

F.No.14023/4/2018-FP (Vol 1)
Government of India
Ministry of Chemicals and Fertilizers
Department of Fertilizers

Shastri Bhawan, New Delhi
Dated: 20th August, 2020

Order

Subject: Public Procurement (Preference to Make in India) Order (PPO), 2017 (revised) - related to procurement of Goods, Services & Works in Fertilizer Sector-reg.

Ref. i. Department of Industry Policy & Promotion Notification No.P- 45021/ 2/ 2017-B.E-II dated 15.06.2017 as amended by DIPP Order No. P- 45021/2/2017-PP (B.E.-II) dated 28.05.2018 & dated 29.05.2019 and Revised vide Order No. P-45021/2/2017-PP (BE-II) dated 04.06.2020.t

ii.t Department of Fertilizer (DoF) Notification No. 14023/4/2018- FP dated 27.07.2018.t

In terms of Para 10 of the DoF Notification referred above at (ii), the said notification is reviewed and revised.

2.t The Government has issued "Public Procurement (Preference to Make in India)t Order 2017" vide the Department of Industrial Policy and Promotion (DIPP) Notification No.t P-45021/2/2017-B.E.-II dated 15.06.2017 revised vide DIPP Order No. P-45021/2/2017-PPt (B.E.-II) dated 28.05.2018 to encourage 'Make in India' and to promote manufacturing andt production of goods, services and works in India with a view to enhancing income andt employment.t

3.t Procuring entity means a Ministry or department or attached or subordinate office of,t or autonomous body controlled by the Government of India and includes Governmentt companies as defined in the Companies Act.t

4.t PP (PMI) Order, 2017 as revised from time to time shall also be applicable to allt Central Schemes (CS) / Central Sector Schemes (CSS) for the procurement made byt States and local bodies, if project or scheme is fully or partially funded by Government oft India.t

5.t The DoF has assessed the domestic manufacturing/supply/services base and thet available capacity and the extent of local competition while identifying goods, services &t

works and prescribing minimum local content and the manner of its calculation, with a view to avoid cost increase from the operation of this Order.

6. Following fertilizer has sufficient local capacity and sufficient local competition. The fertilizer also has minimum local content more than 50% as defined in Para 2 of the revised notification of DPIIT dated 04.06.2020. Accordingly, DoF hereby notifies that only "Class-I local suppliers" as defined under the Order shall be eligible to bid irrespective of purchase value.

S. No.	Items
1	SSP (Single Super Phosphate)

7. In terms of clause 13 of DIPP Order 2017, in case the product is being manufactured in India under foreign collaboration/ a license from a foreign manufacturer who holds intellectual property rights, where there is a technology collaboration agreement/ transfer of technology agreement for indigenous manufacture of product developed abroad with clear phasing on increase in local content, the party may be treated as Indian Party provided they have met the targeted indigenous content as per collaboration agreement, on applicable date.

8. Keeping in view the fact that potash is not available in India for production of MoP and SoP, no base for indigenous production exists for these items. Therefore, as per provisions of clause 14 (c) of PPO 2017, the DoF exempts following items of fertilizer industry from provision of Public Procurement (Preference to Make in India) Order 2017 as revised from time to time.

S.No.	Items
1	MoP (Muriate of Potash)
2	SoP (Sulphate of Potash)

9. Procuring entity shall constitute a Committee with representatives not below the rank of Sr. Managers (E-5 scale) from technical, finance, materials/commercials for independent verification of self-declarations and auditor's/accountant's certificates on random basis. In case a complaint is received by the procuring entity, the Committee of procuring entity shall have full rights to inspect and examine all the related documents and take a decision. The Committee may ensure that all complaints are resolved within 30 days. In case of any clarification, the matter may be referred to the Committee constituted at DoF.

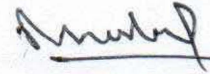
Committee proposed at DoF:-

Chairperson- Joint Secretary / Additional Secretary (Fertilizers)

Member- Director (PSU)

Member- Director (Technical from concerned PSU)

10. As per clause 9 (e) of the DIPP Order 2017, a fee of Rs. 1000/- will be charged for each complaint filed under the DIPP Order 2017.
11. DoF may issue such clarifications and instructions as may be necessary for the removal of any difficulties arising from implementation of this order.
12. All other terms and conditions shall be as per the DIPP Order No. P-45021/2/2017-B.E.-II dated 15.06.2017 as amended vide DIPP Order No. P-45021/2/2017-PP(B.E.-II) dated 28.05.2018 and 29.05.2019 and Revised vide Order No. P-45021/2/2017-PP (BE-II) dated 04.06.2020.
13. The notification comes in to effect immediately and would be reviewed as and when required. This Notification shall remain valid till revised notification is issued.



(Dharam Pal)

Additional Secretary to Government of India

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1. All Ministries/Departments of Government of India
2. Cabinet Secretariat
3. Prime Minister's Office
4. NITI Aayog
5. Controller and Auditor General of India
6. Department for Promotion of Industry and Internal Trade
7. All Fertilizer CPSEs
8. Internal distribution