



PMC Cell – MM

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**Circular No. 61/2018-cum-Integrated MM Manual Amendment No. 43/2018- cum -BL
Amendment No. 01/111 and 02/86**

No: MAT/PMC/13(13)/2018
Dated: 19.11.2018

Sub: Enhancement in the target value for procurement from MSEs.

Reference is invited to circular No. 18/2014 dated 12.11.2014 whereby detailed guidelines on Public Procurement Policy for MSEs-Order 2012 has been notified for compliance. The said guidelines *interalia* stipulates procurement of minimum 20% of the annual requirement from MSE, which include procurement of 4% of 20% annual requirement from the MSEs owned by SC/ST entrepreneurs.

Vide Gazette of India No. 4455 dated 09.11.2018 (copy enclosed), Govt has enhanced annual goal for procurement from MSEs from 20% to 25%. The said notification also direct that out of total Annual procurement from MSEs, 3% from within the 25% target shall be earmarked from procurement from MSEs owned by the women entrepreneurs.

In accordance with the above, relevant provisions of IMMM and tender/BEC conditions for procurement of goods and services stand modified as per attached Annexure-1.

Above guidelines should be meticulously followed by all concerned.


(Ashwini Nagia)
ED-Chief MM Services

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Statement showing existing vis-à-vis modified provisions

Clause No	Existing Provisions	Modified Provisions
	Modifications to the Integrated MM Manual	
8.3	Conditions applicable if the offer is from a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME.	Conditions applicable if the offer is from a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME.
	<p>(i) if bidder is a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME, it shall submit copy of valid Registration Certificate,. The Registration Certificate should clearly indicate the monetary limit, if any and the items for which bidder are registered with any of the aforesaid agencies.</p> <p>In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST entrepreneur should also be enclosed.</p>	<p>(i) if bidder is a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME, it shall submit copy of valid Registration Certificate,. The Registration Certificate should clearly indicate the monetary limit, if any and the items for which bidder are registered with any of the aforesaid agencies.</p> <p>In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST entrepreneur should also be enclosed.</p>

	<p>(ii) In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto 20% of total tendered value.</p> <p>A sub –target of Min. 20% (i.e. 4% out of 20%) has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs. Provided that, in event of failure of such MSEs to participate in tender process or meet tender requirement and L-1 price, 4% sub-target for procurement earmarked for MSEs owned by SC or ST entrepreneurs shall be met from other MSEs.</p>	<p>(ii) In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto <u>25%</u> of total tendered value.</p> <p>A sub –targets of 4% within <u>25%</u> has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs <u>and 3% from within 25% has been earmarked for supply from the MSEs owned by Women entrepreneurs.</u> Provided that, in event of failure of such MSEs to participate in tender process or meet tender requirement and L-1 price, 4% /3% sub-target for procurement earmarked for MSEs owned by SC or ST entrepreneurs <u>and women entrepreneurs respectively shall be met from other MSEs.</u></p>
	<p>(iii) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p> <p>(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 20% supply shall be shared equally amongst such MSEs.</p> <p>(b) In case 20% quantity cannot be further divided, ONGC shall place the order for supply of 20% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.</p>	<p>(iii) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p> <p>(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the <u>25%</u> supply shall be shared equally amongst such MSEs.</p> <p>(b) In case <u>25%</u> quantity cannot be further divided, ONGC shall place the order for supply of <u>25%</u> quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.</p>
	<p>(iv) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 80% / 20%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 20% quantity, as may be dividable.</p>	<p>(iv) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of <u>75% / 25%</u>, then ONGC reserves the right to award on lowest eligible MSEs for quantity not less than <u>25%</u> quantity, as may be dividable.</p>

