

**Most Urgent
Personal Attention**

No. EDN-HE(4) C (5) 1/2022
Directorate of Higher Education
Himachal Pradesh



Dated : Shimla the July, 2022

To

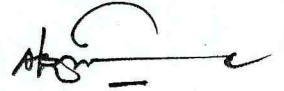
1. Group Commander NCC Hqtr/ Commanding Officer NCC Units
2. All the Govt.Colleges/ Skt Colleges/ B.Ed College of Himachal Pradesh.
3. All the Dy. Directors of Higher Education, Himachal Pradesh.
4. All the Principals/Headmasters of GSSS/GHS.

Sub:- Instructions regarding procurements of different kinds of articles.

It has been observed that some institutes are approaching public representatives for various demands including procurement of different articles without intimation to concerned Dy. Directorate office as well as to this Directorate. Besides it has also been observed that instructions issued earlier are not being adhered to. Therefore all the Heads of offices are directed to adhere to the instructions issued earlier in addition to the following:-

1. Concrete and consolidated demand be submitted once in a year avoiding repeated peace meal purchases.
2. While procuring on GeM Portal e Bid system be preferred for all purchases even of below Rs. 5.00 Lacs.
3. As per instructions contained in DO No. 222/CEO-GeM/2022 dated 8.7.2022 from CEO, GeM Govt. of India (Copy available on GeM portal) No Custom Bids and BOQ bid be published. Violation of instructions will be viewed seriously.
4. For purchase of Office Furniture in r/o old establishments/offices demands be submitted on replacement basis of old furniture after condemning by declaring them unserviceable. However demand for office furniture for newly established office/ additional post created can be submitted alongwith relevant documents for creation.
5. All the documents submitted in the proposal should be verified and signed by purchase committee for transparency.

6. As per Finance (Regulation) Department Hovt. Of Himachal Pradesh letter No. Fin (C) (3) 5/2004 dated 12.2.2020 the items for which rate contract has been finalized by the Controller of stores shall be purchases on Rate Contract. However, the procuring entity i.e. Govt. offices may also check the availability if items on GeM Portal and if rates on items on GeM Portal are found lower than the rates as notified in the Rate Contract such items may be purchased from GeM Portal. Rate contract of Sports Articles and steel furniture has been finalised and are available on website <https://emerginghimachal.hp.gov.in/>.
7. All the demands should be submitted through concerned DDHEs and reach this office up to 31.12.2022 on the enclosed purchase Performa.



(Dr.Amarjeet K. Sharma)
Director Higher Education
Himachal Pradesh

Estimation Performa for purchases in Colleges

Name of Institution	DDO code/Try code	Students strength	Name of item	Amount	Previous stock from any source	Stock register page No.	Mode of purchase GeM/ Rate Contract or from other sources. (of purchase is from other sources, certified as under***)
		B.Sc. (Med)					
		B.sc (N-Med)					
		BA					
		B.Com					
		Others (specify)					

- Proceedings of purchase committee and justification of demand .
- Comparative statement on **GeM portal where required as per GeM instructions.**
- If purchasing from **Rate Contract , Copy of Rate Contract of the Firm**
- Any other relevant document

(attached yes/no)

(attached yes/no)

- *****Whether available on GeM portal on not, if not certify as below:-**

Certified that above item(s) are not available on **Gem Portal/ Rate Contract.**

Signature with name & desgn. (Committee members) as notified vide letter No. EDN-HE (4) C (5)1/2019- Dated 21-11-2019
 1....., 2....., 3....., 4....., 5.....

Signature of Department Head (Concerned subject) with his recommendation.

Counter signature (Principal)

Estimation Performa for purchases in GSSS/GHS

Name of Institution	DDO code/Try code	Students strength	Name of item	Amount	Previous stock from any source	Stock register page No.	Mode of purchase GeM/ Rate Contract or from other sources. (of purchase is from other sources, certified as under***)
		9 th 10 th					
		(+1 and +2)					
		Medical					
		Non Medical					
		Arts					
		Others (specify)					

- Proceedings of purchase committee and justification of demand . (attached yes/no)
- Comparative statement on **GeM portal where required as per GeM instructions.** (attached yes/no)
- If purchasing from **Rate Contract , Copy of Rate Contract** of the Firm
- Any other relevant document
- ***Whether available on GeM portal on not, if not certify as below:-

Certified that above item(s) are not available on **Gem Portal/ Rate Contract.**

Signature with name & desgn. (Committee members) as notified vide letter No. EDN-HE (4) C (5)1/2019- Dated 21-11-2019

1....., 2....., 3....., 4....., 5.....

signature (Principal/Headmaster) **NOTE :- Sign of the person having DDO power**

(The Principal will submit the proposal to the DDHE only) **No direct demand will be considered in the Directorate**
 The Principal of school will give the certificate that the demand is genuine and sufficient space is available for these items.

