


Sub: Wide publication of Relaxation of Norms for Startups and Micro & Small Enterprises (MSEs) in Public Procurement – reg.

“The Government of India has announced “Startup India” initiative for creating a conducive ecosystem for the growth of Startups in India. The Startups are normally Micro and Small Enterprises which may not have track record. These will have technical capability to deliver the goods and services as per the prescribed technical & quality specifications and may not be able to meet the qualification criterion relating to prior experience – prior turnover.

The Ministry of Micro, Small & Medium Enterprises (MSMEs) vide Policy Circular No 1(2)(1)/2016 -MA dated 10th March, 2016 has clarified that all Central Ministries / Departments / Central Public Sector Undertakings (CPSUs) may relax condition of prior turnover and prior experience in respect of Micro & Small Enterprises (MSEs) in all public procurements subject to meeting of quality and technical specifications (circular copy enclosed).

In compliance to Ministry of Micro, Small & Medium Enterprises (MSMEs) Policy Circular dated 10th March, 2016 to support ‘Startup India’ initiative, Coal India Limited has released an order vide No. CIL/C2D/MSME/2017-18/Circular/1504 dated 19.03.2018 (copy enclosed) relaxing the Norms for Startup and Micro & Small Enterprises (MSEs) in Public Procurement regarding prior experience and prior turnover criteria and communicated to all Subsidiaries. The provision for relaxation of prior experience and prior turnover in respect of Startups and MSEs has been made part of all Tenders of CIL and its subsidiaries.”

<p>कोल इण्डिया लिमिटेड महारात्न कंपनी (भारत सरकार का एक उपक्रम) सामग्री प्रबंधन विभाग एकशन एरिया -1, न्यू टाउन, कोल्कता- 700 059 ई-मेल: gmmm.cil@coalindia.in वेबसाइट: www.coalindia.in</p>		<p>Coal India Limited A Maharatna Company (A Govt. of India Enterprise) Materials Management Division, Action Area-1, New Town, Kolkata - 700 059 E-MAIL: gmmm.cil@coalindia.in WEBSITE: www.coalindia.in</p>
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Ref: CIL/C2D/MSME/2017-18/Circular/1504

Date: 19.03.2018

कार्यालय आदेश

SUB: Relaxation of Norms for Startup and Micro & Small Enterprises(MSEs) in Public Procurement Regarding prior Experience-Prior Turnover criteria.

Ref: (1) O.M.No.1(2)(1)/2016-MA dated 10th March 2016 of Additional Secretary and Development Commissioner-MSME, GOI, New Delhi (Annexure-A).

(2) O.M.No. F-20/2/2014-PPD(Pt) dated 25th July 2016 of Under Secretary to GOI, Ministry of Finance, Department of Expenditure, Procurement Policy Division, New Delhi (Annexure-B).

(3) O.M. No. F-20/2/2014-PPD(Pt) dated 20.09.2016 of Under Secretary (PPD), Ministry of Finance, Department of Expenditure, procurement Policy Division, New Delhi (Annexure-C).

Reference is drawn to above three Office Memorandums issued by different department of Govt. of India regarding non-insistence of prior experience and turn over criteria in respect of MSEs and Startups.

With a view to the above, following operational guidelines are being circulated for uniform implementation across Coal India Ltd: -

1. Definition and Eligibility of Startup shall be in line with OM vide letter no. F-20/2/2014 PPD(pt.) dt.25.07.2016 of under Secretary, GOI, subsequent amendment, if any.
2. Definition of MSEs shall be as per Public Procurement 2012 with subsequent amendments, if any.
3. The tender inviting authority shall make a provision in the tender documents that prior experience and turn over criteria is not applicable for Startups & MSEs in the tender in respect of either of the following situation and no further documents regarding provenness will be required to be submitted by these category of bidders.

a) If bidders have submitted documents to prove the Startup/MSE status for the tendered item without certificate towards quality, assurance and capability from some authority like MSME, NSIC etc., the tender inviting authority, if needed, may assess the techno-commercial capability of the vendors to manufacture and deliver goods as per the prescribed quality and technical specification before awarding contract to them. If required, a techno-commercial team of the organization may visit the manufacturing unit of the vendor without any undue delay for quick finalization of the tenders.

b) If favorable technical capability reports obtained earlier on such firms for supply of the item in question as per the required specification is available, these may be considered, provided date of such reports are not more than one year from the date of opening of bids.

In case there is deficiency in technical capability of the firm, the same is to be communicated to them by tender inviting authority for improvement in the quality

of their product for future tenders and clearly indicating that their offer cannot be consider for relaxation against the tender in question and to avoid any future complications. The issues relating to Technical capability may be decided by Head of Technical Department.

- c) If bidders have submitted documents to prove the startup/MSE status for the tendered item and whose products are ISI marked/DGMS approved/covered under DGS&D Rate contracts on them / current holding rate contracts with CIL or its subsidiaries for supply of tendered items/ supplied and proven in CIL or its subsidiary companies / Proven product of the ancillary unit of a Subsidiary Company of CIL.

They will be required to submit the applicable related documents duly notarized for relaxation: -

- Valid BIS Marking License for the quoted items on them.

OR

- Rate contract as issued by CIL/any other subsidiary for the quoted items on them.

OR

- Valid DGMS Approval certificate for the quoted items on them.

OR

- Proven Ancillary certificate issued by Subsidiary Companies for the quoted items on them.

The Documents(s)/Certificate(s), by the bidders for ISI marking and DGMS approval for any relaxation should be valid as on date of tender opening and a copy of such document/certificate valid as on date of supply duly notarized, must accompany their bills(s).

4. Subsidiary Companies are required to procure 358 items (modified from time to time), reserved for MSEs in line with MSEs order. These items may be procured from Non-MSE firms if no offer received from MSE in first tender for them. In case single tender is invited for Reserved items for MSEs and other items not reserved for MSEs serial numbers of reserved items for MSEs only and eligibility criteria for other items are to be clearly indicated in the NIT.

This issues with the approval of Competent Authority.

19.3.18

महाप्रबंधक (सामग्री प्रबंधन)

कोल इण्डिया लिमिटेड

Circulation:

- CMDs, All Subsidiary Companies.
- CVO, CIL.
- Director(Technical)/Director (Finance), CIL.
- Director (P&P), All Subsidiary Companies.
- TS to Chairman, CIL. – This has reference to CMDs meet minutes item 119.10
- TS to Director (Technical), CIL.
- GM(EED)/GM(Finance)/GM(CMC)/GM(Civil), CIL.
- GM(MM), All Subsidiary Companies.
- GM(Excvn)/GM(E&M)/GM(Washery)/GM(CMC)/GM(Civil)/All Subsidiary Companies.
- All Executives of MM Department, CIL.