
ii.	Project					
iii.	Package Name		Package No			
iv.	Proposed Item/Scope of Sub-contracting					
v.	Item covered under	Schedule-1		As per contract clause No-		
		Schedule-2				
vi.	If item is Schedule-1 and proposed sub-vendor is indigenous, Main Contractor to explain how the contractual provisions will be fulfilled-					
vii.	Name and Address of the proposed Sub-vendor's works					
viii.	PO placement date/ Start of manufacturing (if self-manufactured) as per L2 network					
ix.	Item Description (Type/Size/Rating/Scope of Sub-Contracting)	Total quantity of proposed item envisaged in this package (Nos/ Running Meters/ Kgs/ Tons etc)	Quantity proposed to be procured from proposed sub-vendor (Nos/ Running Meters /Kgs /Tons etc)	Per month quantity requirements as per project schedule	Actual monthly production capacity viz-a-viz the monthly proposed order requirement	
x.	Supply experience of the proposed sub-vendor (including supplies to Main Contractor, if any) for similar item/scope of sub-contracting, for last 3 years ( <i>Note:- Only relevant experience details wrt proposed item/scope of subcontracting to be brought out here</i> )					
	Project/Package	Customer Name	Supplied Item (Type/Rating/Model /Capacity/Size etc)	PO ref no/date	Supplied Quantity	Date of Supply
We confirm that as per our assessment, the proposed sub-vendor has requisite capabilities and supply experience for the proposed item/scope of sub-contracting.						
Name:		Desig:		Sign:		Date:

Company's Seal/Stamp:-


Format No. : QS-01-QAI-P-04/F1-R3

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	<b>CORPORATE QUALITY ASSURANCE</b> <b>SUB-VENDOR QUESTIONNAIRE</b>
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<b>i.</b>	<b>Item/Scope of Sub-contracting</b>			
<b>ii.</b>	<b>Address of the registered office</b>	<b>Details of Contact Person</b> (Name, Designation, Mobile, Email)		
<b>iii.</b>	<b>Name and Address of the proposed Sub-vendor's works where item is being manufactured</b>	<b>Details of Contact Person:</b> (Name, Designation, Mobile, Email)		
<b>iv.</b>	<b>Annual Production Capacity for proposed item/scope of sub-contracting</b>			
<b>v.</b>	<b>Annual production for last 3 years for proposed item/scope of sub-contracting</b>			
<b>vi.</b>	<b>Details of proposed works</b>			
1.	<b>Year of establishment of present works</b>			
2.	<b>Year of commencement of manufacturing at above works</b>			
3.	<b>Details of change in Works address in past (if any)</b>			
4.	<b>Total Area</b>			
	<b>Covered Area</b>			
5.	<b>Factory Registration Certificate</b>	<b>Details attached at Annexure – F2.1</b>		
6.	<b>Design/ Research &amp; development set-up</b> (No. of manpower, their qualification, machines & tools employed etc.)	<b>Applicable / Not applicable if manufacturing is as per Main Contractor/purchaser design</b> <b>Details attached at Annexure – F2.2</b> (if applicable)		
7.	<b>Overall organization Chart with Manpower Details</b> (Design/Manufacturing/Quality etc)	<b>Details attached at Annexure – F2.3</b>		
8.	<b>After sales service set up in India, in case of foreign sub-vendor</b> (Location, Contact Person, Contact details etc.)	<b>Applicable / Not applicable</b>  <b>Details attached at Annexure – F2.4</b>		
9.	<b>Manufacturing process execution plan with flow chart indicating various stages of manufacturing from raw material to finished product including outsourced process, if any</b>	<b>Details attached at Annexure – F2.5</b>		

	<b>CORPORATE QUALITY ASSURANCE</b> <b>SUB-VENDOR QUESTIONNAIRE</b>
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10.	Quality Control exercised during receipt of raw material/BOI, in-process , Final Testing, packing	Details attached at Annexure – F2.6												
11.	Manufacturing facilities (List of machines, special process facilities, material handling etc.)	Details attached at Annexure – F2.7												
12.	Testing facilities (List of testing equipment)	Details attached at Annexure – F2.8												
13.	If manufacturing process involves fabrication then- List of qualified Welders List of qualified NDT personnel with area of specialization	Applicable / Not applicable Details attached at Annexure – F2.9 (if applicable)												
14.	List of out-sourced manufacturing processes with Sub-Vendors' names & addresses	Applicable / Not applicable Details attached at Annexure. –F2.10 (if applicable)												
15.	Supply reference list including recent supplies	Details attached at Annexure – F2.11 (as per format given below)												
	<table border="1" style="width: 100%;"> <tr> <th style="width: 10%;">Project/ package</th> <th style="width: 10%;">Customer Name</th> <th style="width: 30%;">Supplied Item (Type/Rating/Model /Capacity/Size etc)</th> <th style="width: 20%;">PO ref no/date</th> <th style="width: 20%;">Supplied Quantity</th> <th style="width: 10%;">Date of Supply</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	Project/ package	Customer Name	Supplied Item (Type/Rating/Model /Capacity/Size etc)	PO ref no/date	Supplied Quantity	Date of Supply							
Project/ package	Customer Name	Supplied Item (Type/Rating/Model /Capacity/Size etc)	PO ref no/date	Supplied Quantity	Date of Supply									
16.	Product satisfactory performance feedback letter/certificates/End User Feedback	Attached at annexure - F2.12												
17.	Summary of Type Test Report (Type Test Details, Report No, Agency, Date of testing) for the proposed product (similar or higher rating) Note:- Reports need not to be submitted	Applicable / Not applicable Details attached at Annexure – F2.13 (if applicable)												
18.	Statutory / mandatory certification for the proposed product	Applicable / Not applicable Details attached at Annexure – F2.14 (if applicable)												
19.	Copy of ISO 9001 certificate (if available)	Attached at Annexure – F2.15												
20.	Product technical catalogues for proposed item (if available)	Details attached at Annexure – F2.16												
<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">Name:</td> <td style="width: 30%;"> </td> <td style="width: 15%;">Desig:</td> <td style="width: 30%;"> </td> <td style="width: 10%;">Sign:</td> <td style="width: 10%;"> </td> <td style="width: 10%;">Date:</td> <td style="width: 10%;"> </td> </tr> </table>			Name:		Desig:		Sign:		Date:					
Name:		Desig:		Sign:		Date:								

Company's Seal/Stamp:-

## **Guidelines for Remote Inspection of PEM BOIs**

### **1) OBJECTIVE:**

To lay down the procedure for carrying out Remote Inspection of Bought-out Items (BOIs) for PEM suppliers wherever applicable.

### **2) SCOPE:**

It will cover suppliers for packages of PEM BOIs for various project requirements.

Invitation is sent to the suppliers for remote inspection on applications like MS Teams, Webex, etc. by BHEL.

### **3) MINIMUM REQUIREMENTS AT SUPPLIER'S WORKS:**

- i. Uninterrupted internet services
- ii. Good internet bandwidth (Min 100 Mbps)
- iii. Good resolution camera (2 nos) – one preferably CCTV (static at one place) and one hand hold (moving)
- iv. Smart phone with minimum 8MPi camera front and back both with optical zoom facility suitable for using web applications like Webex, MicroSoft (MS) Teams, etc.
- v. Computer and Scanner with good resolution
- vi. Digital signatures of supplier's Quality Engineer
- vii. Availability of web applications like Webex, MicroSoft (MS) Teams, as required.
- viii. All Test certificates, internal test reports, calibration reports, etc. for the items offered for inspection.
- ix. Availability of the above to be submitted to BHEL two days in advance before inspection.
- x. Dedicated team from supplier side for facilitating inspection requirements.
- xi. For ensuring proper visibility, the suggested Portable lighting sources (torch/ electric LED bulb of minimum 15 W) with no glare is to be ensured at offered job, location for remote inspection/testing. This is to be verified before start of the inspection.
- xii. The GPS location co-ordinates or any method to locate inspection location shall be captured indicating the location of the Vendor-Premises of remote inspection/testing.

