



MAHARSHI DAYANAND UNIVERSITY, ROHTAK
(A State University established under Haryana Act. No.25/1975)
NAAC Accredited 'A' Grade



No. P&S/17/2573-2652
Dt.29-12-2017

To

All the HODs, Branch Officers,
Director CIL and Director UILMS (Gurugram),

Sub:- Haryana State Public Procurement Policy for MSMEs-2016.

Sir/Madam,

I am directed to inform you that the rules regarding Haryana State Public Procurement Policy for MSMEs-2016 notified by the Industries & Commerce Department, Govt. of Haryana vide letter No.2/2/2016-4IBII(1) dt.20-10-2016 have been adopted by this University (copy enclosed).

Further action in the matter may be taken accordingly.

Yours Faithfully,

Encl: As above

Sd/-
**Asstt. Registrar (P&S)
for Registrar**

Endst. No: P&S/17/2653-2654

Dt.29-12-2017

A Copy of the above is forwarded to the following for kind information, please:-

1. Finance Officer, MDU Rohtak;
2. Joint Director (Audit).
3. Director, University Computer Centre, MDUR for uploading the same on Uni. Website.

Sd/-
Asstt. Registrar (P&S)

25 OCT 2016
 CEMS 7348
 Diary No. Dated: 20/10/2016

ORDER

G.O. No. 2/2/2016- 4IBII(1)

*A.D.P. (Admin)
 Updated to
 20/10/2016*

Subject: Haryana State Public Procurement Policy for MSMEs - 2016.

Enabling provisions have been made in the Micro, Small & Medium Enterprises (MSMEs) Development Act, 2006 for the Government to notify preferences and policies for Procurement of Goods & Services produced and supplied by Micro & Small Enterprises to the Govt. Departments/ Agencies from time to time in order to facilitate promotion and development of Micro & Small Enterprises. In this direction, the Ministry of Small Scale Industries, Govt. of India vide its order of dated 23.03.2012 has notified "Public Procurement Policy for Micro & Small Enterprises (MSEs) - 2012"

DSA

2. The matter regarding acceptance of GOI Public Procurement Policy for MSEs-2012 for its implementation in the State of Haryana was under consideration of the State Government. The matter was examined and it was observed that the manufacturing Micro & Small Enterprises (MSEs) with their manufacturing facilities based in Haryana (including Khadi & Village Industrial Units) needs to be offered a competitive protection, especially in terms of Tender Fee, Earnest Money Deposit, Performance Security, Past Performance/ Experience, Purchase Preference & Turnover imposed by the procuring Departments/ Govt. Agencies as part of its Qualifying Requirements, so that they become eligible to bid and compete. Further, it was also observed that the manufacturing (newly established/ making first entry into Public Procurement) Medium Enterprises with their manufacturing facilities based in Haryana needs to be offered a competitive protection in terms of Past Performance/ Experience & Purchase Preference imposed by the procuring Departments/ Govt. Agencies as part of its Qualifying Requirements to enable them to participate in Public Procurement.
3. Accordingly, it has been decided to extend special benefits/ concessions to the Haryana based Micro, Small & Medium Industrial Enterprises in the State Public Procurement as under:-

EA II

A. Concessions/ benefits to Micro & Small Enterprises (MSEs):-

Sr. No.	Area as part of Qualifying requirements	Concessions/ benefits allowed to MSEs	Eligibility
i.	Tender Fee	Exemption on the payment of Tender Fee subject to fulfillment of conditions as per eligibility	Manufacturing Micro & Small Enterprises (MSEs) (including Khadi & Village Industries/ Units) who have filed Entrepreneur Memorandum in Haryana in respect of the quoted items, participate directly in tender and not through any intermediaries (their dealers/ agents/ distributors), will not subcontract to any other firm and to carry the entire manufacturing at their enterprise. <i>Concerned MSE will be required to submit the copy of Entrepreneurs Memorandum in respect of its category of Micro/ Small issued to the firm by the Industries Department Haryana as part of Technical Bid.</i>
ii.	Earnest Money Deposit (EMD)	Exemption on the payment of Earnest Money Deposit (EMD) subject to fulfillment of conditions as per eligibility	
iii.	Performance Security	90% concession on Performance Security as applicable to other Haryana based firms subject to fulfillment of conditions as per eligibility	
iv.	Turnover	a. Micro Enterprises: Concession of 80% on Turnover condition imposed as qualifying criteria b. Small Enterprises: Concession of 70% on Turnover condition imposed as qualifying	

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		criteria	
v.	Past Performance & Experience	Exempted in respect of Past Performance & Experience as part of Qualifying Requirements of the tender subject to fulfillment of conditions as per eligibility	Manufacturing Micro & Small Enterprises (MSEs) (including Khadi & village Industries/ Units) who have filed Entrepreneur Memorandum in Haryana and further: (a) Those MSEs have Quality Certification of ISI/ ISO/ AgMark/ Quality Mark issued from competent authority in State or Central Govt. in respect of the items/ goods mentioned in the tender. OR/AND (b) Those who are registered with DGS&D/ NSIC /GOI Department/ State Govt. Department/ GOI PSUs/ State Govt. PSUs in respect of the item/ goods mentioned in the tender. The firm will be required to submit the detailed information in respect of above through an affidavit as per the format enclosed as Annexure-I
vi.	Purchase Preference	50% of the total tendered quantity provided quoting price within band of L-1+15% by bringing down their price to L-1 and subject to condition that it agrees to fulfillment of other terms & conditions of the tender and further subject to fulfillment of conditions as per eligibility	