(Counter signature and recommendation of DDHE)



प्रशान्त कुमार सिंह, भा.प्र.से.
मुख्य कार्यकारी अधिकारी
P.K. SINGH, IAS
Chief Executive Officer

8th July, 2022

DO No.222/CEO-GeM/2022

Respected Ma'am/Sir,

GeM is the National Public Procurement portal for procurement of Goods and Services by Government Departments. You would be aware that GeM crossed the INR 1 Lakh Crore of procurement in a single fiscal year in FY 21-22. Cumulatively GeM has facilitated more than 1 crore transactions valued at over INR 2.5 Lakh Crore. The platform continues to evolve with newly added functionalities and features.

2. GeM was created to facilitate procurement by different Government organisations across the country. However, few cases of misuse of the platform by buyers have come to light, where some buyers are opting for BoQ based bidding or custom catalogue-based bidding for cases that are possible through regular catalogue/category-based bidding.

3. Attention is also invited to Office Memorandum No. F. No.6/18/2019-PPD dated 23-July-2020, issued by the Public Procurement Division, Department of Expenditure, Ministry of Finance, regarding Restrictions under rule 144 (xi) GFR in respect of bidders having beneficial ownership interests in land border sharing countries, which mandates the following in respect of GeM:

- "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."

4. As Custom / BoQ bids are manually created by Buyers, the Bidders and their Product Offerings in such bids are not validated by GeM. Such bidding may lead to violation of one or more of the following:

- Compliance of Restrictions under Rule 144 (xi) of GFR 2017: Restrictions on procurement from a bidder of a country which shares a land border with India:
GeM ensures compliance with Rule 144 (xi) of GFR 2017 and as such GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares land border with India, stipulates that 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. While participating

in a bid, the Bidder must ensure compliance of this through an undertaking and any false declaration or non-compliance of can be a ground for immediate termination of the contract and further legal action in accordance with law. In case of GeM category-based procurement bids, the Bidder status for critical categories is pre-checked / verified by QCI teams.

o MSE Purchase Preference:

In case of category-based bidding, the Bidder status, and its eligibility for MSE preference is pre-validated by GeM system. In BoQ and Custom bids such validations do not exist

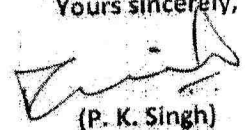
o MII Purchase Preference:

Like in the case of MSE preference, the % of MII content etc. are declared by OEMs in case of category-based procurement. In BoQ and Custom bids such validations do not exist.

5. In Custom / BoQ bids, the credentials of sellers on their authorization by the OEM are not validated since there is no pre-uploaded catalogue or OEM mapping possible.
6. In view of the above, it is requested to kindly direct all officials under your administrative control to ensure that Custom catalogue and BoQ based bidding is not resorted to in respect of items for which regular categories exist on GeM. This is particularly important in respect of all Information Technology, Cyber Security, Surveillance and Medical Equipment categories etc. where there is possibility of data transfer through the equipment. In addition, adequate care needs to be taken by the Buyer to ensure compliance of the Restrictions under Rule 144(xi) of GFR, 2017, MSE and MII Purchase Preference while creating Custom or BoQ based bid for categories not available on GeM.
7. In respect of critical categories that are given in the attached list, GeM would be constrained to cancel any bid created by the Buyer using Custom / BoQ bid method for which regular categories exist on GeM, irrespective of the stage up to which the bid has progressed. This is an indicative list and GeM would continuously be identifying more such sensitive categories. Buyers are necessarily required to refrain from creating Custom / BoQ bids for any item for which regular category is available on GeM.
8. All buyers under your administrative control may kindly be sensitized about this issue to avoid any inconvenience or delay arising out of cancellation of the bid by GeM.

warm regards,

Yours sincerely,


(P. K. Singh)

To,
Secretaries of all Ministries /Departments.