### **4) MINIMUM REQUIREMENTS AT BHEL and CUSTOMER LOCATION :**

- i. Uninterrupted internet services
- ii. Suitable internet bandwidth
- iii. Digital signatures wherever required.
- iv. Availability of web applications like Webex, MS Teams, etc. as required.
- v. Clearance from customer for conducting remote inspection

### **5) PROCEDURE:**

- i. Supplier will raise the inspection call in BHEL - CQIR portal.
- ii. Supplier shall ensure availability of minimum requirements at supplier's works as mentioned above at point 3.

- iii. Before starting the inspection, the supplier shall submit the documents (TCs, internal test reports and calibration certificates as per approved QAP) two days before the date of inspection for review by BHEL and supplier shall coordinate with BHEL and if found satisfactory, inspection shall be considered for remote.
  - iv. Prior to commencement of remote inspection a pre inspection meeting shall be organised by BHEL inspector with supplier to ascertain the readiness for remote inspection.
- 6) During inspection, supplier shall share the location on Google maps for verifying the address of the manufacturer. Location may be captured by BHEL as screenshot.
- i. Inspection shall be on the basis of approved Quality Plans and associated reference documents mentioned.
  - ii. For witnessing inspection, supplier shall bring the mobile video camera near to the surface of the equipment or as per requirement of the inspector for clarity in viewing the test/ equipment which shall be the responsibility of supplier. Supplier shall ensure that proper lighting is available during live video streaming.
  - iii. Before start of the inspection, inspector shall ensure that all instruments shall have valid calibration report. Supplier shall ensure use of digital instruments preferably for inspection to the extent possible.
  - iv. Details of suppliers's dedicated team handling the remote inspection shall also be incorporated in the CQIR.
  - v. All details of inspection/ testing referred documents shall be mentioned in the CQIR. Recording of remote inspection shall be maintained by the BHEL inspector and this recording (unedited) shall be maintained at BHEL system for a minimum period of 3 years or till the warranty period whichever is later.
  - vi. PEM (Engineering) shall accord final technical clearance, in case of any deviation in inspected item noticed during inspection.
  - vii. Inspection shall be conducted by PEM-Q&BE assigned inspector along with PEM-Engg (if required). CQIR shall be prepared and maintained by PEM-Q&BE.
  - viii. PG will issue MDCC on the basis of acceptance of inspected items along with accepted packing photographs as per contract provisions.
- 7) **UNDERTAKING BY VENDOR:** Material inspected through remote inspections is meeting all technical requirements of BHEL. In case of any discrepancy from the above procedure/ material inspected, if found later, vendor will replace the materials without any cost implication to BHEL.
- 8) Vendor shall provide the signed and stamped of the above guidelines to BHEL as a token of acceptance.



## Letter head of Company (<Rs. 10 Cr value)

Ref.....

Date.....

To,

Bharat Heavy Electricals Limited

PEM, PPEI Building, Plot No 25,

Sector -16A, Noida (U.P)-201301

**Subject: - Certification regarding local content**

Reference: Tender Enquiry No-.....

Name of Package: .....

Dear Sir,

We hereby certify that items offered by us of .....(package name).....for.....(Project Name/Rate contract)..... meets the requirement of minimum local content in line with Cl. No..... of NIT No..... dated..... and the Public Procurement (Preference to Make in India), Order 2017 dated-15.06.2017, 28.05.2018 & 29.05.2019.

We further confirms that details of location at which the local value addition is made will be our registered works at .....(address of the works)

Yours very truly

..... (authorized signatory of company)

..... (firm name)

authorized signatory  
of company

## Ashwani Sahu

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**From:** Ashwani Sahu <ashwanisahu@bhel.in>  
**Sent:** 06 August 2020 10:52  
**To:** 'rakesh.singh@bhel.in'; 'rbajpai@bhel.in'; 'prawat@bhel.in'; 'apsamal@bhel.in'; 'skbaveja@bhel.in'; 'candy@bhel.in'; 'arn@bhel.in'; 'shyam.babu@bhel.in'; 'kumar.surendra@bhel.in'; 'vagrwal@bhel.in'; 'anilpatur@bhel.in'; 'padmaja@bhel.in'; 'avnaga@bhel.in'; 'radhikasista@bhel.in'; 'nalini@bhel.in'; 'mohan.k@bhel.in'; 'sanjeevi@bhel.in'; 'gans@bhel.in'; 'mnkumar@bhel.in'; 'pravi@bhel.in'; 'dina@bhel.in'; 'bhaskar.rao@bhel.in'; 'prasannagk@bhel.in'; 'jayakumarp@bhel.in'; 'ajaysharma@bhel.in'; 'aknived@bhel.in'; 'rbabu@bhel.in'; 'kms@bhel.in'; 'v.jain@bhel.in'; 'kumarrakesh@bhel.in'; 'atul.pandey@bhel.in'; 'sshekhar1@bhel.in'; 'ashuani@bhel.in'; 'shabbir@bhel.in'; 'rksaxena@bhel.in'; 'sbudiyal@bhel.in'; 'virender.gupta@bhel.in'; 'bsandipan@bhel.in'; 'gargi.ray@bhel.in'; 'prchiwarkar@bhel.in'; 'sk@bhel.in'; 'ev@bhel.in'; 'sprabhu@bhel.in'; 'indra.pal.singh@bhel.in'; 'mandvi@bhel.in'; 'minocha@bhel.in'; 'skmohite@bhel.in'; 'rprabha@bhel.in'; 'poongkodi@bhel.in'; 'dvkrds@bhel.in'; 'aaditya@bhel.in'; 'sunilhaldia@bhel.in'; 'avisharma@bhel.in'; 'rlnagar@bhel.in'; 'anil.singh@bhel.in'; 'drgbhatla@bhel.in'; 'mgarg@bhel.in'; 'marora@bhel.in'; 'mmukundan@bhel.in'; 'neeraj@bhel.in'; 'krl@bhel.in'  
**Cc:** 'anandac@bhel.in'; 'tkbagchi@bhel.in'; 'sgulati@bhel.in'; 'jps@bhel.in'; 'amitkerketta@bhel.in'; 'pjreddy@bhel.in'; 'ratnav@bhel.in'; 'rpadmanabhan@bhel.in'; 'cmurthy@bhel.in'; 'akjain1@bhel.in'; 'brd@bhel.in'; 'gs@bhel.in'; 'gautam.chaklader@bhel.in'; 'tsmurali@bhel.in'; 'jai@bhel.in'; 'kaushika@bhel.in'; 'shakil@bhel.in'; 'subhas@bhel.in'; 'tlal@bhel.in'; 'aniljoshi@bhel.in'; 'csdeolika@bhel.in'; 'r\_singh@bhel.in'; 'pjreddy@bhel.in'; 'rsharma@bhel.in'; 'btalwar@bhel.in'; 'renuka@bhel.in'; 'pndmas@bhel.in'; 'snair@bhel.in'; 'gmurali@bhel.in'; 'pmgus@bhel.in'; 'pnm@bhel.in'; 'pulkat@bhel.in'; 'aksarkar@bhel.in'; 'atuteja@bhel.in'; 'abgupta@bhel.in'; 'cvt@bhel.in'; 'amitpal@bhel.in'; 'sameer@bhel.in'; 'amalhotra@bhel.in'; 'ani@bhel.in'; 'sanju@bhel.in'; 'satyan@bhel.in'; 'bani@bhel.in'; 'saurabh@bhel.in'  
**Subject:** Restrictions under Rule 144 (xi) of GFR 2017 - DoE OM No.6/18/2019-PPD dated 23.07.2020 - Circular no. 09 of 2020-21  
**Attachments:** Restrictions under Rule 144 (xi) of GFR - Circular no. 09 of 2020-21.pdf

Dear Madam/ Sir,

Please find attached Circular No. 09 of 2020-21 on the above subject.