B. Concessions/ benefits to Medium Enterprises:-

Sr. No.	Area as part of Qualifying requirements	Concessions/ allowed to Medium Enterprises	Eligibility
i.	Past Performance & Experience	Exemption on Qualifying Requirement of Past Performance & Experience as part of Qualifying Requirements of the tender subject to fulfillment of conditions as per eligibility.	Manufacturing Medium Enterprises of the State that have filed Entrepreneur Memorandum for quoted items in Haryana, participate directly in tender and not through any intermediaries (their dealers/ agents/ distributors), and will not subcontract to any other firm and to carry the entire manufacturing at their enterprise. This concession will be applicable only for one year to newly registered Medium Enterprises or Medium Enterprises of State who are not eligible in State Public Procurement due to eligibility criteria of past performance & Experience. The firm will be required to submit the detailed information in respect of above through an affidavit as per the format enclosed as Annexure-II
ii.	Purchase Preference	10% of the total tendered quantity provided quoting price within band of L-1+15% by bringing down their price to L-1 and subject to condition that it agrees to fulfillment of other terms & conditions of the tender and further subject to fulfillment of conditions as per eligibility	

Further, the benefit of discounting of 50% Haryana VAT revenue from the composite price bid for the purpose of financial evaluation of the bids as per the policy guidelines issued vide G.O. No. 2/2/2010-4I-BII of dated 19-12-2011 will continued to be applicable to all Haryana Billing Firms including MSMEs covered in the above policy scope.

4. The apportionment/ distribution of tendered quantity after negotiations based on the existing instructions and Purchase Preference allowed to MSMEs as above may have different scenarios. The general guidelines for the apportionment of tendered quantity to firms other than MSMEs, MSEs & MEs will be as under:-
 - i. Purchase Preference to MSMEs will not be applicable if the tendered quantity is only one.
 - ii. Purchase Preference for Medium Enterprises (MEs) will only be allowed on the quantities in multiple of 10 say 10, 20, 30 and so on. The quantity less than 10 or in between multiple of 10, 20, 30 will not be considered for Purchase Preference to MEs.

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- iii. Negotiations will be held only with L1+5% firms. MSMEs as per above instructions within the price range of L1+15% will be counter offered to match the finally arrived L1 rate. In case, MSMEs within L1+15% range refuse to match the finally arrived L1 rate than the entire 60% (50% for MSEs and 10% for MEs) of purchase preference will be transferred to L1+5% category firms.
- iv. In case, no Micro & Small Enterprises (MSEs) and Medium Enterprises (MEs) as per the eligibility criteria specified in the above instructions are within L1+15% range, the entire 100% tendered quantity will be distributed as per the existing guidelines.
- v. In case, there are no Micro & Small Enterprises (MSEs) within L1+15% range, the Purchase Preference Quota of 50% of MSEs will stand transferred to open category making it from 40% to 90%.
- vi. In case there are no Medium Enterprises (MEs) within L1+15% range, the Purchase Preference Quota of 10% of MEs will stand transferred to open category making it from 40% to 50%.
- vii. In case, no MSMEs is within L1+5% range and there is one MSE & one ME in L1+15% range and further agree to match the arrived L1 rate, the quantity distribution will be upto 40% for firm other than MSME, upto 50% for MSE and upto 10% for ME and so on.
- viii. In case, there are MSMEs (both or either MSEs and MEs) within L1+5% range and there are MSEs & MEs in L1+15% range. Negotiations will be carried out with all firms within L1+5% as per the existing guidelines to arrive at finally arrived L1 rate. The finally arrived firm can be - any other firm /MSE/ME or any/ more of these - other firm/MSE/ME matches the finally arrived price; in such a situation, apportionment will be done as per the existing instructions of ratio of 70:30 or 50:25:25 & so on. Thereafter, offer will be given to MSE and MEs within L+15% range to match the finally arrived L1 rate and if they agree to match the arrived L1 rate, the apportionment of quantity will have many scenarios for the distribution of tendered quantities. Some of the scenarios and sub-scenarios of quantity apportionment may be as per Annexure-'III' enclosed with this notification. However, there can be many more scenarios depending upon the number of MSMEs within price range of L1 +5% and L1+15%

The above instructions will supersede the instructions as issued vide Industries & Commerce Department Haryana Order No.2/2/2010-4I IB II of dated 24.03.2015 related to concessions/ benefits to Haryana based Micro & Small Enterprises (MSEs) including Khadi & Village Industrial Units.

This issues with the concurrence of Finance Department conveyed vide their U.O. No. 1/48/2016-4FD III/27758 of dated 03.10.2016.

The above instructions may be brought to the notice of all concerned and shall be applicable to all the tenders floated/ invited after issue of these instructions.

Dated: 19.10.2016

Devender Singh
Principal Secretary to Government Haryana,
Industries & Commerce Department

Endst. No.2/2/2016-4I-B II(1)/

Dated: 20/10/2016

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Administrative Secretaries to Government of Haryana.
2. All the Heads of Departments, Govt. of Haryana.
3. All the MDs/ CEOs of Boards/ Corporations/ Federations in the State of Haryana.
4. All the Divisional Commissioners in the State of Haryana.
5. All Deputy Commissioner in the State of Haryana.
6. Registrar, Punjab & Haryana High Court.


Superintendent Industries-II,
For Principal Secretary to Government Haryana,
Industries & Commerce Department

