



**DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
(VIGILANCE DEPARTMENT)
VARUNALAYA PH-II; KAROL BAGH; NEW DELHI**

No: DJB/VIG./2013/ 7762

Dated: 07-13

ADVISORY

Sub: Transparency in works/purchases/stores on proprietary procurement.

During investigation of complaints, it is observed that some divisions while procuring goods and materials are not adhering to the departmental instructions and are erroneously preparing the estimates on the basis of quotations obtained from a few select firms without working out proper justifications. Investigations also revealed that some divisions have processed the cases for procurement through open tender by mentioning specific make and model in the BOQ/Estimate, whereas the issue under reference was the case of proprietary procurement of single source/manufacturer.

2. The provisions do not allow the tender issuing authority to mention specific make, as this not only encourages monopolistic practices but also vitiates the guiding principles of CVC. For certain works, divisions had issued tenders for purchase of equipments/machines/engineering utilities, where they are specifying the Make/Brand. This, however, vitiates the guidelines for open tender system laid down in the relevant rule of GFR and deprives other brands including local vendors/manufacturers of an opportunity to participate in the bids. It is relevant to envisage generalized specifications for the equipments tendered for, with a view to achieve competitive bidding and rates as well. If necessity is felt as per office requirements of the work to go in for a specific brand/make/model, then in such cases the divisions should come-up with proposal for proprietary purchases while furnishing the Proprietary Article Certificate (PAC), adhering to the provisions of Rule-154 of the GFR. Recently, DJB has issued an Instructional Order dated 06.09.2012 with regard to procurement of proprietary equipments.
3. In some cases, it has been observed that the divisions are making proposals in small quantities and through open tenders just to divide the work. Dividing the work into small quantities or to make piece meal purchases to avoid obtaining sanction of higher authority is against the provisions of GFR and CVC.
4. Officials those who are procuring the stores in public interest shall have the responsibility to bring efficiency, economy and transparency in public procurement from single source. The procedure to be followed in making public procurement must conform to the following standards:
 - (i) The specifications in terms of type, quality and quantity of goods to be procured should be clearly spelt-out and should meet the basic needs of the division.
 - (ii) Offers/Rates/Quotations should be invited while following a fair, transparent and reasonable procedure;
 - (iii) The procuring authority should be satisfied that the selected offer adequately meets the requirement in all respects;
 - (iv) The procuring authority should satisfy itself that the price of the selected offer is reasonable and consistent with the quality in demand;
5. In the cases of proprietary purchases of stores/repairs etc, the provision of Rule-154 of the GFR may be strictly adhered to in the following given situations-

EXECUTIVE ENGINEER (EDP)
DIARY No. 2152
DATE 16/7/13

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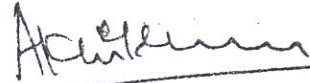
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- (a) It is in the knowledge of the concerned division that only a particular firm is the manufacturer of required goods/spare parts.
 - (b) In case of emergency, required goods are necessarily to be purchased from a particular source and the reason for such decision is to be recorded and approval of competent authority be obtained.
 - (c) For standardization of machinery or spare parts to be compatible to the existing sets of equipment, the required item is to be purchased only from a selected firm.
6. While making proposals for award of work the relevant file should be referred to the Technical Committee/STC etc. as circulated from time to time based on the amount involved in each case.

All departments in DJB are accordingly advised to take a note of the above suggestions while processing the case for proprietary requirements in DJB.

This issues with the approval of the Competent Authority.

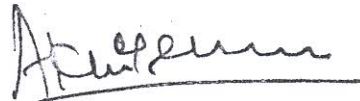


(DR. A. K. AMBASHT)
CHIEF VIGILANCE OFFICER

All CEs/SEs/EEs/DTQC

Copy to:

1. CEO, DJB for kind information.
2. M(A)/F/WS/Dr./Secy. DJB for information.
3. Director (A&P)/(F&A)/Revenue.



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