With kind regards,

Ashwani Sahu  
DGM/ COM-SS&P,  
Bharat Heavy Electricals Limited,  
Corporate Office, BHEL House,  
Siri Fort, New Delhi - 110049  
Ph: 011-66337203

**SOURCING STRATEGY & POLICY  
CORPORATE OPERATIONS MANAGEMENT  
BHEL – NEW DELHI**

AA:SSP:PPP-MII  
Dated: 06.08.2020

(Circular No. 09 of 2020-21)

**Sub: Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017 - Dept. of Expenditure OM No.6/18/2019-PPD dated 23.07.2020**

**Ref: DPE OM No. DPE/7(4)/2017-Fin.(Part-I) dated 30.07.2020 (received vide DHI email dated 03.08.2020)**

1. DPE vide OM No. DPE/7(4)/2017-Fin.(Part-I) dated 30.07.2020 has enclosed Department of Expenditure's (DoE) OM and Order (Public Procurement No. 1 and No. 2) vide ref. F.No.6/18/2019-PPD dated 23.07.2020 on Restrictions under Rule 144 (xi) of the GFR and subsequent clarification Order (Public Procurement No. 3) dated 24.07.2020 for compliance by CPSEs.
2. As per para 1 of the DoE Order, any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services (including consultancy services and non-consultancy services) or works (including turnkey projects) **only** if the bidder is registered with the Competent Authority (Registration Committee constituted by DPIIT as per annex I of the Order).
3. The DoE Order shall not apply to cases where orders have been placed or contract has been concluded or letter/ notice of award/ acceptance (LoA) has been issued on or before the date of the Order i.e. **23.07.2020** and cases falling under Annex II of the Order.
4. The DoE Order is not applicable to bidders from those countries (even if sharing a land border with India) to which the GoI has extended lines of credit or in which the GoI is engaged in development projects.
5. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are

  
06/08/2020

available on the Ministry of External affairs website (<https://www.mea.gov.in/>). The latest list is enclosed for ready reference. Units/ Regions are advised to regularly keep themselves updated in this regard.

6. Model clauses to be inserted in tenders and Model Certificates to be obtained from Bidders has been given in Annex III of the Order.

Accordingly, all Units/ Regions are to ensure compliance of DoE Orders dated 23.07.2020 and clarification dated 24.07.2020.

This issues with the approval of the Competent Authority.



(C. Venkat Rao)  
GM/ SS&P

Encls.: As above

**Distribution:**

- All Heads of MM of Units/ Regions

Copy to:

- All Heads of Units/ Regions
- SS&P page on Corporate Office intranet
- Director (HR)/(Fin)/(IS&P)/(Power)/(E, R&D)
- SA to CMD
- <http://intranet.bhel.in>
- for kind information
- for kind information of CMD

**From:** "Dinesh Pal Singh" <[dineshp.singh@nic.in](mailto:dineshp.singh@nic.in)>  
**To:** "com sec" <[com.sec@andrewyule.com](mailto:com.sec@andrewyule.com)>, [yuledelhi@gmail.com](mailto:yuledelhi@gmail.com), [cmd@andrewyule.com](mailto:cmd@andrewyule.com), "nalinshinghal" <[nalinshinghal@bhel.in](mailto:nalinshinghal@bhel.in)>, "cmd" <[cmd@bhel.in](mailto:cmd@bhel.in)>, [cmd@bharatpumps.co.in](mailto:cmd@bharatpumps.co.in), [bpcdelhi@gmail.com](mailto:bpcdelhi@gmail.com), [bpclindia@sancharnet.in](mailto:bpclindia@sancharnet.in), [info@bheleml.com](mailto:info@bheleml.com), [md@bheleml.com](mailto:md@bheleml.com), [info@bbjconst.com](mailto:info@bbjconst.com), [sundarbanerjee@bbjconst.com](mailto:sundarbanerjee@bbjconst.com), "Bridge Roof" <[delhi@bridgeroof.co.in](mailto:delhi@bridgeroof.co.in)>, "CMD BRIDGEROOF" <[cmd@bridgeroof.co.in](mailto:cmd@bridgeroof.co.in)>, "Bridge Roof" <[bridge@bridgeroof.co.in](mailto:bridge@bridgeroof.co.in)>, [bandrdelhi@gmail.com](mailto:bandrdelhi@gmail.com), [cmd@ccilttd.in](mailto:cmd@ccilttd.in), [dirf@ccilttd.in](mailto:dirf@ccilttd.in), "co secy" <[co\\_secy@ccilttd.in](mailto:co_secy@ccilttd.in)>, "cci co" <[cci\\_co@ccilttd.in](mailto:cci_co@ccilttd.in)>, "CMD EPI" <[cmd@engineeringprojects.com](mailto:cmd@engineeringprojects.com)>, "pk sahu" <[pk.sahoo@engineeringprojects.com](mailto:pk.sahoo@engineeringprojects.com)>, "Deepika Mehta" <[deepika.mehta@engineeringprojects.com](mailto:deepika.mehta@engineeringprojects.com)>, "S Girish Kumar" <[cmd@hmtindia.com](mailto:cmd@hmtindia.com)>, [girishkumar@hmti.com](mailto:girishkumar@hmti.com), "cmd" <[cmd@hecltd.com](mailto:cmd@hecltd.com)>, "ABHAY KUMAR KANTH" <[sect@hecltd.com](mailto:sect@hecltd.com)>, [corpmktg@hecltd.com](mailto:corpmktg@hecltd.com), [hecldelhi@hecltd.com](mailto:hecldelhi@hecltd.com), [cmdhclkol@gmail.com](mailto:cmdhclkol@gmail.com), [hnl@hnlonline.com](mailto:hnl@hnlonline.com), [cmd@indiansalt.com](mailto:cmd@indiansalt.com), "sumona majumdar" <[sumona.majumdar@indiansalt.com](mailto:sumona.majumdar@indiansalt.com)>, [info@indiansalt.com](mailto:info@indiansalt.com), [cmd@ilkota.in](mailto:cmd@ilkota.in), [tsocmd@ilkota.in](mailto:tsocmd@ilkota.in), "ANANDA CHANNAKESHAIAH" <[cmd@nepamills.nic.in](mailto:cmd@nepamills.nic.in)>, "Secretary NEPAMILLS" <[secretary@nepamills.nic.in](mailto:secretary@nepamills.nic.in)>, "nepa ltd" <[nepa\\_ltd@yahoo.com](mailto:nepa_ltd@yahoo.com)>, "Shri AVHIJIT CHATTERJEE DELHI" <[nepadelhi@nepamills.nic.in](mailto:nepadelhi@nepamills.nic.in)>, [mdu@reil.co.in](mailto:mdu@reil.co.in), "Rakesh Chopra" <[rakesh.chopra@reiljp.com](mailto:rakesh.chopra@reiljp.com)>, "Subhash Agrawal, Addl. General Manager (F&A), REIL" <[fin\\_acct@reiljp.com](mailto:fin_acct@reiljp.com)>, [richardsoncruddas@yahoo.co.in](mailto:richardsoncruddas@yahoo.co.in), [cmd@scootersindia.com](mailto:cmd@scootersindia.com), [companysecretary@scootersindia.com](mailto:companysecretary@scootersindia.com), [info@tsl.in](mailto:info@tsl.in), [girishcmd@hpf-india.com](mailto:girishcmd@hpf-india.com), [indu@hpf-india.com](mailto:indu@hpf-india.com), [sunilkumar@fciiindia.com](mailto:sunilkumar@fciiindia.com), [director@fciiindia.com](mailto:director@fciiindia.com), [gsvfcri@gmail.com](mailto:gsvfcri@gmail.com), [director@araiindia.com](mailto:director@araiindia.com), [info@araiindia.com](mailto:info@araiindia.com), "PravinAggarwal Director" <[fame.india@gov.in](mailto:fame.india@gov.in)>, "sanjay bando" <[sanjay.bando@gmail.com](mailto:sanjay.bando@gmail.com)>, "Team Natrip" <[team@natrip.in](mailto:team@natrip.in)>, "Dinesh Vasishta" <[dinesh.vasishta@natrip.in](mailto:dinesh.vasishta@natrip.in)>, "Director, CMTI" <[director.cmti@nic.in](mailto:director.cmti@nic.in)>, "directorate cmti" <[directorate.cmti@nic.in](mailto:directorate.cmti@nic.in)>, "Krishna Rathod" <[cmti@nic.in](mailto:cmti@nic.in)>  
**Cc:** "Sukriti Likhi" <[sukriti.l@nic.in](mailto:sukriti.l@nic.in)>, "Office Of JS(SL)" <[jssl-dhi@gov.in](mailto:jssl-dhi@gov.in)>, "amit varadan" <[amit.varadan@gov.in](mailto:amit.varadan@gov.in)>, "Amit Mehta" <[amitmehta.ofb@nic.in](mailto:amitmehta.ofb@nic.in)>, "Sujata Sharma" <[sujatas@nic.in](mailto:sujatas@nic.in)>, "Sunil Kumar Singh" <[sunilsingh.irss@gov.in](mailto:sunilsingh.irss@gov.in)>, "Ritu Pande" <[ritu.pande@nic.in](mailto:ritu.pande@nic.in)>, "Mohmed Zakir Hussain" <[zakir.its@gov.in](mailto:zakir.its@gov.in)>, "Rama Kant Singh Director" <[singh.ramakant59@nic.in](mailto:singh.ramakant59@nic.in)>, "ANAND KUMAR SINGH" <[aksingh5.ofb@ofb.gov.in](mailto:aksingh5.ofb@ofb.gov.in)>, "Parveen Gupta (DS)" <[parveen.gupta9@nic.in](mailto:parveen.gupta9@nic.in)>, "am.manichan" <[am.manichan@nic.in](mailto:am.manichan@nic.in)>, "Alka Tewari" <[alka.tewari@gov.in](mailto:alka.tewari@gov.in)>, "Ghanshyam Thakur" <[ghanshyam.thakur@nic.in](mailto:ghanshyam.thakur@nic.in)>, "Kumar Diwakar Singh" <[kdiwakar.singh@nic.in](mailto:kdiwakar.singh@nic.in)>, "Vijay Kumar" <[ykumar.mv@nic.in](mailto:ykumar.mv@nic.in)>, "Madanpal Singh" <[madanpal.singh@nic.in](mailto:madanpal.singh@nic.in)>, "dhi\_coord" <[dhi\\_coord@nic.in](mailto:dhi_coord@nic.in)>

