

बिड दस्तावेज़ / Bid Document

बिड विवरण/Bid Details	
बिड बंद होने की तारीख/समय /Bid End Date/Time	28-02-2026 17:00:00
बिड खुलने की तारीख/समय /Bid Opening Date/Time	28-02-2026 17:30:00
बिड पेशकश वैधता (बंद होने की तारीख से)/Bid Offer Validity (From End Date)	120 (Days)
मंत्रालय/राज्य का नाम/Ministry/State Name	Ministry Of Coal
विभाग का नाम/Department Name	Coal India Limited
संगठन का नाम/Organisation Name	South Eastern Coalfields Limited
कार्यालय का नाम/Office Name	Secl Bilaspur Chhattisgarh
वस्तु श्रेणी /Item Category	Custom Bid for Services - Supply of drinking water through water tanker at Jagannathpur Sub Area of Bhatgaon Area
समान श्रेणी/Similar Category	<ul style="list-style-type: none"> Hiring of Water Tanker Service
अनुबंध अवधि /Contract Period	6 Month(s)
वर्षों के अनुभव एवं टर्नओवर से एमएसई को छूट प्राप्त है / MSE Relaxation for Years Of Experience and Turnover	Yes Complete
स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / Startup Relaxation for Years Of Experience and Turnover	Yes Complete
विक्रेता से मांगे गए दस्तावेज़/Document required from seller	Certificate (Requested in ATC),Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (Requested in ATC),Additional Doc 4 (Requested in ATC) *In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer
क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेज़ों को निविदा में भाग लेने वाले सभी निविदाकारों को दिखाना चाहते हैं? संदर्भ मेनू है/Do you want to show documents uploaded by bidders to all bidders participated in bid?	Yes (Documents submitted as part of a clarification or representation during the tender/bid process will also be displayed to other participated bidders after log in)
बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या / Minimum number of bids required to disable automatic bid extension	3

बिड विवरण/Bid Details	
दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / Number of days for which Bid would be auto-extended	4
ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / Number of Auto Extension count	1
बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled	No
क्रेता के लिए उपलब्ध आईटीसी/ITC available to buyer	Yes
बिड का प्रकार/Type of Bid	Single Packet Bid
तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation	3 Days
अनुमानित बिड मूल्य /Estimated Bid Value	394724
मूल्यांकन पद्धति/Evaluation Method	Total value wise evaluation
मूल्य दर्शाने वाला वित्तीय दस्तावेज ब्रेकअप आवश्यक है / Financial Document Indicating Price Breakup Required	Yes

ईएमडी विवरण/EMD Detail

आवश्यकता/Required	No
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ईपीबीजी विवरण /ePBG Detail

आवश्यकता/Required	No
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बोली विभाजन लागू नहीं किया गया/Bid splitting not applied.

एमआईआई अनुपालन/MII Compliance

एमआईआई अनुपालन/MII Compliance	Yes
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1. If the bidder is a Micro or Small Enterprise as per latest orders issued by Ministry of MSME, the bidder shall be relaxed from the eligibility criteria of "Experience Criteria" as defined above subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Experience Criteria, shall upload the supporting documents to prove his eligibility for Relaxation.
2. If the bidder is a Micro or Small Enterprise (MSE) as per latest orders issued by Ministry of MSME, the bidder shall be relaxed from the eligibility criteria of "Bidder Turnover" as defined above subject to meeting of quality and technical specifications. If the bidder itself is MSE OEM of the offered products, it would be relaxed from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Turnover, shall upload the supporting documents to prove his eligibility for Relaxation.

3. If the bidder is a DPIIT registered Startup, the bidder shall be relaxed from the the eligibility criteria of "Experience Criteria" as defined above subject to their meeting of quality and technical specifications. The bidder seeking Relaxation from Experience Criteria, shall upload the supporting documents to prove his eligibility for Relaxation.

4. If the bidder is a DPIIT registered Startup, the bidder shall be relaxed from the the eligibility criteria of "Bidder Turnover" as defined above subject to their meeting of quality and technical specifications. If the bidder is DPIIT Registered OEM of the offered products, it would be relaxed from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Turnover shall upload the supporting documents to prove his eligibility for Relaxation.

