

No.P-45021/112/2020-PP(BE-II)(E-43780)
Government of India
Ministry of Commerce and Industry
Department for Promotion of Industry and Internal Trade
(Public Procurement Section)

Udyog Bhawan, New Delhi
Dated August 10, 2020

OFFICE MEMORANDUM

Subject: Minutes of first meeting of Registration Committee constituted under D/o Expenditure Order (Public Procurement No.1) No. 6/18/2019-PPD dated 23.07.2020 held on 07.08.2020 – regarding.

The undersigned is directed to forward minutes of first meeting of Registration Committee held on 07.08.2020 under the chairpersonship of Joint Secretary (MKN), Department for Promotion of Industry and Internal Trade in Room No. 141, Udyog Bhawan, New Delhi for necessary action and say that action points will be reviewed in the **second meeting of the Registration Committee convened on 13.08.2020 at 2.30 PM in Room No. 47, Udyog Bhawan, New Delhi.**

2. Members of the Committee and representative of Ministries/Departments concerned are requested to kindly make it convenient to attend the second meeting and confirm participation with classified inputs on Annexure A and comments on Annexure B to this Department **latest by 12.08.2020 on priority.** This may kindly be treated as Most Immediate.

Encl: As above



(D.V.S.P. Varma)
Under Secretary to Govt. of India
Email: dvsp.varma@nic.in

To

1. Chairman, Railway Board, Rail Bhawan, Rafi Marg, New Delhi email: crb@rb.railnet.gov.in
2. Home Secretary, Ministry of Home Affairs, North Block, New Delhi email: hshso@nic.in.
3. Foreign Secretary, Ministry of External Affairs, South Block, New Delhi email: psfs@mea.gov.in
4. Secretary, Department of Expenditure, North Block, New Delhi email: secyexp@nic.in
5. Secretary, Ministry of Housing & Urban Affairs, Nirman Bhawan, New Delhi email: secyurban@nic.in
6. Secretary, Ministry of Shipping, New Delhi email: secyship@nic.in
7. Secretary, Ministry of Road Transport and Highways, New Delhi email: secy-road@nic.in
8. Secretary, Department of Telecommunications, Sanchar Bhawan, New Delhi, email: secy-dot@nic.in
9. Secretary, Ministry of Power, Shram Shakti Bhawan, New Delhi email: secy-power@nic.in
10. Joint Secretary, Ministry of Home Affairs, Email: jsws-mha@gov.in [Kind Attn: Ms Punya Salila Srivastava]
11. Joint Secretary, Department of Expenditure, Email: js.pfc2.doe@gov.in [Kind Attn: Shri Sanjay Prasad]
12. Director, Ministry of External Affairs, Email: dir-edandstates@mea.gov.in [Kind Attn: Shri Md. Noor Rahman Sheikh]

Copy to:

1. PPS to Joint Secretary (MKN)
2. Director (RG)

Minutes of first meeting of Registration Committee constituted under D/o Expenditure Order (Public Procurement No.1) No. 6/18/2019-PPD dated 23.07.2020 held on 07.08.2020 at 12.30 Hrs in Room No. 141, Udyog Bhawan, New Delhi

List of participants is annexed.

2. First meeting of the registration committee was held in DPIIT on 07.08.2020 under the chairpersonship of JS(MKN). Initiating the discussions, the Chairperson welcomed the participants. Various points discussed during the meeting are detailed below in the succeeding sub-paragraphs.

- a. In accordance with D/o Expenditure Order (Public Procurement No.1) No. 6/18/2019-PPD dated 23.07.2020, Registration Committee was constituted by DPIIT on 06.08.2020 to consider applications received for registration of bidders from countries which share land border with India for participation in public procurement with following composition:

Chairperson	Ms. Manmeet Kaur Nanda, Joint Secretary Department for Promotion of Industry and Internal Trade
Members	Ms. Punya Salila Srivastava, Joint Secretary, Ministry of Home Affairs
	Mr. Md. Noor Rahman Sheikh, Director, Ministry of External Affairs
	Officers (ordinarily not below the rank of Joint Secretary) representing those Departments whose Sectors are covered by applications under consideration
	Any other officer whose presence is deemed necessary by the Chairman of the Committee.