**Sent:** Monday, August 3, 2020 1:26:15 PM

**Subject:** Fwd: [Secy-admn-dpe] Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017- Dept. of Expenditure OM No.6/18/2019-PPD dated 23rd July, 2020 - regarding

Sir/Madam,

Reference to trailing mail dated 30th July, 2020 on the subject mentioned above.

DPE O.M. No.DPE/7(4)/2017-Fin.(Part-I) dated 30th July, 2020 alongwith its enclosures is sent herewith for necessary action.

Regards,

Dinesh Pal Singh,  
Under Secretary(Coord.), DHI

**From:** "Samba Siva Rao" <[ps.sivarao@nic.in](mailto:ps.sivarao@nic.in)>

**To:** [secy-admn-dpe@ismgr.nic.in](mailto:secy-admn-dpe@ismgr.nic.in)

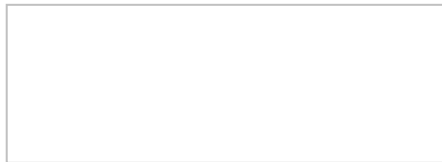
**Sent:** Thursday, July 30, 2020 2:57:09 PM

**Subject:** [Secy-admn-dpe] Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017- Dept. of Expenditure OM No.6/18/2019-PPD dated 23rd July, 2020 - regarding

Sir/Madam

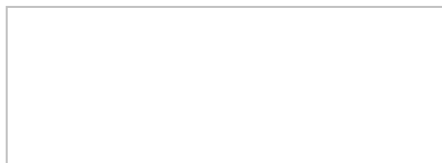
Please find enclsod DPE OM dated 30.7.2020 on the above subject for necessary action.

P S S RAO  
DD/DPE



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Secy-admn-dpe mailing list  
[Secy-admn-dpe@ismgr.nic.in](mailto:Secy-admn-dpe@ismgr.nic.in)



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 **DPE\_OM\_DTD\_30.7.20.pdf**  
13 MB

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**No. DPE/7(4)/2017-Fin.(Part-I)**  
**Government of India**  
**Ministry of Heavy Industries & Public Enterprises**  
**Department of Public Enterprises**  
\*\*\*\*\*

**Public Enterprises Bhawan**  
**Block No.14, CGO Complex**  
**New Delhi – 110003**

**Date: 30<sup>th</sup> July, 2020**

**OFFICE MEMORANDUM**

**Subject: Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017-  
Dept. of Expenditure OM No.6/18/2019-PPD dated 23<sup>rd</sup> July, 2020 -  
regarding**

The undersigned is directed to enclose Department of Expenditure's (DoE) OMs No. 6/18/2019-PPD dated 23<sup>rd</sup> July, 2020 & 24<sup>th</sup> July, 2020 imposing restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017 on the grounds of Defence of India and National Security for information and compliance.

2. All the administrative Ministries/ Departments of CPSEs are requested to ensure compliance of the directions issued by DoE by CPSEs under their administrative control.
3. This issues with the approval of competent authority.



(Kalyani Mishra)  
Director  
Tel.24362061

Encl.: (DoE's OMs No. 6/18/2019-PPD dated 23<sup>rd</sup> July, 2020  
6/18/2019-PPD dated 23<sup>rd</sup> July, 2020 &  
6/18/2019-PPD dated 24<sup>th</sup> July, 2020)

To

- i) All the Secretaries to the Administrative Ministries/Departments of CPSEs
- ii) Chief Executives of CPSEs

Copy for information to:  
Secretary, D/o Expenditure, North Block, New Delhi

डा. टी. वी. सोमनाथन, आई.ए.एस.

सचिव (व्यय)

Dr. T. V. Somanathan, I.A.S.

Secretary (Expenditure)



सत्यमेव जयते



एक कदम स्वच्छता की ओर

भारत सरकार  
वित्त मंत्रालय  
व्यय विभाग

Government of India  
Ministry of Finance  
Department of Expenditure  
नार्थ ब्लॉक, नई दिल्ली-110001  
North Block, New Delhi-110001  
Tel. : 23092929, 23092663  
Fax : 23092546  
E-mail : secyexp@nic.in  
Website : www.finmin.nic.in

D.O.F.No.6/18/2019- PPD

28<sup>th</sup> July, 2020

Dear Shri Sailesh,

As you are aware the General Financial Rules (GFRs), 2017 have been amended inserting Rule 144 (xi) which empowers Department of Expenditure to impose restrictions, including prior registration or screening on procurement from bidders from a country or countries on grounds of Defence of India and National Security. The amended Rule provides that no public procurement shall be made in violation of such restrictions. Pursuant to the above, Order (Public Procurement No. 1) and Order (Public Procurement No. 2) were issued vide F.No.6/18/2019-PPD dated 23.7.2020. A clarification was issued in Order (Public Procurement No. 3).