5. Estimated Bid Value indicated above is being declared solely for the purpose of guidance on EMD amount and for determining the Eligibility Criteria related to Turn Over, Past Performance and Project / Past Experience etc. This has no relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid participation. Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determined by the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA process.

If the buyer has mentioned MSE purchase preference in ATC then service provider is required to upload necessary documents for MSE purchase preference for verification by the buyer during evaluation.

अतिरिक्त योग्यता /आवश्यक डेटा/Additional Qualification/Data Required

Scope of Work:[1771402774.pdf](#)

Instruction To Bidder:[1771402786.pdf](#)

GEM Availability Report (GAR):[1771403062.pdf](#)

Payment Terms:[1771403054.pdf](#)

Undertaking of Competent Authority is mandatory to create Custom Bid for Services. Please download standard format document and upload:[1771403070.pdf](#)

Introduction about the project /services being proposed for procurement using custom bid functionality:[1771403099.pdf](#)

Custom Bid For Services - Supply Of Drinking Water Through Water Tanker At Jagannathpur Sub Area Of Bhatgaon Area (1)

तकनीकी विशिष्टियाँ /Technical Specifications

विवरण/ Specification	मूल्य/ Values
कोर / Core	
Description /Nomenclature of Service Proposed for procurement using custom bid functionality	Supply of drinking water through water tanker at Jagannathpur Sub Area of Bhatgaon Area
Regulatory/ Statutory Compliance of Service	YES
Compliance of Service to SOW, STC, SLA etc	YES
एडऑन /Addon(s)	

क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer

क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer	No
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इनपुट कर क्रेडिट(आईटीसी) तथा रिवर्स प्रभार (आरसीएम)/Input Tax Credit(ITC) and Reverse Charge(RCM) Details

जीएसटी पर इनपुट कर क्रेडिट /ITC on GST	जीएसटी उपकर कर क्रेडिट /ITC on GST Cess
100%	NA

अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents

परेषिती/रिपोर्टिंग अधिकारी /Consignees/Reporting Officer and Quantity

क्र.सं./S.N o.	परेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	Quantity	अतिरिक्त आवश्यकता /Additional Requirement
1	Nitin Naik	497235,SECL BHATGAON AREA	Project / Lumpsum Based	N/A

क्रेता द्वारा जोड़ी गई बिड की विशेष शर्तें/Buyer Added Bid Specific Terms and Conditions

1. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

BID SPECIFIC ADDITIONAL TERMS & CONDITIONS

A. INSTRUCTION TO BIDDERS:

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Scanned copies of following documents as per requirements of the bid may be submitted while submitting the offer online.

- Scanned copy of EMD required to be submitted by bidders in the form of e-PB G/DD/NEFT/RTGS Receipt on GeM portal in the prescribed format which shall be uploaded by the Seller/Bidder in online bid and hard copy of the same will have to be submitted directly to the Buyer **within 5 days of bid opening**. (Copy of SFMS by issuing bank should also be submitted along with hard copy of the Bank Guarantee, in case of Bank Guarantee preferred for submission of EMD)
- As per the latest directives of Govt. of India EM-Part II or UAM registered bidders have to mandatorily register on UDYAM portal and in line with the same, only UDYAM registration certificate **valid as on Bid Opening date** are to be submitted for claiming MSE preference/EMD exemption. Ensuring submission of valid and authentic UDYAM certificate will be sole responsibility of the bidder. Further if at a later stage it is found that the above provided information is false / misleading/ incomplete their offer may be treated as unresponsive and suitable

le penal action as per provisions of **GeM Incident Management Policy** may be taken against them.

3. Bidder shall ensure that all the documents submitted by them are valid on bid opening date

B. EVALUATION OF BID/ SHORT FALL DOCUMENTS:

1. All the offers will first be scrutinized to see whether they meet the basic requirements as incorporated in the bid document.
2. **The Tender Committee will examine the uploaded documents against information/declarations furnished by the bidder(s) Online/Annexures.** Tender Committee will determine the Techno-commercial acceptability of the bidders on the basis of the original offer and subsequent clarifications/confirmation, if any.
3. After evaluation of the uploaded documents, shortfall/clarification documents, if required, shall be sought from all the bidders. **For shortfall/clarification only 01 (ONE) chance will be given. The time period for reply to the clarification will be for 7 (SEVEN) days only.** Non receipt of communication from GeM will not be accepted as a reason of non-submission of documents within prescribed time. The bidders will upload and submit the requested documents, if any, within the specified period.
4. Bidders are hereby informed that all correspondence with them during the pre-contract stage shall be without any commitment whatsoever, at this stage. SECL reserves the right to verify any of the documents uploaded by the bidder at any stage.