Modifications to the Tender conditions for procurement of goods (Booklets 01 and 02)		
10.1 (u) of BL/1 and 10.0 (t) of BL/02	<p>Copy of valid Registration Certificate, if bidder is a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME. The Registration Certificate should clearly indicate the monetary limit, if any and the items for which bidder are registered with any of the aforesaid agencies.</p> <p>In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST entrepreneur should also be enclosed.</p>	<p>Copy of valid Registration Certificate, if bidder is a Micro or Small Enterprises (MSE) registered with District Industry Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME. The Registration Certificate should clearly indicate the monetary limit, if any and the items for which bidder are registered with any of the aforesaid agencies.</p> <p>In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur or <u>owned by Women</u>, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST <u>or Women</u> entrepreneur should also be enclosed.</p>
38.1 of BL/01 and 36.1 of BL/02	<p>PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>38.1.1 In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto <u>20%</u> of total tendered value.</p> <p><u>A sub –target of Min. 20% (i.e. 4% out of 20%) has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs.</u> Provided that, in event of failure of such MSEs to participate in tender process or meet tender</p>	<p>PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>38.1.1 In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto <u>25%</u> of total tendered value.</p> <p><u>A sub –targets of 4% within 25% has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs and 3% from within 25% has been earmarked for supply from the MSEs owned by Women entrepreneurs.</u></p>

	<p>requirement and L-1 price, 4% sub-target for procurement earmarked for MSEs owned by SC or ST entrepreneurs shall be met from other MSEs.</p>	<p>Provided that, in event of failure of such MSEs to participate in tender process or meet tender requirement and L-1 price, 4% /3% sub-target for procurement earmarked for MSEs owned by SC or ST entrepreneurs <u>and women entrepreneurs respectively</u> shall be met from other MSEs.</p>
<p>38.1.2 of BL/01 and 36.1.2 of BL/02</p>	<p>(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p> <p>(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 20% supply shall be shared equally amongst such MSEs.</p> <p>(b) In case <u>20%</u> quantity cannot be further divided, ONGC shall place the order for supply of <u>20%</u> quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.</p> <p>(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of <u>80% / 20%</u>, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than <u>20%</u> quantity, as may be dividable.</p> <p>For example In case tendered quantity is between 1 to 4 (not divisible in the ratio of <u>80:20</u>), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 80:20.</p> <p>Notes:</p> <p>(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such</p>	<p>(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p> <p>(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 25% supply shall be shared equally amongst such MSEs.</p> <p>(b) In case <u>25%</u> quantity cannot be further divided, ONGC shall place the order for supply of <u>25%</u> quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.</p> <p>(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of <u>75% / 25%</u>, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than <u>25%</u> quantity, as may be dividable.</p> <p>For example In case tendered quantity is between 1 to 3 (not divisible in the ratio of <u>75:25</u>), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of <u>75:25</u></p> <p>Notes:</p> <p>(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such</p>

	<p>a manner that eligible bidders get the share of minimum specified percentage for supply by them.</p> <p>(ii) In case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable, PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.</p>	<p>a manner that eligible bidders get the share of minimum specified percentage for supply by them.</p> <p>(ii) In case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable, PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.</p>
Modification to the BEC conditions for procurement of Goods ICB/NCB		
C-2.1 of ICB /NCB	<p>2.1 PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>(a) In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto <u>20%</u> of total tendered value.</p> <p>(b) A sub –target of Min. 20% (i.e. 4% out of 20%) has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs. Provided that, in event of failure of such MSEs to participate in tender process or meet tender requirement and L-1 price, 4% sub-target for procurement earmarked for MSEs owned by SC or ST entrepreneurs shall be met from other MSEs.</p>	<p>2.1 PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>(a) In case participating MSEs quote price within price band of L1+15%, such MSE shall be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply upto <u>25%</u> of total tendered value.</p> <p>(b) A sub –targets of 4% within <u>25%</u> has been earmarked for procurement from MSEs owned by the SC or ST entrepreneurs <u>and 3% from within 25% has been earmarked for supply from the MSEs owned by Women entrepreneurs.</u> Provided that, in event of failure of such MSEs to participate in tender process or meet tender requirement and L-1 price, 4% /3% sub-target for procurement earmarked for MSEs owned by SC</p>

(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 20% supply shall be shared equally amongst such MSEs.

(b) In case 20% quantity cannot be further divided, ONGC shall place the order for supply of 20% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase preference.

(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 80% / 20%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 20% quantity, as may be dividable.

For example:

In case tendered quantity is between 1 to 4 (not divisible in the ratio of 80:20), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 80:20.