2. Though the GFRs ordinarily do not apply to public sector enterprises, in this instance, as they relate to national security, the orders have consciously been made applicable to all Central Public Sector Enterprises as well. It is, therefore, requested that necessary instructions may be issued by your Department reiterating the applicability of orders stated in Paragraph 1 of this letter to all Central Public Sector Enterprises.

3. Copies of the Orders are attached for ease of reference.

With regards,

Encl: As above

Shri Sailesh, IAS

Secretary,

Department of Public Enterprises,

160, Udyog Bhawan,

New Delhi: 110011

Copy to: Cabinet Secretary – for information

Yours sincerely,

(T.V. Somanathan)

*We may issue instructions today*  
*S*  
*29/7*

ASCRKC



F.No.6/18/2019-PPD  
Ministry of Finance  
Department of Expenditure  
Public Procurement Division

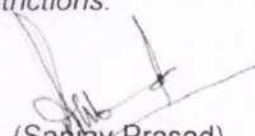
161, North Block,  
New Delhi  
23rd July, 2020

**Office Memorandum**

**Subject: Insertion of Rule 144 (xi) in the General Financial Rules (GFRs), 2017**

Rule 144 of the General Financial Rules 2017 entitled 'Fundamental principles of public buying', has been amended by inserting sub-rule (xi) as under:

*Notwithstanding anything contained in these Rules, Department of Expenditure may, by order in writing, impose restrictions, including prior registration and/or screening, on procurement from bidders from a country or countries, or a class of countries, on grounds of defence of India, or matters directly or indirectly related thereto including national security; no procurement shall be made in violation of such restrictions.*

  
(Sanjay Prasad)  
Joint Secretary (PPD)  
Email ID: [js.pfc2.doe@gov.in](mailto:js.pfc2.doe@gov.in)  
Telephone: 011-23093882

To,  
(1) Secretaries of All Ministries/ Departments of Government of India  
(2) Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi

F.No.6/18/2019-PPD  
Ministry of Finance  
Department of Expenditure  
Public Procurement Division

161, North Block,  
New Delhi  
23rd July, 2020

**Order (Public Procurement No. 1)**

**Subject: Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017**

Attention is invited to this office OM no. 6/18/2019-PPD dated 23<sup>rd</sup> July 2020 inserting Rule 144 (xi) in GFRs 2017. In this regard, the following is hereby ordered under Rule 144 (xi) on the grounds stated therein:

**Requirement of registration**

1. Any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services (including consultancy services and non-consultancy services) or works (including turnkey projects) only if the bidder is registered with the Competent Authority, specified in **Annex I**.
2. This Order shall not apply to (i) cases where orders have been placed or contract has been concluded or letter/notice of award/ acceptance (LoA) has been issued on or before the date of this order; and (ii) cases falling under **Annex II**.

**Transitional cases**

3. Tenders where no contract has been concluded or no LoA has been issued so far shall be handled in the following manner: -
  - a) *In tenders which are yet to be opened, or where evaluation of technical bid or the first exclusionary qualificatory stage (i.e. the first stage at which the qualifications of tenderers are evaluated and unqualified bidders are excluded) has not been completed: No contracts shall be placed on bidders from such countries. Tenders received from bidders from such countries shall be dealt with as if they are non-compliant with the tender conditions and the tender shall be processed accordingly.*
  - b) *If the tendering process has crossed the first exclusionary qualificatory stage: If the qualified bidders include bidders from such countries, the*



entire process shall be scrapped and initiated *de novo*. The *de novo* process shall adhere to the conditions prescribed in this Order.

- c) As far as practicable, and in cases of doubt about whether a bidder falls under paragraph 1, a certificate shall be obtained from the bidder whose bid is proposed to be considered or accepted, in terms of paras 8, 9 and 10 read with para 1 of this Order.

#### Incorporation in tender conditions

- 4. In tenders to be issued after the date of this order, the provisions of paragraph 1 and of other relevant provisions of this Order shall be incorporated in the tender conditions.

#### Applicability

- 5. Apart from Ministries / Departments, attached and subordinate bodies, notwithstanding anything contained in Rule 1 of the GFRs 2017, this Order shall also be applicable
  - a. to all Autonomous Bodies;
  - b. to public sector banks and public sector financial institutions; and
  - c. subject to any orders of the Department of Public Enterprises, to all Central Public Sector Enterprises; and
  - d. to procurement in Public Private Partnership projects receiving financial support from the Government or public sector enterprises/ undertakings.
  - e. Union Territories, National Capital Territory of Delhi and all agencies/ undertakings thereof

#### Definitions

- 6. "Bidder" for the purpose of this Order (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.
- 7. "Tender" for the purpose of this Order will include other forms of procurement, except where the context requires otherwise.
- 8. "Bidder from a country which shares a land border with India" for the purpose of this Order means

- a) An entity incorporated, established or registered in such a country; or
- b) A subsidiary of an entity incorporated, established or registered in such a country; or
- c) An entity substantially controlled through entities incorporated, established or registered in such a country; or
- d) An entity whose *beneficial owner* is situated in such a country; or
- e) An Indian (or other) agent of such an entity; or
- f) A natural person who is a citizen of such a country; or
- g) A consortium or joint venture where any member of the consortium or joint venture falls under any of the above

9. "Beneficial owner" for the purpose of paragraph 8 above will be as under:

- (i) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means.

Explanation—

- a. "Controlling ownership interest" means ownership of, or entitlement to, more than twenty-five per cent of shares or capital or profits of the company;
- b. "Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;

- (ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;

- (iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;

- (iv) Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

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(v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

10. "Agent" for the purpose of this Order is a person employed to do any act for another, or to represent another in dealings with third persons.

#### Sub-contracting in works contracts

11. In works contracts, including turnkey contracts, contractors shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in paragraph 8 above. This shall not apply to sub-contracts already awarded on or before the date of this Order.

#### Certificate regarding compliance

12. A certificate shall be taken from bidders in the tender documents regarding their compliance with this Order. If such certificate given by a bidder whose bid is accepted is found to be false, this would be a ground for immediate termination and further legal action in accordance with law.

#### Validity of registration

13. In respect of tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance / placement of order, registration shall not be a relevant consideration during contract execution.

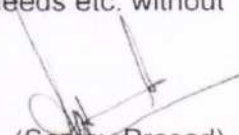
#### Government E-Marketplace

14. The Government E-Marketplace shall, as soon as possible, require all vendors/ bidders registered with GeM to give a certificate regarding compliance with this Order, and after the date fixed by it, shall remove non-compliant entities from GeM unless/ until they are registered in accordance with this Order.

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Model Clauses/ Certificates

15. Model Clauses and Model Certificates which may be inserted in tenders / obtained from Bidders are enclosed as **Annex III**. While adhering to the substance of the Order, procuring entities are free to appropriately modify the wording of these clauses based on their past experience, local needs etc. without making any reference to this Department.

