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Ref.No.MAIT/PY/2243

December 10, 2020

Dr. T V Somanathan  
Secretary (Expenditure)  
Ministry of Finance

**Subject:- Request for Issuance of Clarification to GeM on the scope of Department of Expenditure Order No. ( Public Procurement No 1) No F.No.6/18/2019-PPD dated July 23<sup>rd</sup> 2020**

Respected Sir,

***Greetings from MAIT!***

This Communication is in the context of Electronic H/w Products, their accessories and Consumables offered on the Government eCommerce Marketplace, GeM Portal.

The Office Memorandum that the Public Procurement Division of Department of Expenditure (DoE), Ministry of Finance released on July 23, 2020 (F.No.6/18/2019-PPD), mandated that “any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services or works only if bidder is registered with the Competent Authority.” As per the above notification, the registration is limited to bidders who qualify the following criteria, as mentioned in Point#8 of the Office Memorandum

- a) An entity incorporated, established, or registered in such a country; or
- b) A subsidiary of an entity incorporated, established, or registered in such a country; or
- c) An entity substantially controlled through entities incorporated, established, or registered in such a country; or
- d) An entity whose beneficial owner is situated in such a country; or
- e) An Indian (or other) agent of such an entity; or
- f) A natural person who is a citizen of such a country; or
- g) A consortium or joint venture where any member of the consortium or joint venture falls under of the above.

The Industry understands that the prior registration requirement from DPIIT is required for bidder from a country which shares a land border with India, and not for products manufactured / imported from the countries sharing land border with India. Our understanding is in alignment with the Point#8 of the DoE order above. However, **GeM has introduced a requirement for seller/bidder to upload “DPIIT registration certificate”** which is applicable on **all new as well as existing catalogue** where country of origin of the product is selected as *China even if the GeM supplier is an entity registered in India.*

We are hereby enclosing **the copy of the GeM Notification** where GeM has specified the last date for uploading of DPIIT Registration Certificate as **December 10, 2020**. We are also informed by our members that when Suppliers are uploading any new product and/or modifying any product, if the

COO is China, GeM portal is not allowing them to upload/modify their product without uploading DPIIT Certification.

Since the ***DoE order doesn't require any additional registration for goods manufactured in China***; the added documentation of "DPIIT registration certificate" for products listed with country of origin as China on GeM portal is, therefore, creating barriers for the industry that are unintended by the DoE orders.

**We request that the interpretation of the industry that prior registration requirement from DPIIT is required for bidder from a country which shares a land border with India, and NOT for "products manufactured / imported from the countries sharing land border with India" may please be confirmed at the earliest and a suitable clarification to GeM may kindly be issued.**

Looking forward to your early support.

With regards,

A handwritten signature in black ink, appearing to read "George Paul", written over a horizontal line.

George Paul  
Chief Executive Officer

CC: Shri Ajay Prakash Sawhney, Secretary, Ministry of Electronics & IT  
CC: Dr Guruprasad Mohapatra, Secretary, DPIIT  
CC: Shri Talleen Kumar, CEO, GeM  
CC: Shri Saurabh Gaur, Jt. Secretary, Ministry of Electronics & IT  
CC: Shri Rajesh Kumar Singh, Jt. Secretary, DPIIT