NOTE: The submission of forged document, if any, by the bidder(s), shall be dealt as per extant guideline of GeM GTC and ATC.

C. VALIDITY OF OFFER: The offer should be valid as per provisions of GeM, from the end date of bid submission as specified in the bid document. During the Tender evaluation process, if the extension of the bid validity is required, the same can be obtained with the mutual consent of buyer and Seller/Service Provider.

D. PRICE/PAYMENT TERMS: Payment shall be made by the Company regularly every month against claims bills to be submitted by the contractor. The Company shall be free to make any deduction from the bills. The quantum of deduction shall be

e solely the prerogative and discretion of the Company.

E. PAYING AUTHORITY: Area Finance Manager, South Eastern Coalfields Limited, Bhatgaon Area.

F. SUBMISSION OF SECURITY DEPOSIT: Security Deposit shall consist of two parts:

- a. Performance Security to be submitted at award of work and
- b. Retention Money to be recovered from running bills.

The Security Deposit shall bear no interest.

i) Performance Security (first part of Security Deposit) shall be **5% of total CONTRACT AMOUNT excluding GST (Construction and maintenance work of five years)** must be submitted within **21 days** of award of contract on GeM by the successful bidder. All Performance Security should be submitted within 21 days of issuance of LOA in any of the form given below;

a Bank Guarantee in the form given in the bid document from any Scheduled Commercial bank. The Bank issued by outstation bank shall be operative at its local branch at Bilaspur or branch at Kolkata.

- Bank Guarantee against Performance Security shall be applicable if the amount of Performance Security exceeds Rs. 5.0 lakhs.
- Govt. Securities, FDR or any other form of deposit stipulated by the owner and duly pledged in favour of owner.
- Payment through NEFT/RTGS in the designated account of CIL/Subsidiary as indicated in the LOA/WO.

ii) **Additional Performance Security:** Not Applicable.

iii) All Running on Account Bills shall be paid at **95%**. The balance 5% shall be treated as Retention Money and will be second part of security deposit.

G. CHECK LIST for Technical Documents (To be uploaded by all the Bidders)
:

a. Bid Submission Confirmation (BSC)

The bidder has to accept unconditionally in the form of Yes in BSC (as mentioned in Annexure- XVII), the following documents:

- i) The provisions of **Letter of Bid (LOB)** as provided at **Annexure I** in General Technical Evaluation (**GTE**) as provided in BSC
- ii) The Provisions of **Undertaking** as provided at **Annexure II** regarding Genuineness of the information furnished by him on-line & authenticity of the scanned copy of documents uploaded by him on-line in support of his eligibility criteria in General Technical Evaluation (**GTE**) as provided in BSC.
- iii) Bidders are required to accept unconditionally the Pre-Contract Integrity Pact (Annexure IX) in General Technical Evaluation (GTE) as provided in BSC (Applicable for ECV more than ₹ 2.00 Crore)

The acceptance of above GTE document along with all the details/information to be furnished as detailed in Bid Submission Confirmation (BSC) in Annexure- XVII is required to be up-loaded under "Certificate (Requested in ATC)"

b. Confirmatory Documents:

All the confirmatory documents as enlisted in the NIT/Bid document in support of online information submitted by the bidder are to be uploaded in "Document Required From Seller" section on GeM Portal by the bidder while submitting his/her/their bid. -

S No	Eligibility Criteria	Scanned copy of documents to be uploaded by bidder(s) in support of information/declaration furnished online by the bidder against Eligibility Criteria (CONFIRMATORY DOCUMENTS)
1	2	3
1	<p>Work Experience <i>(Ref. Clause No- 8(A) of NIT)</i></p>	<p>For work experience, bidders are required to submit Work Experience Certificate (includes completed/ongoing) issued by the employer against the experience of similar work containing all the information as furnished in the Work Experience Format.</p> <p>-</p> <p>Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee.</p> <p>{In case of JV/CONSORTIUM, Work Experience shall be met collectively by all the members.}</p> <p>-</p> <p>NOTE: Upload "Work Experience Certificate" against "Experience Criteria" section available under 'Documents required from seller'.</p>