- b. The draft application format for bidder registration was circulated to MHA, MEA and D/o Expenditure for comments vide OM dated 05.08.2020. Comments on draft application format for bidder registration are awaited.
- c. Representative of Department of Expenditure (DoE) was invited as Special Member for the first meeting of registration committee. However, representative of Department of Expenditure could not attend this meeting due to preoccupation with another meeting. However, DoE has stated that they will be sending their comments on draft application format for bidder registration by 12th Aug, 2020.
- d. Clause 10 (d) of Public Procurement (Preference to Make in India) 2017 provides 'if a Nodal Ministry is satisfied that Indian suppliers of an item are not allowed to participate and/ or compete in procurement by any foreign government, it may, if it deems appropriate, restrict or exclude bidders from that country from eligibility for procurement of that item and/ or other items relating to that Nodal Ministry'. So far only Department of Telecommunications identified list of Telecom items for action under Clause 10 (d) of PPP MII Order, 2017.
- e. Under existing procedures also, MHA and MEA accord security and political clearances for procurement of sensitive nature to various procuring entities on case to case basis.

3. Committee recommended that to lay down broad policy guidelines for proceedings and derive evidence based decision, it is advisable to obtain database on products / items / goods / services / works procured through public procurement in last three years including general assessment of foot print of bidders from countries which share land border with India from major procuring Ministries/Departments in the format enclosed as **Annexure –A**. For this purpose, committee recommended that inputs may be taken from Ministry of Railways, Ministry of Shipping, Ministry of Road Transport & Highways, Department of Telecommunications, Ministry of Housing and Urban Affairs and Ministry of Power.

Decision taken

4. After detailed discussions and deliberations, committee took the following decisions:

- a. Ministry of Home Affairs, Ministry of External Affairs and Department of Expenditure to expedite comments on draft Application Format **at Annexure-B** for registration of bidders on priority.

(Action: MHA, MEA and DoE)

- b. MEA and MHA to confirm that the guidelines for internal use regarding the procedure for scrutiny of applications for Registration under above DoE's Order dated 23.07.2020 are in place.

(Action: MHA and MEA)

- c. Ministry of Railways, Ministry of Shipping, Ministry of Road Transport & Highways, Department of Telecommunications and Ministry of Housing & Urban Affairs and Ministry of Power to provide **with due care classified information** regarding products / items / goods / services / works procured through public procurement in last three years including general assessment of foot print of bidders from countries which share land border with India in the format enclosed as **Annexure –A**. MoR, MoS, MoRT&H, DoT, MoHUA and MoP to also provide comments on draft Application Format **at Annexure-B** for registration of bidders.

(Action: MoR, MoS, MoRT&H, DoT, MoHUA and MoP)

- d. Details of the requests received in DPIIT for revocation of Clause 10(d) of PPP-MII Order and Nodal Ministries/ Departments response thereto will be shared by DPIIT with MHA and MEA.

(Action: DPIIT)

- e. The second meeting of Registration Committee **is scheduled at 2.30 PM on 13.08.2020**. Inputs on the above action points received will be reviewed with the representatives of above Ministries / Departments during second meeting of the Registration Committee.

(Action: MHA, MEA, MoR, MoS, MoRT&H, DoT, MoHUA and MoP)

Meeting concluded with a vote of thanks to the chair.

List of participants in the first Registration Committee meeting held under the chairpersonship of Joint Secretary (MKN), DPIIT on 07.03.2020

(Sh/Shri/Ms)

1. Manmeet K. Nanda, Joint Secretary, DPIIT - Chairperson
2. Punya Salila Srivastava, Joint Secretary, MHA - Member
3. Md. Noor Rahman Sheikh, Director (ED& States), MEA - Member

Following non-member officers were also present to assist the members

(Sh/Shri/Ms)

1. Rajesh Gupta, Director. DPIIT
2. Mukesh Mangal, Director, MHA
3. Karthik Iyer, DS (China), MEA
4. Anupama Singh, US (China), MEA
5. DVSP Varma, US, DPIIT

SECRET

Annexure - A

Details of products / items / goods / services procured through public procurement in last three years

Reference: Amendment in GFR by Ministry of Finance, vide OM No. 6/18/2019-PPD dated 23.07.2020, regarding Public Procurement from countries which share a land border with India - regarding

Certain information is required in respect of contracts / supplies done through Public Procurement in which successful bidder is/was Chinese as per definition in clauses 6 and 8 of OM No. 6/18/2019-PPD dated 23.07.2020 of Ministry of Finance. Please provide following information:

Sl.No.	Details	
1.	List of products / items / goods / services / works procured through public procurement in last three years	
2.	Details of tenders in last three years for procurement of above products / items / goods / services / works procured including subcontracted items	
3.	Details of successful bidders / suppliers in the above tenders including sub-contractors	
4.	Details of tenders in last three years for procurement of above products / items / goods / services / works procured including subcontracted items where Chinese were the supplier or sub-contractor.	
5.	Subjective assessment: Dependence on China for procurement of these products / items / goods / services? Do we really need suppliers / contractors / service providers from China for these products / items / goods / services / works? Whether Indigenous sources or sources from countries other than China are available for these products / items / goods / services / works procured above? Opinion if we can exclude Chinese entities in public procurement of specific products / items / goods / services / works	

Note: This communication is classified as “**SECRET**” and due care is to be taken while handling.

Ministry of Railways / Ministry of Shipping / Department of Telecommunications / Ministry of Road & Surface Transport / Ministry of Housing and Urban Affairs / Ministry of Power

Format for bidder registration under Rule 144(xi) of GFR

Name of Bidder	
Type of business entity (Private Limited Company/ Public Limited Company/ Sole Proprietorship/ One Person Company/ Partnership/ Limited Liability Partnership/ Joint Venture/ Trust/ NGO) In case of incorporated entity - to attach certificate of incorporation	
Beneficial owners - as defined in the Department of Expenditure Order (Public Procurement No. 1) issued vide No. F.No.6/18/2019-PPD dated 23rd July, 2020 Details of all beneficial owners having entitlement of more than 01% of shares or capital or profit to be given, in the format as given in Annexure -I duly certified by practicing Chartered Account in India.	
Complete address of the Registered Office with contact person name, telephone number and email Id.	
Whether registration is being sought as manufacturer/ service provider/ contractor for supply of goods/ services / works or as an agent/reseller/distributor.... of above.	
The details of manufacturer/ service provider/ contractor may be furnished in Annexure-II.	
The details of item (goods/ services / works) for which registration is sought as per Annexure -III	
Financial details for last five financial years as per Annexure –IV duly certified by practicing Chartered Account in India.	

Details of manufacturer/ service provider/ contractor

Name of manufacturer/ service provider/ contractor	
Type of business entity (Private Limited Company/ Public Limited Company/ Sole Proprietorship/ One Person Company/ Partnership/ Limited Liability Partnership/ Joint Venture/ Trust/ NGO) In case of incorporated entity - to attach certificate of incorporation	
Beneficial owners - as defined in the Department of Expenditure Order (Public Procurement No. 1) issued vide No. F.No.6/18/2019-PPD dated 23rd July, 2020 Details of all beneficial owners having entitlement of more than 01% of shares or capital or profit to be given, in the format as given in Annexure -I duly certified by practicing Chartered Account.	
Complete address of the Registered Office with contact person name, telephone number and email Id.	
In case of manufacturer, complete address of the manufacturing premises with name, telephone number and email Id of contact person.	
In case of service provider/ contractor, complete address of the premises from where services shall be provided may be provided with name, telephone number and email Id of contact person.	
The details of item (goods/ services / works) for which registration is sought as per Annexure -III	
Financial details for last five financial years as per Annexure –IV duly certified by practicing Chartered Account in India.	

Annexure -III

Details of item (goods/ services / works) for which registration is sought

Description of item (goods/ services / works)	
Broad technical specification parameters/ details of items	
Major public procuring entities in India for these items	
Details of contracts received in last 05 years for these item from public procuring entities in India in the format given in Annexure-V	
In case of registration as service provider/ works contractor for items requiring supply/installation/integration of outsourced goods -the details of outsourced goods may be provided in the format given in Annexure –VI.	

Annexure -IV

Financial details for last five financial years duly certified by practicing Chartered Account in India.

Financial year (FY)	Net Sales turnover during the FY	Net Profit during the FY	Net worth at the end of the FY

Annexure -V

Details of contracts received in last 05 years from public procuring entities in India

Sr. No.	Description of goods with broad technical parameters	Procuring entity details – Name and complete address of the Organization.	Purchase Order Qty and value	Status of the Order – Executed successfully/ under execution/ cancelled

Annexure -VI

Details of outsourced goods* used in Consultancy/ Works contract – for which registration is being sought

Sr. No.	Description of goods	Major technical parameters	Manufactured by	Country of Origin

*The details are required to be furnished for top 20 high value goods.