



PMC Cell – MM

Oil and Natural Gas Corporation Ltd Corporate Materials Management

Deen Dayal Urja Bhawan,
5-A Nelson Mandela Marg, Vasant Kunj
New Delhi - 110070

Circular No. 55/2020

No: MAT/PMC/13(7)/2020

Dated: 23.11.2020

Sub: Processing of Tenders upto Rs. 200 Crores.

Reference is invited to PMC Circular 25/2020 dated 26.05.2020, which stipulates that no Global Tender Enquiry shall be invited for tender upto Rs.200 Crores (except OEM/Emergency cases). Reference is also invited to PMC Circular 28/2020 dated 11.06.2020, wherein O.M. dated 28.05.2020 from Department of Expenditure was enclosed, which stipulates that Secretary (Coordination), Cabinet Secretariat shall be the competent authority for approving relaxation for inviting Global Tender Enquiry for tenders upto Rs.200 Crores.

1. In this regard, Department of Expenditure, Ministry of Finance has issued following O.M.:

- a) O.M. No. 12/17/2019-PPD dated 29.10.2020 stating that aforementioned O.M. dated 28.05.2020 of Department of Expenditure will not be applicable on procurement of Spare parts of the equipment/Plant & Machinery etc. on nomination basis from OEM/OES or OPM as no competitive tenders are invited in such cases. The copy of the aforesaid O.M. is enclosed as Annexure-1.
- b) O.M. No. F.20/38/2020-PPD dated 18.11.2020 attaching the copy of Cabinet Secretariat ID note no. 213/2/1/2020-C.A. IV dated 17.11.2020 stating that Ministries/Departments/Organisations shall, at first, will float domestic tenders 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/Organisation had not floated a domestic tender for the items to be procured through GTE after 15.05.2020, such proposals will not be forwarded to Cabinet Secretariat. The copy of aforesaid O.M. is enclosed as Annexure-2.

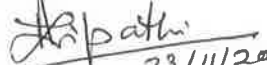
In view of the above, for the items/services for which proposal has been submitted for seeking approval for inviting Global Tenders for cases valuing upto Rs.200 Crores, at first, domestic/indigenous tender will be invited to identify the domestic manufacturers/service providers.

Similar process shall be followed for future cases, valuing less than Rs.200 Crores, also, where approval for inviting Global Tenders would require to be sought.

2. In view of the guidelines issued for not inviting Global Tender Enquiry for tender valuing upto Rs.200 Crores, National competitive bidding (NCB) is to be invited for such cases. On this issue, a clarification was sought from the Ministry of Petroleum and Natural Gas (MoPNG), whether in tender invited through NCB, offer of Indian bidder quoting as authorised distributors/dealers of a manufacturer and offering goods manufactured abroad, can be accepted.

In this regard, a clarification has been received from MoPNG stating that Indian bidders quoting in Indian Rupees in National Competitive Bidding (NCB) will not be covered under the Instructions of Global Tender Enquiry (GTE) issued by Department of expenditure. However, compliance of Public Procurement (Preference to Make in India) Order issued by Department for Promotion of Industry & Internal Trade (DPIIT) must be ensured in all cases.

The copy of clarification sought and response of MoPNG is attached as Annexure-3.


(A P Tripathi) 23/11/2020

ED-Chief MM Services

Distribution: (Through ONGC's intranet website 'ongcreports.net').

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1. EO to CMD, ONGC, New Delhi.
2. CEA to Director (F)/ Director (Offshore)/ Director (Exploration)/ Director (HR)/ Director (T&FS)/Director (Onshore), New Delhi.
3. CVO, ONGC, New Delhi.

No. F.12/17/2019-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

512, Lok Nayak Bhawan,
New Delhi
Dated the 29th October 2020

OFFICE MEMORANDUM

Subject: Relaxation on Global Tender Enquiry (GTE) under Rule 161(iv) of General Financial Rules (GFRs) 2017.

Attention is invited to this Department's OM of even no. Dated 15.05.2020 and 28.05.2020 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.200.00 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. In this regard, a doubt has arisen if the above instructions will also be applicable with respect to procurement of spares from Original Equipment Manufacturers (OEMs) or Original Equipment Suppliers (OES) or Original Part Manufactures (OPMs) on nomination basis, though there is no other source available and no competitive offers are invited.

3. In this regard, it is clarified that this office OM of even number dated 15.05.2020 will not be applicable on procurement of spares parts of the equipments/Plant & Machinery etc. on nomination basis from OEM/OES or OPM as no competitive tenders are invited in such cases,

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


(Kolluru Narayana Reddy)
Deputy Secretary to the Govt. of India
Tel.No.24621305.
Email: kn.reddy@gov.in

To,

All the Secretaries and Financial Advisers to Government of India

No.F.20/38/2020-PPD
Government of India
Ministry of Finance
Department of Expenditure
PP Division

512, Lok Nayak Bhavan,
New Delhi. Dated the 18th November, 2020.

OFFICE MEMORANDUM

Subject: Global Tender Enquiry (GTE) – reg.

Attention is invited towards Department of Expenditure, Ministry of Finance OM No.F.12/17/2019-PPD dated 15.05.2020 and this Department's OM No. F.20/1/2020-PPD dated 08.10.2020 regarding the subject cited above. In this regard, it is to inform that Cabinet Secretariat has now issued further instructions vide their ID no.213/2/1/2020-CA.IV dated 17.11.2020 (copy enclosed). In view of directions of Cabinet Secretariat, following are to be ensured while sending proposals for the approval of Global Tenders:

(i) Ministry/ Department/ Organisation shall, at first, will float domestic tender 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/ Organisation had not floated a domestic tender for the items to be procured through GTE after 15.05.2020, such proposals will not be forwarded to Cabinet Secretariat.