2	<p>Working Capital (Ref. Clause No. 8(B) of NIT)</p>	<p>Certificate with UDIN of Working Capital issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by Bidder in Working Capital Format.</p> <p><i>In case the Bidder is a Joint Venture/Consortium, the working capital of the individual members of the JV/CONSORTIUM will be added together.</i></p> <p>NOTE: Upload “Working Capital Certificate against “Bidder Turnover” section available under ‘Documents required from seller’.</p>
3	<p>Permanent Account Number, (Ref. Clause No. 8(C) of NIT)</p>	<p>PAN card issued by Income Tax department, Govt. of India.</p> <p>In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself.</p> <p>NOTE: Upload “PAN” against “Additional Doc 1 (Requested in ATC)” section available under ‘Documents required from seller’.</p>

4	<p>GST Status of the Bidder</p> <p>(Ref. Clause 8 (D) of NIT)</p>	<p>The following documents depending upon the status w.r.to GST as declared by Bidder in the BSC:</p> <p>a) Status: <u>GST Registered Bidder under regular scheme</u> Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>b) Status: <u>GST Registered Bidder under composition scheme</u> Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>c) Status: <u>GST unregistered bidder</u>: Document: A Certificate (with UDIN) from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the bidder is GST unregistered bidder in compliance with the relevant GST rules of India.</p> <p>[In case of JV, Bidder should submit scanned copy of GST status of Lead Partner only or GST Registration Certificate of JV itself]</p> <p>Note: <i>If the turnover of a bidder exceeds the exemption/threshold limit, the bidder must have GST registration as per GST Act and rules.</i></p> <p>NOTE: Upload “GST Certificate” against “Additional Doc 2 (Requested in ATC)” section available under ‘Documents required from seller’.</p>
5	<p>Legal Status of the Bidder</p>	<p><u>Document(s) covered under any one of the following sub-head(s):</u></p> <ol style="list-style-type: none"> Affidavit or any other document to prove proprietorship/Individual status of the bidder. Partnership deed containing name of partners. Memorandum & Article of Association with certificate of incorporation containing name of bidder.

4. The following documents in respect of Legal Status of a JV Bidder shall be uploaded:

i. Scanned copy of JV Agreement containing name of partners and lead partner, Power of Attorney to the lead partner and share of each partner as per Annexure-VIII.

ii. Power of attorney of the respective partners from the Board of Directors of the concerned Company, or from the partners of the entity, or from the proprietor, authorizing the signatory of JV agreement on behalf of them.

iii. The document(s) (any of them as applicable) regarding legal status of all the individual partners of JV mentioned below:

a) Affidavit or any other document to prove Proprietorship/Individual status of the Bidder.

OR

b) Partnership deed containing name of partners.

OR

c) Memorandum & Article of Association with certificate of incorporation containing name of Bidder.

Special Note: The bidder has to upload the JV documents as per the format of Annexure-VIII pertaining to subject tender with reference to NIT No. and Tender ID.

NOTE: Upload “Legal Status Document” against “Additional Doc 3 (Requested in ATC)” section available under ‘Documents required from seller’.

6	Undertaking by bidder on his/her/their Letter Head as per Annexure XV	<p>Undertaking regarding relatives as employees of company, Arbitration clause (in case of partnership firm), Local supplier status of the Bidder, declaration w.r.t Make in India order dated 16.09.2020, Code of Integrity for Public Procurement (CIPP) and compliance w.r.t procurement from bidder of a country which shares a border with India etc. as per the format given in the bid document at Annexure XV.</p> <p>NOTE: Bidder has to upload duly filled in and signed Undertaking against “Additional Doc 4 (Requested in ATC)” section available under ‘ Documents required from seller’ by merging these 2 documents into one document as applicable</p>
<p>Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by bidder online against eligibility criteria may also be attached by the bidder in the same file to be uploaded against respective eligibility criteria.</p>		

Note: If the bidder uploads the confirmatory documents as mentioned above in any of the section of Document required from seller, it will be considered for evaluation.

