



ISO 9001:2015

प्रशासन विभाग मुख्यालय
इंटर ऑफिस मेमो

प्रेषक General Manager (Admn.), Head Office	प्राप्तकर्ता All Regional Heads GM (P) (I/C), C&C Wing All Procurement Departments at Head Head Office/HSMI All EDs/GMs JGM (Law)- Vigilance Wing
--	--

दिनांक: 16.12.2022

Sub: Irregular procurement of Works on GeM - regarding

With regard to the above, kindly refer the letter dated 14th December, 2022 of Govt. of India, Ministry of Finance, Department of Public Enterprises, Block No. 14, CGO Complex, Lodhi Road, New Delhi alongwith letter of Chief Executive Officer, Government e Marketplace (GeM) dated 7th December, 2022, which are self explanatory, enclosed herewith for information and further necessary action.

सभी क्षेत्रीय प्रमुख/मुख्यालय/एच एस एम आई के सभी प्रोक्योरमेंट डिपार्टमेंट के सूचनार्थ एवं आवश्यक कार्रवाई/अनुपालन हेतु प्रेषित किया जाता है।

This issues with the approval of Competent Authority.


16/12/2022

वेद प्रकाश

सहायक महाप्रबंधक (प्रशासन)

संलग्न: उपरोक्तानुसार

F. No. DPE-7(4)/2007-Fin.
Government of India
Ministry of Finance
Department of Public Enterprises

Block No. 14, CGO Complex,
Lodi Road, New Delhi-110003
Dated the 14th December, 2022

80

To,

Chief Executives of all CPSEs

Subject:- Irregular procurement of Works on GeM - regarding

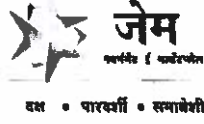
Sir/Madam,

The undersigned is directed to circulate a copy of Chief Executive Officer, Government e-Marketplace (GeM) DO letter dated 7th December, 2022 on the subject mentioned above for information and compliance.

Encl : As stated


(Dr. Nitin Aggrawal)
Joint Director
Tel : 2436-0258

प्रशान्त कुमार सिंह, भा.प्र.से.
मुख्य कार्यकारी अधिकारी
P. K. SINGH, IAS
Chief Executive Officer



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय
गवर्नमेंट ई मार्केटप्लेस
Government of India
Ministry of Commerce & Industry
Government e Marketplace

DO No. 468/CEO-GeM/2022

7th December, 2022

Respected Ma'am/Sir,

Sub: - Regarding irregular procurement of Works on GeM.

Government e Marketplace (GeM) was set up as the National Public Procurement Portal by the Union Cabinet for facilitating procurement of goods and services required by Central and State Government Organisations. The portal is an open, inclusive marketplace offering fair and equal opportunities for sellers and service providers to register, list and sell their products to government organizations. The purchase of Goods and Services through GeM by Government users have been made mandatory vide Rule 149 of the General Financial Rules, 2017 by Ministry of Finance.

2. It may please be noted that GeM, presently, has the mandate to facilitate procurement of 'Goods and Services' only. At present, GeM does not have the mandate for procurement of Works. Please refer to the Manual for Procurement of Works (Updated June, 2022) issued by Department of Expenditure, Ministry of Finance, for definition of "Works".

3. It has been observed that bids for procurement of Works are being published by several Buyers on the GeM portal, either as "Custom Bid for Service" or "BOQ" bids. In this connection, it is informed that the range of Service Providers registered on GeM for Custom bids or BOQ bids may not be having the expertise in "Works Contract" and GeM has also not evaluated their credentials from the perspective of a Works Contract. Hence, it may lead to unsatisfactory performance by the Service Providers against the Works Contracts concluded through GeM, besides the possibility of higher rates. Consequently, the buyers issuing such bids have been advised to cancel Works related bids floated on GeM portal and to utilize suitable procurement portal for issuance of Works related bids. In some of the cases, GeM has also cancelled such bids.

4. It is requested to bring the above facts to the notice of the organizations / offices under your control and instruct them not to create any Works related bid on GeM.

warm regards,

Yours sincerely,

(P. K. Singh)

To,
Secretaries of all Ministries/Departments.

2

78



**MANUAL
FOR
PROCUREMENT OF
WORKS
(Updated June, 2022)**



**Government of India
Ministry of Finance
Department of Expenditure**

not include appointment of an individual made under any law, rules, regulations or order issued in this behalf. It includes 'Consultancy Services' and 'Other (Non-consultancy) Services';

- xxxix) "Subject matter of procurement" means any item of procurement whether in the form of goods, services or works or a combination thereof;
- xl) "Works" refer to any activity, sufficient in itself to fulfil an economic or technical function, involving construction, fabrication, repair, overhaul, renovation, decoration, installation, erection, excavation, dredging, and so on, which make use of a combination of one or more of engineering design, architectural design, material and technology, labour, machinery and equipment. Supply of some materials or certain services may be incidental or consequential to and part of such works. The term "Works" includes (i) civil works for the purposes of roads, railway, airports, shipping-ports, bridges, buildings, irrigation systems, water supply, sewerage facilities, dams, tunnels and earthworks; and so on, and (ii) mechanical and electrical works involving fabrication, installation, erection, repair and maintenance of a mechanical or electrical nature relating to machinery and plants.