

CLW/CHITARANJAN

No. CMM/CRJ/Tender Policy/2018

Dated 29.11.2019

OFFICE ORDER

ALL Purchase Officers,
CLW/CRJ Market Office

Sub: Evaluation of offers for exemption against Udyog Aadhar/MSME
Ref: 1) Rly. Bd letter No.2004/R-1(3)/779/1-1 P. Dated 27.03.2018.
2) Transformation Cell's Ltr. 2018/Trans Cell/Stores Procurement dated 02.01.2019

As per the above Rly. Bd letter No. 2018/Trans Cell/Stores Procurement dated 02.01.2019, the firms have to submit online EMD or a valid document for exemption from submission of EMD.

While evaluating the offers for exemption of EMD/MSME benefits based on the documents for NSIC/DIC/Udyog Aadhar submitted by the firms, different officers are taking different views. In some cases, the above documents are considered eligible only if the specific item is appearing in the documents, and if the item is not appearing in the document, the offer is summarily rejected. Most of the firms are getting confused in regard to specific NIC code under which they have to get themselves registered with Udyog Aadhar. This confusion is leading to a situation that although the firms are approved vendors and/or are manufacturer of tendered items, but due to their registration with Udyog Aadhar under different NIC codes, their offers are not being considered eligible for EMD exemption/MSME benefits. This is leading to re-tendering of the cases, as in many cases as none of the offer found eligible. CLW being a production unit, the supplies from the approved vendors is very essential. The capacity of the firms is limited for most of the items and rejecting the offers ultimately is resulting in a situation of lesser availability of vendors. The matter has been examined and in order to have uniformity in the decision making and to avoid the rejection of the approved vendors/manufacturers, the following instructions are issued for consideration of the documents for EMD exemption/MSME benefits.

1. As NSIC certificate indicates specific item and specific validity, the MSME benefits (including EMD exemption) may be considered for a firm, if the specific item is appearing in NSIC and the NSIC is valid as on the date of opening of the tender.
2. In case of DIC, the MSME benefits (including EMD exemption) may be considered for a firm, if DIC broadly covers the manufacturing process of the tendered item or covers the tendered item. As no validity is indicated in DIC certificates issued by many District Industries Centres, the same may not be rejected on the ground of absence of validity date.
3. In case of Udyog Aadhar (MSME), the certificates indicate 2/4/5 digit NIC codes. These codes indicate the broad categories of various items including manufacturing processes. Therefore, MSME benefits (including EMD exemption) may be

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considered for a firm, if Udyog Aadhar NIC code/description covers the manufacturing process of the tendered item or covers the tendered item broadly. No specific validity may be examined as no validity is indicated in Udyog Aadhar, hence the same may not be rejected on the ground of absence of validity date. Further, it is seen that the NIC code 30201 to 30204 pertain to "Manufacturing of railway locomotives and rolling stock". In this group various other parts needed for manufacturing of locomotives are also included. This is leading to retendering of the cases, as in many cases none of the offer have been found eligible. In order to avoid such situation, it is proposed that the offers may be considered for EMD exemption/ASE benefits for all the items of locomotives for the firms registered with Udyog Aadhar under NIC codes 30201 to 30204.

This has the approval of the competent authority.

AP 29/10/11
Dy. CMM/HQ
For POMM/CLW/GRJ