  
(Sanjay Prasad)  
Joint Secretary (PPD)  
Email ID: [js.pfc2.doe@gov.in](mailto:js.pfc2.doe@gov.in)  
Telephone: 011-23093882

To

- (1) Secretaries of All Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform these provisions to all procuring entities.
- (2) Secretary, Department of Public Enterprises with a request to immediately reiterate these orders in respect of Public Enterprises.
- (3) Secretary DPIIT with a request to initiate action as provided under Annex I
- (4) Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi

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### Annex I: Competent Authority and Procedure for Registration

- A. The Competent Authority for the purpose of registration under this Order shall be the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT)\*.
- B. The Registration Committee shall have the following members\*:
- i. An officer, not below the rank of Joint Secretary, designated for this purpose by DPIIT, who shall be the Chairman;
  - ii. Officers (ordinarily not below the rank of Joint Secretary) representing the Ministry of Home Affairs, Ministry of External Affairs, and of those Departments whose sectors are covered by applications under consideration;
  - iii. Any other officer whose presence is deemed necessary by the Chairman of the Committee.
- C. DPIIT shall lay down the method of application, format etc. for such bidders as stated in para 1 of this Order.
- D. On receipt of an application seeking registration from a bidder from a country covered by para 1 of this Order, the Competent Authority shall first seek political and security clearances from the Ministry of External Affairs and Ministry of Home Affairs, as per guidelines issued from time to time. Registration shall not be given unless political and security clearance have both been received.
- E. The Ministry of External Affairs and Ministry of Home Affairs may issue guidelines for internal use regarding the procedure for scrutiny of such applications by them.
- F. The decision of the Competent Authority, to register such bidder may be for all kinds of tenders or for a specified type(s) of goods or services, and may be for a specified or unspecified duration of time, as deemed fit. The decision of the Competent Authority shall be final.
- G. Registration shall not be granted unless the representatives of the Ministries of Home Affairs and External Affairs on the Committee concur\*.
- H. Registration granted by the Competent Authority of the Government of India shall be valid not only for procurement by Central Government and its agencies/ public enterprises etc. but also for procurement by State Governments and their agencies/ public enterprises etc. No fresh registration at the State level shall be required.

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- I. The Competent Authority is empowered to cancel the registration already granted if it determines that there is sufficient cause. Such cancellation by itself, however, will not affect the execution of contracts already awarded. Pending cancellation, it may also suspend the registration of a bidder, and the bidder shall not be eligible to bid in any further tenders during the period of suspension.
- J. For national security reasons, the Competent Authority shall not be required to give reasons for rejection / cancellation of registration of a bidder.
- K. In transitional cases falling under para 3 of this Order, where it is felt that it will not be practicable to exclude bidders from a country which shares a land border with India, a reference seeking permission to consider such bidders shall be made by the procuring entity to the Competent Authority, giving full information and detailed reasons. The Competent Authority shall decide whether such bidders may be considered, and if so shall follow the procedure laid down in the above paras.
- L. Periodic reports on the acceptance/ refusal of registration during the preceding period may be required to be sent to the Cabinet Secretariat. Details will be issued separately in due course by DPIIT.

[\*Note:

- i. In respect of application of this Order to procurement by/ under State Governments, all functions assigned to DPIIT shall be carried out by the State Government concerned through a specific department or authority designated by it. The composition of the Registration Committee shall be as decided by the State Government and paragraph G above shall not apply. However, the requirement of **political and security clearance as per para D shall remain and no registration shall be granted without such clearance.**
- ii. Registration granted by State Governments shall be valid only for procurement by the State Government and its agencies/ public enterprises etc. and shall not be valid for procurement in other states or by the Government of India and their agencies/ public enterprises etc.]

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## **Annex II: Special Cases**

- A. Till 31<sup>st</sup> December 2020, procurement of medical supplies directly related to containment of the Covid-19 pandemic shall be exempt from the provisions of this Order.
- B. *Bona fide* procurements made through GeM without knowing the country of the bidder till the date fixed by GeM for this purpose, shall not be invalidated by this Order.
- C. *Bona fide* small procurements, made without knowing the country of the bidder, shall not be invalidated by this Order.
- D. In projects which receive international funding with the approval of the Department of Economic Affairs (DEA), Ministry of Finance, the procurement guidelines applicable to the project shall normally be followed, notwithstanding anything contained in this Order and without reference to the Competent Authority. Exceptions to this shall be decided in consultation with DEA.
- E. This Order shall not apply to procurement by Indian missions and by offices of government agencies/ undertakings located outside India.

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### Annex III

#### Model Clause /Certificate to be inserted in tenders etc.

(While adhering to the substance of the Order, procuring entities and GeM are free to appropriately modify the wording of the clause/ certificate based on their past experience, local needs etc.)

#### Model Clauses for Tenders

- I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.
- II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.
- III. "Bidder from a country which shares a land border with India" for the purpose of this Order means: -
  - a. An entity incorporated, established or registered in such a country; or
  - b. A subsidiary of an entity incorporated, established or registered in such a country; or
  - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
  - d. An entity whose *beneficial owner* is situated in such a country; or
  - e. An Indian (or other) agent of such an entity; or
  - f. A natural person who is a citizen of such a country; or
  - g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above
- IV. The *beneficial owner* for the purpose of (iii) above will be as under:
  1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.

Explanation—

    - a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;

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- b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
  3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
  4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
  5. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- V. An Agent is a person employed to do any act for another, or to represent another in dealings with third person.
- VI. *[To be inserted in tenders for Works contracts, including Turnkey contracts]* The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.

Model Certificate for Tenders (for transitional cases as stated in para 3 of this Order)

*"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I hereby certify that this bidder is not from such a country and is eligible to be considered."*

Model Certificate for Tenders

*"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that this bidder is not from such a country or, if from such a country, has been registered with the*

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*Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]"*

**Model Certificate for Tenders for Works involving possibility of sub-contracting**

*"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority and will not sub-contract any work to a contractor from such countries unless such contractor is registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]"*

**Model Certificate for GeM:**

*"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that this vendor/ bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this vendor/ bidder fulfills all requirements in this regard and is eligible to be considered for procurement on GeM. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]"*

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\*\*\*\*\*



F.No.6/18/2019-PPD  
Ministry of Finance  
Department of Expenditure  
Public Procurement Division

161, North Block  
New Delhi  
23rd July, 2020


**Order ( Public Procurement No. 2)**

**Subject: Exclusion from restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017 –regarding.**

In Order (Public Procurement No. 1) dated 23rd July 2020, orders have been issued requiring registration of bidders from a country sharing a land border with India in order to be eligible to bid in public procurement.

2. Notwithstanding anything contained therein, it is hereby clarified that the said Order will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.

3. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are given in the website of the Ministry of External Affairs.

  
(Sanjay Prasad)  
Joint Secretary (PPD)  
Email ID: [js.pfc2.doe@gov.in](mailto:js.pfc2.doe@gov.in)  
Telephone: 011-23093882

To,

- (1) Secretaries of All Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform these provisions to all procuring entities.
- (2) Secretary, Department of Public Enterprises with a request to immediately reiterate these orders in respect of Public Enterprises.
- (3) Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi

F.No.6/18/2019-PPD  
Ministry of Finance  
Department of Expenditure  
Public Procurement Division

161, North Block,  
New Delhi  
24<sup>th</sup> July, 2020

**Order (Public Procurement No. 3)**

**Subject: Clarification to Order (Public Procurement No.1) dated 23<sup>rd</sup> July 2020**

Attention is invited to paragraph 3(b) of the Order (Public Procurement No.1), under the heading "Transitional provisions" which reads as follows:

- b) *If the tendering process has crossed the first exclusionary qualificatory stage:* If the qualified bidders include bidders from such countries, the entire process shall be scrapped and initiated *de novo*. The *de novo* process shall adhere to the conditions prescribed in this Order.

It is hereby clarified that for the purpose of paragraph 3 (b), "qualified bidders" means only those bidders who would otherwise have been qualified for award of the tender after considering all factors including price, if Order (Public Procurement No. 1) dated 23<sup>rd</sup> July 2020 had not been issued.

2. If bidders from such countries would not have qualified for award for reasons unconnected with the said Order (for example, because they do not meet tender criteria or their price bid is higher or because of the provisions of purchase preference under any other order or rule or any other reason) then there is no need to scrap the tender / start the process de novo.

