

**बीआईएस मुख्यालय/प्रशा/परिपत्र(04)/2019**

दिनांक : 15 फरवरी 2019

**भारतीय मानक ब्यूरो**

**(प्रशासन विभाग)**

**परिपत्र**

**विषय: सार्वजनिक खरीद (मेक इन इंडिया के लिए प्राथमिकता) आदेश 2017 के उल्लंघन के संबंध में।**

उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय, उपभोक्ता मामले विभाग ने अपने पत्र सं. एन-21/01/2019-पी एण्ड सी दिनांक 17 जनवरी 2019 द्वारा उपर्युक्त विषय पर माननीय प्रधान मंत्री के प्रधान सचिव द्वारा जारी किए गए पत्र की प्रति अग्रेषित की है और अपने विभाग के अंतर्गत सभी कार्यालयों को इस संबंध में आवश्यक अनुपालन करने हेतु निदेशित किया है।

तदनुसार, यथा निदेशित, बीआईएस के अंतर्गत सभी कार्यालय सुनिश्चित करेंगे कि उनकी खरीद संस्थाएँ अपने निविदा दस्तावेजों में ऐसी किसी प्रतिबंधी, भेदभावपूर्ण पात्रता मानदंड, विशिष्टियाँ/परीक्षण तथा अन्य मानकों को शामिल नहीं करेंगे, जो विदेशी मेक/ब्रांड को बढ़ावा देते हों और स्थानीय विनिर्माताओं/सेवा प्रदाताओं को बाहर भी करते हों।

माननीय प्रधान मंत्री के प्रधान सचिव के अर्ध सरकारी पत्र सं. 330/31/सी/64/2018-ईएस-1 दिनांक 03 जनवरी 2019 की स्कैन्ड प्रति आवश्यक कार्रवाई एवं कड़ाई से अनुपालन हेतु इसके साथ संलग्न है।

सभी क्षेत्रीय उपमहानिदेशक, शाखा कार्यालयों एवं प्रयोगशालाओं के प्रमुख, उपमहानिदेशक (एनआईटीएस) और बीआईएस मुख्यालय के सभी विभागों के प्रमुखों से अनुरोध है कि उपर्युक्त दिशानिर्देशों का कड़ाई से अनुपालन सुनिश्चित करें।

हस्ता/-

(एन. विट्टोबा)

निदेशक (प्रशासन)

अनुलग्नक: यथोपरि

संदर्भ: प्रशा/01/50/2019

परिचालित: इंटरनेट के माध्यम से बीआईएस मुख्यालय के सभी विभाग,  
क्षे.का./शा.का./एनआईटीएस एवं प्रयोगशालाएँ

**Bureau of Indian Standards**  
**(Administration Department)**

**CIRCULAR**

**Subject: Violation of Public Procurement (preference to Make in India) Order 2017 – reg.**

Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs vide its letter No. N-21/01/2019-P&C dated 17 January 2019 has forwarded a copy of letter issued by the Principal Secretary to Prime Minister on the subject and directed all the offices under their department for necessary compliance in this regard.

Accordingly, as directed, all the offices under BIS shall ensure that their procurement entities do not incorporate any restrictive, discriminatory eligibility criteria, specifications/testing and other standards in tender documents that encourages the foreign make/brand which also exclude local manufacturers/service providers.

A scanned copy of the D.O. Letter No. 330/31/C/64/2018-ES-I dated 03 January 2019 of Principal Secretary to Prime Minister is attached herewith for necessary action and strict compliance.

All DDGRs, Heads of BOs and Labs, DDG(NITS) and Heads of Departments at BIS Hq. are requested to ensure strict compliance of the aforesaid guidelines.

Sd/-

(N. Vittoba)  
Director (Administration)

Encl: as above

Ref: Admn/01/50/2019

**Circulated to: All Departments of BIS at HQ.,ROs/BOs/NITS & Labs  
through BIS Intranet**

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P-116069  
8/1/19



सत्यमेव जयते

Secy. (CA)  
Dy. No. P-116069  
Date. 7/1/2019

**नृपेन्द्र मिश्र**  
**Nripendra Misra**

Principal Secretary to Prime Minister

Do. No. 330/31/C/64/2018-EL.I

3<sup>rd</sup> January, 2019

Dear Secretary,

Complaints are being received, alleging that Government entities are indicating foreign make/brands and/or restrictive conditions in their tenders, thereby excluding local manufacturers from bidding process.

2. It may be noted that such stipulation of foreign make/brands and/or restrictive conditions (like mandatory requirement of certification by foreign bodies) in the tenders is not only violative of Public Procurement (Preference to Make in India) Order, 2017 (PPP-MII Order 2017) issued by DIPP, but also in violation of the General Financial Rules. In this regard, it is necessary to follow the following general guidelines:

- a. Indicating foreign make/brands in the tender, and thereby excluding local manufacturers and service providers from participation, is in violation of Public Procurement (Preference to Make in India) Order, 2017. Also, as per Rule 144(i) (b) of GFR 2017, procuring agency shall not indicate a requirement for a particular trade mark, trade name or a brand.
- b. As per Rule 144(iii) of GFR 2017, the technical specifications shall, to the extent practicable, be based on the national technical regulations or recognized national standards.
- c. Ministries/Departments should also ensure that their procurement entities do not incorporate any such restrictive and discriminatory eligibility criteria regarding turnover, specifications/testing/other standards in tender documents that exclude local manufacturers/service providers.

Please ensure compliance of the above guidelines strictly at the level of the Ministry/Department, as also by all attached/subordinate offices and PSUs/ Autonomous bodies under the administrative control of your Ministry/Department. Any violation in this regard shall be viewed seriously.

With regards,

X-ref.

Yours sincerely,

- 1. Rpt. from NTH, BIS, NCCF, NCDRC and DCCA (concerned Divn)
- 2. Accordingly, draft reply to Ps to PM pt.

*(Nripendra Misra)*

*Aug/Trans Sect  
Pt. Secy*

*Shri A. K. Srivastava,  
Secretary,  
D/o Consumer Affairs,  
New Delhi.*

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प्रधान मंत्री कार्यालय, साउथ ब्लॉक, नई दिल्ली-110 011  
PRIME MINISTER'S OFFICE, SOUTH BLOCK, NEW DELHI-110 011  
TEL. 23013040 Fax-23017475

*Sn. DS*