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that

or ST entrepreneurs and women entrepreneurs respectively shall be met from other MSEs.

(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 25% supply shall be shared equally amongst such MSEs.

(b) In case 25% quantity cannot be further divided, ONGC shall place the order for supply of 25% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase preference.

(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 75% / 25%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 25% quantity, as may be dividable.

For example

In case tendered quantity is between 1 to 3 (not divisible in the ratio of 75:25), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 75:25

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that eligible bidders get the share of minimum specified

	<p>eligible bidders get the share of minimum specified percentage for supply by them.</p> <p>(ii) in case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable , PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.</p> <p>2.1(d) Provisions for submission of bid based on the financial strength of a supporting company available to large companies in the tender document shall also be available to MSEs. However in order to avail the benefits reserved for MSEs i.e. exemption from payment of EMD and purchase preference, the MSE bidder shall have to rely on their own strength or on the strength of another MSE only to meet the tender requirement of financial evaluation criteria. In cases of support from MSE, the supporting MSE shall have to fulfill all the obligations prescribed for a supporting company as per BEC conditions.</p>	<p>percentage for supply by them.</p> <p>(ii) in case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable , PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.</p> <p>2.1(d) Provisions for submission of bid based on the financial strength of a supporting company available to large companies in the tender document shall also be available to MSEs. However in order to avail the benefits reserved for MSEs i.e. exemption from payment of EMD and purchase preference, the MSE bidder shall have to rely on their own strength or on the strength of another MSE only to meet the tender requirement of financial evaluation criteria. In cases of support from MSE, the supporting MSE shall have to fulfill all the obligations prescribed for a supporting company as per BEC conditions.</p>
Modification to the tender conditions of Service Contracts - Instructions to Bidders –Annexure-1		
29.1	<p>PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>29.1.1 (i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p>	<p>PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.</p> <p>29.1.1 (i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:</p>

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 20% supply shall be shared equally amongst such MSEs.

(b) In case 20% quantity cannot be further divided, ONGC shall place the order for supply of 20% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.

(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 80% / 20%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 20% quantity, as may be dividable.

For example:

In case tendered quantity is between 1 to 4 (not divisible in the ratio of 80:20), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 80:20.

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that eligible bidders get the share of minimum specified percentage for supply by them.

(ii) In case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable, PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 25% supply shall be shared equally amongst such MSEs.

(b) In case 25% quantity cannot be further divided, ONGC shall place the order for supply of 25% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase Preference.

(ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 75% / 25%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 25% quantity, as may be dividable.

For example:

In case tendered quantity is between 1 to 3 (not divisible in the ratio of 75:25), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 75:25

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that eligible bidders get the share of minimum specified percentage for supply by them.

(ii) In case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable, PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.

Modification to the BEC conditions for service contracts ICB/NCB

C-3.1 of
ICB
and
NCB

PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.

In case participating MSEs quote price within price band of L1+15%, such MSE shall be considered for award of contract by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE. In case of more than one such MSE qualifying for 15% purchase preference, the contract shall be awarded to lowest eligible MSE amongst the MSEs qualifying for 15% purchase preference.

(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the 20% supply shall be shared equally amongst such MSEs.

(b) In case 20% quantity cannot be further divided, ONGC shall place the order for supply of 20% quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase preference.

PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES REGISTERED WITH DISTRICT INDUSTRY CENTERS OR KHADI AND VILLAGE INDUSTRIES COMMISSION OR KHADI AND VILLAGE INDUSTRIES BOARD OR COIR BOARD OR NATIONAL SMALL INDUSTRIES CORPORATION OR DIRECTORATE OF HANDICRAFTS AND HANDLOOM OR ANY OTHER BODY SPECIFIED BY MINISTRY OF MSME.

In case participating MSEs quote price within price band of L1+15%, such MSE shall be considered for award of contract by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE. In case of more than one such MSE qualifying for 15% purchase preference, the contract shall be awarded to lowest eligible MSE amongst the MSEs qualifying for 15% purchase preference.

(i) In case of more than one bidder eligible for purchase preference, then the eligible MSE(s) shall be allowed to share portion of supply in the following manner:

(a) In case of more than one such MSE bidder qualifying for 15% purchase preference, the **25%** supply shall be shared equally amongst such MSEs.