3. The following examples are given to assist in implementation of the Order.

Example 1: Four bids are received in a tender. One of them is from a country which shares a land border with India. The bidder from such country is found to be qualified technically by meeting all prescribed criteria and is also the lowest bidder. In this case, the bidder is qualified for award of the tender, except for the provisions of the Order (Public Procurement No. 1) dated 23<sup>rd</sup> July. In this case, the tender should be scrapped and fresh tender initiated.

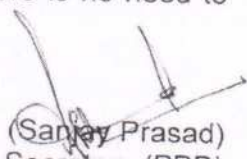
Example 2: The facts are as in Example 1, but the bidder from such country, though technically qualified is not the lowest because there are other technically qualified bidders whose price is lower. Hence the bidder from such country would not be



qualified for award of the tender irrespective of the Order (Public Procurement No. 1) dated 23<sup>rd</sup> July 2020. In such a case, there is no need to scrap the tender.

Example 3: The facts are as in Example 1, but the bidder from a country which shares a land border with India, though technically qualified, is not eligible for award due to the application of price preference as per other orders/ rules. In such a case, there is no need to scrap the tender.

Example 4: Three bids are received in a tender. One of them is a bidder from a country sharing a land border with India. The bidder from such a country does not meet the technical requirements and hence is not qualified. There is no need to scrap the tender.

  
(Sanjay Prasad)  
Joint Secretary (PPD)  
Email ID: [js.pfc2.doe@gov.in](mailto:js.pfc2.doe@gov.in)  
Telephone: 011-23093882

To,

- (1) Secretaries of All Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform the clarification to all procuring entities.
- (2) Secretary, Department of Public Enterprises with a request to immediately circulate this clarification among Public Enterprises.
- (3) Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi



Ministry of External Affairs  
Government of India



English 

[Home](#) > [List of Countries to which LoC has been extended w.r.t. Order \(Public Procurement no.2\) 23 July 2020](#)

## List of Countries to which LoC has been extended w.r.t. Order (Public Procurement no. 2) dated 23 July 2020

Sr. No.	Country
South Asia (4 countries)	
1	Bangladesh
2	Maldives
3	Nepal
4	Sri Lanka
South East Asia (4 countries)	
5	Cambodia
6	Lao PDR
7	Myanmar
8	Vietnam
Asia (3 countries)	
9	Mongolia



10	Iran
11	Syria
Russia and CIS (3 countries)	
12	Belarus
13	Russia
14	Uzbekistan
Africa (41 countries)	
15	Angola
16	Benin
17	Burkina Faso
18	Burundi
19	Cameroon
20	Central African Republic
21	Chad
22	Comoros
23	Cote d'Ivoire
24	D.R.Congo
25	Djibouti
26	Eritrea
27	Eswatini (Swaziland)
28	Ethiopia
29	Gabon
30	Gambia
31	Ghana

32	Guinea
33	Guinea Bissau
34	Kenya
35	Lesotho
36	Liberia
37	Madagascar
38	Malawi
39	Mali
	Mali & Senegal (combined LOC)
40	Mauritania
41	Mauritius
42	Mozambique
43	Niger
44	Nigeria
45	R. Congo
46	Rwanda
47	Senegal
48	Seychelles
49	Sierra Leone
50	Sudan
51	Tanzania
52	Togo
53	Uganda

54	Zambia
55	Zimbabwe
	Ecowas Bank of Investment and Development (EBID)
56	Bolivia
57	Cuba
58	Guyana
59	Honduras
60	Jamaica
61	Nicaragua
62	Suriname
Pacific Island countries (2 countries)	
63	Fiji Islands
64	Papua New Guinea
Total (64 countries) US \$ 30.595 billion	



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Working hours at Headquarters 9:00 A.M. To 5:30 P.M.





Ministry of External Affairs  
Government of India



English 

[Home](#) > [List of Countries in Which Development Grant Projects](#)

## List of countries in which development grant projects are undertaken w.r.t. Order (Public Procurement No. 2) dated 23 July 2020

Sr. No.	Country
1	Afghanistan
2	Antigua & Barbuda
3	Argentina
4	Armenia
5	Azerbaijan
6	Bangladesh
7	Barbados
8	Belize
9	Benin
10	Bhutan
11	Bolivia
12	Botswana

13	Burkina Faso
14	Burundi
15	Cambodia
16	Cameroon
17	Cape Verde
18	Central African Republic
19	Chad
20	Commonwealth of Dominica
21	Comoros
22	Cook Islands
23	Costa Rica
24	Cote d'Ivoire
25	Democratic Republic of the Congo
26	Djibouti
27	Ecuador
28	Egypt
29	Equatorial Guinea
30	Eritrea
31	Ethiopia
32	Federated States of Micronesia
33	Fiji Islands
34	Gabon
35	Gambia
36	Ghana

37	Grenada
38	Guinea
39	Guinea-Bissau
40	Guyana
41	Haiti
42	Jamaica
43	Jordan
44	Kazakhstan
45	Kenya
46	Kingdom of Lesotho
47	Kiribati
48	Kyrgyzstan
49	Lao PDR
50	Lebanon
51	Liberia
52	Libya
53	Madagascar
54	Malawi
55	Maldives
56	Mali
57	Marshall Islands
58	Mauritania
59	Mauritius
60	Mongolia



61	Morocco
62	Mozambique
63	Myanmar
64	Namibia
65	Nauru
66	Nepal
67	Niger
68	Nigeria
69	Niue
70	Palau
71	Palestine
72	Panama
73	Papua New Guinea
74	Peru
75	Republic of Congo
76	Rwanda
77	Saint Kitts & Nevis
78	Saint Lucia
79	Saint Vincent & the Grenadines
80	Samoa
81	Sao Tome and Principe
82	Senegal
83	Seychelles
84	Sierra Leone

85	Solomon Islands
86	Somalia
87	South Africa
88	South Sudan
89	Sri Lanka
90	Sudan
91	Suriname
92	Swaziland
93	Syria
94	Tajikistan
95	Tanzania
96	The Bahamas
97	The Commonwealth of Dominica
98	Timor Leste
99	Togo
100	Tonga
101	Trinidad & Tobago
102	Turkmenistan
103	Tuvalu
104	Uganda
105	Ukraine
106	Uzbekistan
107	Vanuatu
108	Vietnam

109	Zambia
110	Zimbabwe



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No.25-11/6/2018-PG  
Government of India  
Ministry of Power  
Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001  
Tele Fax: 011-23730264  
\*\*\*\*\*

Dated 02/07/2020

**ORDER**

Power Supply System is a sensitive and critical infrastructure that supports not only our **national defence, vital emergency services** including health, disaster response, **critical national infrastructure** including classified data & communication services, defence installations and manufacturing establishments, logistics services but also the **entire economy** and the **day-to-day life** of the citizens of the country. Any danger or threat to Power Supply System can have catastrophic effects and has the potential to cripple the entire country. Therefore, the Power Sector is a **strategic and critical sector**.

The vulnerabilities in the Power Supply System & Network mainly arise out of the possibilities of cyber attacks through malware / Trojans etc. embedded in imported equipment. Hence, **to protect the security, integrity and reliability of the strategically important and critical Power Supply System & Network** in the country, the following directions are hereby issued :-

(1) All equipment, components, and parts imported for use in the Power Supply System and Network shall be tested in the country to check for any kind of embedded malware/trojans/cyber threat and for adherence to Indian Standards.

(2) All such testings shall be done in certified laboratories that will be designated by the Ministry of Power (MoP).

(3) Any import of equipment/components/parts from "prior reference" countries as specified or by persons owned by, controlled by, or subject to the jurisdiction or the directions of these "prior reference" countries will require prior permission of the Government of India

(4) Where the equipment/components/parts are imported from "prior reference" countries, with special permission, the protocol for testing in certified and designated laboratories shall be approved by the Ministry of Power (MoP).