(ii) Ministries/ Departments/ Organizations are requested to discuss with Department for Promotion of Industry & Internal Trade (DPIIT)/ relevant industrial bodies for identification of domestic manufacturers/ service providers and send the details of such deliberations along with the proposal.

(iii) Ministries/ Departments/ Organizations are also requested to publish the 3/5-year procurement plan as mandated by Department for Promotion of Industry & Internal Trade (DPIIT), Public Procurement (Preference to Make in India) (PPP-MII) Order dated 16.09.2020 in their respective websites, before forwarding proposals for the purpose of procurement through GTE.


(Kotluru Narayana Reddy)

Deputy Secretary to the Govt. of India

Tel: 24621305

Email: kn.reddy@gov.in

To,

- (i) Secretaries of all Central Government Ministries/ Departments
- (ii) Financial Advisors of all Central Government Ministries/ Departments

Copy to : sibi.cabsec@gov.in

CABINET SECRETARIAT
RASHTRAPATI BHAWAN

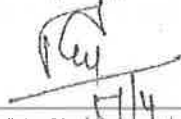
Subject:- Global Tender Enquiry - reg.

Kind reference is invited to the D/o Expenditure (DoE) O.M No. 12/17/2019-PPD dated 15th May and this Secretariat ID No. 213/2/1/2020-CA.IV dated 06th October, 2020.

(2) In this regard, the undersigned is directed to request that DoE, after receiving proposals from the Ministries/Departments/Agencies (M/D/A) that seeks exemption for Global Tender, may examine the details given in the GTE Format, whether the M/D/A had floated domestic tender to identify the domestic manufacturers/service providers. In case if the M/D/A hadn't floated such a domestic tender after the issue of DoE OM dated 15th May 2020, the proposal may be returned back to the proposing M/D/A for the completion of the said task and that proposal may not be forwarded to this Secretariat.

(3) Further, all the M/D/A may be asked to discuss with DPIIT/relevant industrial bodies for identification of domestic manufacturers/service providers. The details of such deliberations may also be forwarded along with the proposal.

(4) Furthermore, all the M/D/A may be requested to publish the 3/5-year procurement plan as mandated by DPIIT OM No. P-45021/2/2017-PP (BE-II) dated 16th September, 2020 in their respective websites, before forwarding proposals to this Secretariat, for the purpose mentioned in para (1).


(Sibi Chakravarthy M.)

Deputy Secretary to the Govt. of India
Tele:- 2379 2018

Secretary, D/o Expenditure

Cab. Sectt. ID No. 213/2/1/2020-CA.IV dated 17th November, 2020

ANNEXURE -3
(1/2)



Oil and Natural Gas Corporation Ltd
Corporate Materials Management
2nd Floor, Tower-A, Deendayal Urja Bhawan,
5, Nelson Mandela Marg, Vasant Kunj, New Delhi -110 070

Tel – (011)26752004 Fax – (011) 26129091

No: MAT/PMC/13(7)/2020
Dated: 25.09.2020

To,

Under Secretary,
Govt. of India
Minister of Petroleum and Natural Gas,
Shastri Bhawan,
New Delhi-110001.

Sub: Tenders for value upto Rs 200 Crores.

Respected Sir,

Reference is invited to O.M. No. FP-20013/4/2019-FP-PNG-Part(1) (E-28307) dated 23.07.2020 vide which O.M. No. DPE/7(4)/2017-Fin dated 25.06.2020 of Department of Public Enterprises (DPE) was forwarded.

With the aforesaid O.M., DPE has enclosed O.M. No.12/17/2019-PPD dated 15.05.2020 from Department of Expenditure (DoE), which stipulates that No Global Tender Enquiry (GTE) shall be invited for tenders upto Rs.200 crore (copy enclosed). Accordingly, National Competitive Bidding (NCB) is to be invited for tender valuing less than Rs.200 crores.

In some of the tenders invited through National Competitive Bidding, Indian bidder has quoted as authorized distributors/ dealers of a foreign manufacturer and offering finished goods manufactured abroad.

With reference to above, clarification is requested whether in tenders invited through NCB, offer of such Indian bidders quoting as authorized distributors/ dealers of a foreign manufacturer and offering finished goods manufactured abroad, can be accepted.

Regards.


25/09/2020
(A P Tripathi)
ED-Chief MM Services

Encl: As above.

(2/2)

No: FP-20013/4/2019-FP-PNG-Part (1) (E-28307)

भारत सरकार

Government of India

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

Ministry of Petroleum and Natural Gas

शास्त्री भवन, नई दिल्ली

Shastri Bhawan, New Delhi

Dated 20th November, 2020

To

CMD, ONGC

Subject: Tenders for value upto Rs. 200 Crores - regarding.

Sir,

I am directed to refer letter No. MAT/PMC/13(7)/2020 dated 25.09.2020 received from ED-Chief MM services, ONGC on the subject mentioned above.

2. Clarification from Department of Expenditure (DoE) was sought on the matter. DoE vide email dated 21.10.2020 has informed that Indian Bidders quoting in Indian Rupees in National Competitive Bidding (NCB) will not be covered under instructions of Global Tender Enquiry (GTE) issued by this Department. However, compliance of Public Procurement (Preference to Make in India) Order issued by Department for Promotion of Industry & Internal Trade (DPIIT) must be ensured in all cases.

3. This issues with the approval of competent authority.

भवदीय

Yours faithfully,



20/11/20.

जे.के. मंडल

(J.K. Mandal)

अनुभाग अधिकारी (फ्लैगशिप प्रोग्राम)

Section Officer (Flagship Program)

दूरभाष (Tel.): 23389262