(b) In case **25%** quantity cannot be further divided, ONGC shall place the order for supply of **25%** quantity to lowest eligible MSE amongst the MSEs qualifying for 15% Purchase preference.

- (ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 80% / 20%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 20% quantity, as may be dividable.

For example:

In case tendered quantity is between 1 to 4 (not divisible in the ratio of 80:20), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 80:20.

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that eligible bidders get the share of minimum specified percentage for supply by them.

(ii) in case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable , PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.

- (ii) In the opinion of ONGC, if tendered goods/services cannot be divided in the ratio of 75% / 25%, then ONGC reserve the right to award on lowest eligible MSEs for quantity not less than 25% quantity, as may be dividable.

For example:

In case tendered quantity is between 1 to 3 (not divisible in the ratio of 75:25), MSE shall get order for 1 no. only and the rest will go to L-1 (non-MSE bidder). Same analogy shall be applied for quantities which are not dividable in the exact ratio of 75:25

Notes:

(i) In case of any other preferential policy applicable in a tender, distribution of quantities for supply of goods/services among eligible bidders shall be done in such a manner that eligible bidders get the share of minimum specified percentage for supply by them.

(ii) in case tendered items cannot be procured from multiple sources or are absolutely non splitable or non-dividable , PO/Contract shall be placed for supply of 100% quantity to lowest eligible bidder, if any, amongst the bidders qualifying for purchase preference.

Modification to the provisions notified vide Cir 57/2018 dated 1.11.2018 (DMEP Policy)

(10) (For the tenders where tender quantity can be divided/split and where both MSEs and DMEP bidders are participating)

(10.1) In cases where both MSEs and DMEP are participating in a tender and both MSE and DMEP are eligible for purchase preference, distribution of quantities among the eligible MSE(s) and DMEP bidder(s) shall be as per the quantities of the respective policy and the balance quantity shall be awarded to the non-eligible L-1 bidder.

(10.2) In case the quantities cannot be divided in the ratio as per the quantities of the respective policy then following methodology shall be adopted for division of the quantities between MSEs bidder, DMEP bidder and the non-MSE, non-DMEP L-1 bidder:

- (i) Both the eligible DMEP and MSE bidders shall be invited to match its rates with that of L-1 bidder to secure order for percentage quantities not less than as specified in respective policy.
- (ii) MSE bidder shall be given preference over DMEP to secure minimum splitable quantity not less than 20% after matching its rates with the L-1 bidder as per PPP-Order 2012. If the 20% quantity is in fraction and order cannot be placed for fractional quantity, then order shall be placed for immediately higher whole number quantity.
- (iii) Thereafter, eligible DMEP bidder shall be allowed to secure order for percentage quantities not less than as specified in DMEP policy. If the calculated quality for placement of order is in fraction and order cannot be placed for fractional quantity, then order shall be placed immediately

(10) (For the tenders where tender quantity can be divided/split and where both MSEs and DMEP bidders are participating)

(10.1) In cases where both MSEs and DMEP are participating in a tender and both MSE and DMEP are eligible for purchase preference, distribution of quantities among the eligible MSE(s) and DMEP bidder(s) shall be as per the quantities of the respective policy and the balance quantity shall be awarded to the non-eligible L-1 bidder.

(10.2) In case the quantities cannot be divided in the ratio as per the quantities of the respective policy then following methodology shall be adopted for division of the quantities between MSEs bidder, DMEP bidder and the non-MSE, non-DMEP L-1 bidder:

- (i) Both the eligible DMEP and MSE bidders shall be invited to match its rates with that of L-1 bidder to secure order for percentage quantities not less than as specified in respective policy.
- (ii) MSE bidder shall be given preference over DMEP to secure minimum splitable quantity not less than 25% after matching its rates with the L-1 bidder as per PPP-Order 2012. If the 25% quantity is in fraction and order cannot be placed for fractional quantity, then order shall be placed for immediately higher whole number quantity.
- (iii) Thereafter, eligible DMEP bidder shall be allowed to secure order for percentage quantities not less than as specified in DMEP policy. If the calculated quality for placement of order is in fraction and order cannot be placed for fractional quantity, then order shall be placed immediately

higher whole number quantity.

