

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



e-Signature

The offer(s) and resultant Contract(s) and all Supporting Documents are required to be e-signed on-line by the respective User/Functionary of the Seller and Buyer. The E-sign is at par with digital signatures as per Information Technology Act Amendment 2008. No INK Signed copies of these Documents are required for processing/legality as per OM...

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



All inclusive Price

Prices shall be quoted by Sellers on all inclusive basis i.e. including excise duty taking into account the MODVAT benefits if any, sales tax (ST/CST/VAT/), Service Tax, Customs duty, Entry Tax etc. Statutory variation, if any, shall be to the Seller's account and no variation in contract price, on account of such variations shall be allowed during the delivery period.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Guarantee / Warranty

All Products supplied under the Contract(s) shall have Guarantee/Warranty for ONE year period from the date of receipt. Seller at the time of listing /offering their products may choose to provide longer guarantee period (i.e. more than 1 year)

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Performance Security & Performance

There shall be no Performance security/PBG requirement for contracts placed under Direct Purchase Option on GeM as of now. However, for procurement through reverse Auction/e-bidding, Security Deposit/Performance Bank Guarantee (PBG) @2% of contract value, shall be applicable in respect of contracts valuing above Rs. 25 Lakh.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Consignee's Right to Rejection (Return Policy)

The Goods delivered shall bear the self certified Warranty/Guarantee. Buyer shall have the right to reject on proper Justification any consignment of the Goods received within a period of 10 days of receipt. No payment shall be made for rejected goods and the Seller would be liable to take back such rejected Goods within 10 days without any charge.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Terms of Delivery & Delivery Period

All the Goods/Services on GeM shall be offered on Free Delivery at Site basis including loading/unloading. In respect of items requiring installation or commissioning (as indicated in technical details of the item), the charges for the same shall also be included in the offered price on GeM.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Payment Authority & Payment Terms

On-line payments shall be made in INR against the on-line bills to be submitted by the Seller:

For Goods: 100% payment will be released within 10 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and submission of bills.

For Services: 100% payments on the basis of monthly bills will be paid within 10 days of submission of bills with prescribed documents.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Liquidated Damages

If the Seller fails to deliver the Goods/Services within the Delivery/Time, Liquidated Damages will be charged @ 0.5% per week or part of the week of delayed period not exceeding 5% of the contract value.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Mandatory Minimum Discount on MRP

Sellers shall offer minimum discount of 10% over MRP mandatorily unless otherwise specified for offering their products on GeM portal. The discount of 10% over MRP is the Minimum discount and sellers are free to offer higher discount on GeM.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Aadhar Verification

In case of registration of Primary user/Buyer and creation of secondary user(s) by the former, their Aadhar (UID) details collected by GeM are solely for user verification and to utilize e-signing on the documents. The e-sign works based on details available in AADHAR database of UIDAI and there is no interference/intrusion in personal details.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Restrictions on Outside Purchase

Buyers are not allowed to place any order at GeM prices outside GeM. The prices on GeM are only applicable if the procurement is made through GeM portal. Using GeM prices for procurement outside GeM portal is strictly prohibited.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Reasonableness of Rates

GFR rule 149 allows direct on-line purchases on GeM up to Rs.50,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period. However, GeM being a dynamic online marketplace this is subject to procuring authorities convinced about the reasonability of rates.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Static Price in case of Direct Purchase

In case of Direct Purchase, during carting period of 5 days, rates for carted quantity, for that buyer, are frozen for five days against any upward revision by seller. However, advantage of any downward revision in the offer price of Carted item shall be automatically provided to the buyer by GeM portal.

SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT



Annual Procurement Plan

The Buyer will provide projection of their annual demands in the GeM indicating required Goods/Services with specification & quality, quantity, consignee location and Delivery Period requirements etc by way of Annual Procurement Plan.

GENERAL FINANCIAL RULES - 2017



Rule 149

Government e-Market place (GeM). DGS&D or any other agency authorized by the Government will host an online Government e-Marketplace (GeM) for common use Goods and Services. DGS&D will ensure adequate publicity including periodic advertisement of the items to be procured through GeM for the prospective suppliers. The Procurement of Goods and Services by Ministries or Departments will be mandatory for Goods or Services available on GeM. The credentials of suppliers on GeM shall be certified by DGS&D. The procuring authorities will certify the reasonability of rates. The GeM portal shall be utilized by the Government buyers for direct on-line purchases as under:

GENERAL FINANCIAL RULES - 2017



- i. Up to Rs.50,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period.

GENERAL FINANCIAL RULES - 2017



- ii. Above Rs.50,000/- and up to Rs.30,00,000/- through the GeM Seller having lowest price amongst the available sellers, of at least three different manufacturers, on GeM, meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM can be used by the Buyer if decided by the competent authority.