This order shall apply to any item imported for end use or to be used as a component, or as a part in manufacturing, assembling of any equipment or to be used in power supply system or any activity directly or indirectly related to power supply system.

This issues with the approval of Hon'ble Minister of State for Power and New & Renewable Energy (Independent Charge).

  
(Goutam Ghosh)  
Director  
Tel: 011-23716674

To:

1. All Ministries/Departments of Government of India (As per list)
2. Secretary (Coordination), Cabinet Secretariat
3. Vice Chairman, NITI Aayog
4. Comptroller and Auditor General of India
5. Chairperson, CEA
6. CMDs of CPSEs/Chairman of DVC & BBMB/MD, EESL/DG, NPTI/DG, CPRI/DG, BEE/
7. All ASs/JSs/EA, MoP

Copy:

1. PS to Hon'ble PM, Prime Minister's Office
2. PS to Hon'ble MOS(IC) for Power and NRE
3. Sr. PPS to Secretary(Power)

No.25-11/6/2018-PG  
Government of India  
Ministry of Power  
Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001  
Tele Fax: 011-23730264  
\*\*\*\*\*

Dated 02/07/2020

**ORDER**

Power Supply System is a sensitive and critical infrastructure that supports not only our **national defence, vital emergency services** including health, disaster response, **critical national infrastructure** including classified data & communication services, defence installations and manufacturing establishments, logistics services but also the **entire economy** and the **day-to-day life** of the citizens of the country. Any danger or threat to Power Supply System can have catastrophic effects and has the potential to cripple the entire country. Therefore, the Power Sector is a **strategic and critical sector**.

The vulnerabilities in the Power Supply System & Network mainly arise out of the possibilities of cyber attacks through malware / Trojans etc. embedded in imported equipment. Hence, **to protect the security, integrity and reliability of the strategically important and critical Power Supply System & Network** in the country, the following directions are hereby issued :-

(1) All equipment, components, and parts imported for use in the Power Supply System and Network shall be tested in the country to check for any kind of embedded malware/trojans/cyber threat and for adherence to Indian Standards.

(2) All such testings shall be done in certified laboratories that will be designated by the Ministry of Power (MoP).

(3) Any import of equipment/components/parts from "prior reference" countries as specified or by persons owned by, controlled by, or subject to the jurisdiction or the directions of these "prior reference" countries will require prior permission of the Government of India

(4) Where the equipment/components/parts are imported from "prior reference" countries, with special permission, the protocol for testing in certified and designated laboratories shall be approved by the Ministry of Power (MoP).

This order shall apply to any item imported for end use or to be used as a component, or as a part in manufacturing, assembling of any equipment or to be used in power supply system or any activity directly or indirectly related to power supply system.

This issues with the approval of Hon'ble Minister of State for Power and New & Renewable Energy (Independent Charge).

  
(Goutam Ghosh)  
Director  
Tel: 011-23716674

To:

1. All Ministries/Departments of Government of India (As per list)
2. Secretary (Coordination), Cabinet Secretariat
3. Vice Chairman, NITI Aayog
4. Comptroller and Auditor General of India
5. Chairperson, CEA
6. CMDs of CPSEs/Chairman of DVC & BBMB/MD, EESL/DG, NPTI/DG, CPRI/DG, BEE/
7. All ASs/JSs/EA, MoP

Copy:

1. PS to Hon'ble PM, Prime Minister's Office
2. PS to Hon'ble MOS(IC) for Power and NRE
3. Sr. PPS to Secretary(Power)

**No.11/05/2018-Coord.  
Government of India  
Ministry of Power**

**Shram Shakti Bhawan, New Delhi  
Dated the 23<sup>rd</sup> July, 2020.**

**ORDER**

**Sub: Measures for contributing towards 'Atmanirbhar Bharat' and 'Make in India' through phased indigenisation in Power Sector.**

**Whereas** Ministry of Power after analysis of data relating to import of the equipment in power sector and consultations with the stakeholders engaged in manufacturing of the equipment as well as developers of power projects in generation, transmission, and distribution, has taken note of the fact that despite Government of India policy of 'Make in India', many equipment in this sector are being imported even though sufficient domestic manufacturing capacity and competition exists.

**Whereas** DPIIT from time to time since 2017 has issued orders with the latest version issued vide No.P-45021/2/2017-PP (BE-II) on 04.06.2020 to promote Make in India and domestic manufacturing of goods and services in India with a view to enhancing income and employment and the said order needs to be fully implemented in power sector.

**Whereas**, for power sector to become an integral part of national campaign of 'Atmanirbhar Bharat' and to contribute to 'Make in India' policy of Government of India, it is essential that developers in the generation, transmission, and distribution of power, are also encouraged to effectively and wholeheartedly contribute in this endeavor.

**Whereas** Power is a sensitive and strategically important sector and is a critical infrastructure for development of our country, as our national defense, vital emergency services, critical national infrastructure, communication, data services, health services, logistics, manufacturing etc. all depends on reliable power supply and any possibility of malware/cyber threat in the power systems leads to vulnerability with the potential of bringing down the whole system with consequential impact on all other sectors of our country. Therefore, 'Atmanirbhar Bharat' has a much higher level of significance for this sector. Therefore, there is a need to encourage, adopt and use only 'Make in India' equipment/materials/parts/items in the power sector in order to protect the safety and security of our country.

**Now therefore the following order is issued:**

1. This order is issued in consonance with the order of the DPIIT referred above.
2. All equipment/materials/parts/items required in the power sector which are domestically manufactured with sufficient domestic capacity shall necessarily be used from the domestic manufacturers only as per the extant provisions of the Public Procurement (Preference to Make in India) Orders issued by DPIIT and MoP.

**Contd.....2/-**



3. In respect of equipment/materials/parts/items wherein domestic capacity is not available and imports are inevitable, the MoP shall list out all these equipment and prepare an Action Plan for their indigenisation over a specified time frame of 2-3 years. For this an enabling policy framework through support to Start-ups, phased manufacturing programme, vendor development, Research & Development, tax & other incentives needs to be developed.
4. Till such time indigenous manufacturing capacity for all equipment/materials/parts/items required in the power sector are developed, the goods so imported shall be tested in certified laboratories designated by MoP to check the presence of any embedded malware/trojans or other cyber threats and also to check adherence to Indian Standards. For testing of goods from prior reference countries, the testing protocol shall be approved by Ministry of Power (MoP).
5. Ministry of Power shall prepare an 'Approved list of Models and Manufacturers' (ALMM) in power sector. All Power Projects which are bid out as per the standard bidding guidelines will be required to procure equipment from manufacturers figuring in the approved list.
6. Financing from REC and PFC will be structured in such a manner that lower rates of interest will be charged on the developers who will use domestically manufactured equipment.

This issues with the approval of Hon'ble MoS (IC) for Power and NRE.



(R.K. Das)

Under Secretary to the Government of India  
Tel. No.011-23752495

To:

1. All Ministries/ Departments of Government of India (As per list)
2. Secretary (Coordination), Cabinet Secretariat
3. PS to Hon'ble PM, Prime Minister's Office
4. Vice Chairman, NITI Aayog
5. Director General, Comptroller and Auditor General of India
6. Secretary, DPIIT, Chairman of Standing Committee for implementation of Public Procurement Order, 2017
7. Joint Secretary, DPIIT, Member-Convener of Standing Committee for implementation of Public Procurement Order, 2017
8. Chairperson, CEA
9. CMDs of CPSEs/ Chairmen of DVC & BBMB/ MD of EESL/ DG(NPTI)/ DG(CPRI)/ DG(BEE)
10. All JSs/ EA, MoP

Copy to:

1. PS to MoS (IC) for Power and NRE
2. Sr. PPS to Secretary (Power)
3. Sr. PPS to Additional Secretaries in MoP