- (iv) Remaining quantity after distribution to MSE & DMEP (as above) shall be awarded to the original L-1 bidder.

Example:

Example of quantity distribution where Tender quantity cannot be divided/splitted in the ratio prescribed as per the respective policies:

Qty. under tender	MSE (20%)	DMEP (50%)	Non MSE, Non DMEP bidder
2	1	1	-
3	1	2	-
4	1	2	1
5	<u>1</u>	3	1
6	2	3	1
7	2	4	1
8	2	4	2

higher whole number quantity.

- (iv) Remaining quantity after distribution to MSE & DMEP (as above) shall be awarded to the original L-1 bidder.

Example:

Example of quantity distribution where Tender quantity cannot be divided/splitted in the ratio prescribed as per the respective policies:

Qty. under tender	MSE (25%)	DMEP (50%)	Non MSE, Non DMEP bidder
2	1	1	-
3	1	2	-
4	1	2	1
5	<u>2</u>	3	-
6	2	3	1
7	2	4	1
8	2	4	2



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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय

आदेश

नई दिल्ली, 9 नवम्बर, 2018

का.आ. 5670(अ).—केंद्रीय सरकार, सूक्ष्म, लघु और मध्यम उद्यम विकास अधिनियम, 2006 (2006 का 27) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सूक्ष्म और लघु उद्यम (एमएसई) के लिए सार्वजनिक प्रापण नीति आदेश, 2012 में निम्नलिखित संशोधन करता है:—

- (i) यह आदेश सूक्ष्म और लघु उद्यमों (एमएसई) के लिए सार्वजनिक प्रापण नीति संशोधन आदेश, 2018 कहा जाएगा।
(ii) यह सरकारी राजपत्र में अपने प्रकाशन की तिथि से प्रवृत्त होगा।
- पूरे सूक्ष्म और लघु उद्यमों (एमएसई) के लिए सार्वजनिक प्रापण नीति आदेश, 2012 (जिसे इसमें इसके पश्चात उक्त आदेश कहा गया है) में जहां कहीं भी आंकड़े और शब्द "20 प्रतिशत" है उसे "25 प्रतिशत" के आंकड़े और शब्द से प्रतिस्थापित किया जाएगा।
- उक्त आदेश के पैराग्राफ 4 के पश्चात निम्नलिखित पैरा को जोड़ा जाएगा :-
"4 क. महिलाओं के स्वामित्व वाले सूक्ष्म और लघु उद्यम के लिए विशेष प्रावधान। सूक्ष्म और लघु उद्यमों से कुल वार्षिक खरीद में से 25 प्रतिशत के लक्ष्य के अंदर महिलाओं के स्वामित्व वाले सूक्ष्म और लघु उद्यम से खरीद के लिए 3 प्रतिशत का लक्ष्य निर्दिष्ट किया जाएगा।"

[फा. सं. 21(22)/2018-एमए]

राम मोहन मिश्रा, अपर सचिव और विकास आयुक्त

MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES**ORDER**

New Delhi, the 9th November, 2018

S.O. 5670(E).—In exercise of powers conferred by section 11 of the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), the Central Government hereby makes the following amendments to the Public Procurement Policy for the Micro and Small Enterprises (MSEs) Order, 2012 namely :—

1. (i) This Order may be called the Public Procurement Policy for Micro and Small Enterprises (MSEs) Amendment Order, 2018.
(ii) This shall come into force on the date of its publication in the Official Gazette.
2. Throughout the Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012, (hereinafter referred to as the said Order), for the figures and word “20 per cent”, wherever they occur, the figures and word “25 per cent” shall be substituted.
3. After paragraph 4 of the said Order, the following paragraph shall be inserted, namely:-
“4A. Special provision for Micro and Small Enterprise owned by women. Out of the total annual procurement from Micro and Small Enterprises, 3 per cent from within the 25 per cent target shall be earmarked for procurement from Micro and Small Enterprises owned by women.”

[F. No. 21(22)-2018-MA]

RAM MOHAN MISHRA, Addl. Secy. & Development Commissioner