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TAMIL NADU GOVERNMENT GAZETTE

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Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc., issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

FINANCE DEPARTMENT
(Salaries)

AMENDMENTS TO THE TAMIL NADU TRANSPARENCY IN TENDERS RULES, 2000.

[G.O.Ms.No.207, Finance (Salaries), 26th June 2018, Aani 12, Vilambi, Thiruvalluvar Aandu-2049.]

No. SRO A-35(b)/2018.

In exercise of the powers conferred by sub-section (1) of Section 22 the Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998), the Governor of Tamil Nadu makes the following amendments to the Tamil Nadu Transparency in Tenders Rules, 2000.

2. The amendments hereby made shall come into force on the 26th day of June 2018.

AMENDMENTS.

In the said Rules,-

1. in rule 5,-

(i) in sub-rule (1), after the expression "published", the expression "by electronic mode" shall be inserted;

(ii) in sub-rule (2), after the expression "published", the expression "by electronic mode" shall be inserted.

2. in rule 6,-

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) The Tender Bulletin Officer shall deliver the Tender Bulletin to the registered subscribers by e-mail and publish tender bulletins in the dedicated website administered by the State Tender Bulletin Officer for viewing or downloading by tenderers or any person subscribing to Tender Bulletins.";

(ii) sub-rule (2) shall be omitted.

3. in rule 11,–

(i) in sub-rule (1), for the expression "fifty crores", the expression "seventy five crores" shall be substituted;

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:–

"(2) The Tender Inviting Authority shall have the Notice Inviting Tenders published in daily newspapers. The number, editions and language of the newspapers in which the Notice Inviting Tenders shall be published will be based on the value of procurement as specified in the Annexure." ;

4. in rule 14, after sub-rule 7, the following sub-rule shall be inserted, namely:-

"(7-A) The tender documents shall include the details of purchase preference as provided Chapter VI-A.".

5. after Chapter VI, the following Chapter shall be inserted, namely:-

"CHAPTER VI-A.

PURCHASE PREFERENCE.

30-A. In case of procurement of goods or services, where it is possible for the procuring entity to divide the award of tenders to more than one supplier or service provider, the tender document shall clearly indicate that upto twenty five per cent of the total requirement in the procurement may be awarded to domestic enterprise, not being the lowest tender, in respect of only of goods manufactured or produced or services provided or rendered by them, if the following conditions are satisfied-

(a) the lowest tender is not a domestic enterprise;

(b) the preferential award shall extend only to the lowest tender among the domestic enterprises who are substantially responsive and technically qualified; and

(c) such domestic enterprise is willing to match the price of the lowest tender:

Provided that where the Tender Inviting Authority is of the view that in the interest of the participation of domestic enterprise in the tender to avail the above benefit, a less stringent set of technical qualification parameters are required, he shall specify a separate set of technical qualifications for domestic enterprises in the tender documents with the approval of the Government.

30-B. In case of procurement of goods or services, where it is possible for the procuring entity to divide the award of tenders to more than one supplier or service provider, the tender document shall clearly indicate that upto forty per cent of the total requirement in the procurement may be awarded to Government departments, Public Sector Undertakings, Statutory Boards and other similar institutions as may be notified by the Government, in respect of only of goods manufactured or produced or services provided or rendered by them, if such tenderer is willing to match the price of the lowest tender.".

6. after rule 33, the following Annexure shall be added, namely:-

THE ANNEXURE.

[*See* rule 11(2)]

1. Financial limits for advertising Tender Notices in newspapers are as follows:–

Details of Newspaper			*Value of Procurement*	
Area	*English*	*Tamil*	*Goods / Services*	*Works*
(1)	*(2)*	*(3)*	*(4)*	*(5)*
District	---	1 (District edition)	Above Rs.10 lakh and upto Rs.25 lakh	Above Rs.25 lakh and upto Rs.50 lakh.
State	1 (All editions in the State)	1 (All editions in the State)	Above Rs.25 lakh and upto Rs.3 crore.	Above Rs.50 lakh and upto Rs.3 crore.
South India	1 (South India edition)	1 (All editions in the State)	Above Rs.3 crore and upto Rs.5 crore.	Above Rs.3 crore and upto Rs.5 crore.
All India	1 (All India edition)	1 (All editions in the State)	Above Rs.5 crore and upto Rs.75 crore.	Above Rs.5 crore and upto Rs.75 crore.
	1 (All India edition and Indian Trade Journal)	1 (All editions in the State and Indian Trade Journal)	Above Rs.75 crore.	Above Rs.75 crore.

2. Conditions for publication of tender advertisements:-

(a) When more than one tender is bunched in a tender notice, the highest value among the individual tenders should be considered to determine the applicable norms. The sum total of values of all individual tenders cannot be considered; and

(b) In the case of international competitive biddings, it would be open for the tender inviting authority to give additional advertisements in more number of newspapers or magazines.

K. SHANMUGAM,
Additional Chief Secretary to Government.

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