GENERAL FINANCIAL RULES - 2017



- iii. Above Rs.30,00,000/- through the supplier having lowest price meeting the requisite quality, specification and delivery period after mandatorily obtaining bids, using online bidding or reverse auction tool provided on GeM.

GENERAL FINANCIAL RULES - 2017



- iv. The invitation for the online e-bidding/reverse auction will be available to all the existing Sellers or other Sellers registered on the portal and who have offered their goods/services under the particular product/service category, as per terms and conditions of GeM.

GENERAL FINANCIAL RULES - 2017



- v. The above mentioned monetary ceiling is applicable only for purchases made through GeM. For purchases, if any, outside GeM, relevant GFR Rules shall apply.

GENERAL FINANCIAL RULES - 2017



- vi. The Ministries/Departments shall work out their procurement requirements of Goods and Services on either “OPEX” model or “CAPEX” model as per their requirement/ suitability at the time of preparation of Budget Estimates (BE) and shall project their Annual Procurement Plan of goods and services on GeM portal within 30 days of Budget approval

GENERAL FINANCIAL RULES - 2017



- vii. The Government Buyers may ascertain the reasonableness of prices before placement of order using the Business Analytics (BA) tools available on GeM including the Last Purchase Price on GeM, Department's own Last Purchase Price etc.

- viii. A demand for goods shall not be divided into small quantities to make piecemeal purchases to avoid procurement through L-1 Buying / bidding / reverse auction on GeM or the necessity of obtaining the sanction of higher authorities required with reference to the estimated value of the total demand.

REGISTRATION GUIDE – 5 SIMPLE STEPS



1

COMPETENT AUTHORITY TO NOMINATE RESPONSIBLE OFFICIALS AS PRIMARY AND SECONDARY USERS
VIDE AN INTERNAL OFFICE NOTE. DRAFT FORMAT
<https://img1.digitallocker.gov.in/gem/resources/pdf/creation-of-parimary-user-and-secondary.pdf>

2

PRIMARY USER IS REQUIRED TO FILL UP THE ORGANIZATION AND OTHER DETAILS ON GEM PORTAL
<https://gem.gov.in/register/buyer/signup> **THE PRIMARY USER IS RECOMMENDED TO FAMILIARIZE WITH:**
GFR rule 149: 2017 Edition
Workflow / Timelines of GeM operation
Special Terms and Conditions of GeM
Primary User – User Manual

3

PRIMARY USER IS REQUIRED TO OPEN INBOX MAIL FROM HIS/HER OFFICIAL
E-MAIL ID AS FILLED IN STEP 2 AND CLICK ON VERIFY EMAIL LINK.

4

PRIMARY USER IS REQUIRED TO LOGIN WITH USER ID AND PASSWORD <https://gem.gov.in/login> CREATED IN
STEP 2
(Not Personal name or Personal Email ID)

5

PRIMARY USER IS REQUIRED TO FILL UP OTHER ORGANIZATION DETAILS AND DETAILS OF VERIFYING
OFFICER AND CREATE SECONDARY USERS AS NOMINATED i.e. BUYER, CONSIGNEE, DDO, AND PAO AS THE
CASE MAY BE.

The Organization is now functionally REGISTERED with





Shri. Mayank Bisht

**DCEO
GeM SPV**



Introduction to Government e-Marketplace



Buyer Registration - Process



**Invasion of a
thousand armies
can be halted, but
not an idea whose
time as come.**



Victor Hugo
1802-1885

General Financial Rules 2017





SPECIAL TERMS & CONDITIONS FOR GEM PROCUREMENT





0124-6103700

Support Desk

Login

Sign Up

Seller



GeM
Government
eMarketplace

Products

Services

Bid/RA

CPP-Tenders

HOME / WATCH LIST

WATCH LIST / DEFAULTER POLICY

[VIEW POLICY](#)

Sellers Watch List

Show 10 Entries

Search:

| Entity Name | Reported By | Remarks |
|--|---|--|
| ACORNPENSY TENDER CONSULTANCY SERVICES PRIVATE LIMITED | ssb | Non supply of order (Orders:-GEMD5403-63(2017-07-21 13:18:53)) |
| KATWA SOFTWARE TECHNOLOGIES | SKV AGRICULTURE UNIVERSITY JOBNER | Non supply of order (Orders:-GEMD78291-1(2017-08-21 13:35:46)) |
| Exponite Retails | O/O CONTROLLER OF COMMUNICATION ACCOUNTS, PUNJAB TELECOM CIRCLE | Non supply of order (Orders:-GEMD43384-3(2017-07-24 14:47:56)) |
| SPI STOREFIT PROJECTS PRIVATE LIMITED | O/O CONTROLLER OF COMMUNICATION ACCOUNTS, PUNJAB TELECOM CIRCLE | Non supply of order (Orders:-GEMD43379-9(2017-06-29 15:53:35)) |