- b. Letter of Bid (LoB):** The provisions of Letter of Bid (LOB) and Undertaking regarding genuineness of the information provided as Annexure - I & II shall be part of Tender Document. Only those bidder(s) are allowed to participate in bidding through GeM Portal i.e. <https://gem.gov.in> who accepts the provisions of above stated Letter of Bid (LOB) and Undertaking regarding genuineness provided as Annexure-I & II.
- c. Price bid:** The bidder is required to quote their RATE including Goods & Services Tax (GST) and other applicable taxes, charges, etc, as applicable **on LUMP SUM Basis/on Percentage basis (as applicable)** as per the Scope of Work and considering the other provisions of Tender Document. The price-bids of the tenderers will have no conditions.

NOTE 1: Bidder is also required to upload the **PRICE BREAKUP** as per the format provided as Annexure-XVI at the time of submission of bid against “Financial Document Indicating Price Breakup required” section.

NOTE 2: Further, In case any bidder fails to submit required **PRICE BREAKUP** as mentioned in the above NOTE 1 or in case the **PRICE BREAKUP** s

submitted is not acceptable to SECL, the bidder who will become L-1 shall submit PRICE BREAKUP of their offered prices as per the format provided as Annexure-XVI at the request of buyer only after opening of price bid through their registered eMail ID on GeM portal which shall be considered part of contract.

NOTE 3: Cost for Consumables/Materials: Consumables/Materials to be provided by service provider (inclusive in contract cost) for all items of the PRICE BREAK-UP (Annexure-XVI). Further, bidder is advised to refer all the items mentioned in the PRICE BREAK-UP (Annexure-XVI) before quoting their rate.

NOTE 4: The clauses for Arbitration and Resolution of Disputes (as applicable) shall be guided as per the relevant provisions of General Conditions of Contract (GCC) of the instant Bid Document.

H. GeM Contract/Letter of Acceptance (LOA)/Work Order/Purchase Order (PO) & Execution of Agreement:

The Bidder, whose Bid has been accepted, will be notified /communicated by the Employer electronically online on GeM portal prior to expiration of the Bid validity period. The L-1 bidder will get the information regarding award of work on their personalised dash-board on-line. On receipt of Letter of Acceptance (LOA)/Work Order/GeM Contract of the tender issued by the Company, the successful tenderer shall execute contract agreement in the company's prescribed form for the due fulfilment of the contract.

Failure to enter into the required contract within the specified period in the work order shall entail cancellation of LOA/work order/GeM Contract and forfeiture of the Earnest Money.

In addition, the department may debar the bidder from participating in future bids for at least 12 months as per "Guidelines on Debarment of firms from Bidding" as available in the General Conditions of Contract (GCC) with intimation to all concerned and online blocking of Seller A/c by escalating the issue to the GeM Admin as per **INCIDENT MECHANISM policy** of GeM.

I. DOCUMENTS FOR EXECUTION & SIGNING OF THE AGREEMENT (Applicable for Contract Value > ₹ 10 Lakhs):

The successful bidder (L-1 Bidder) is required to submit the following documents and to attend this office for signing the agreement within **21 (Twenty-One) days** of issue of this **GeM Contract/Letter of Acceptance (LOA)/Work Order/Purchase Order (PO)**:

- i. Performance Security Deposit (PSD) & Additional Performance Security Deposit (APSD) as applicable.
- ii. Non-Judicial Stamp Paper of Rs. 100.00 (One Hundred)

iii. Site handover and takeover certificate, jointly signed by Engineer-in-Charge and the Contractor (if applicable)

iv. Labour License as per Contract Labour (Regulation & Abolition) Act, 1970.

v. Insurance Policy certificates (Worker's Compensation Policy & All Risk Policy) (as applicable) duly pledged in the name of SECL.

vi. CMPF/ EPF Registration certificate

vii. Detail Time and Progress Chart, jointly signed by Engineer-in-Charge and the Contractor (if applicable)

viii. List of Technical & Supervisory Personnel to be deployed for execution of the work.

ix. Mandate Form for Electronic Fund Transfer (EFT)

- END -

2. Buyer Added Bid Specific ATC

Buyer uploaded ATC document [Click here to view the file.](#)

अस्वीकरण/Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization, whereby Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity / restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and / or terms and conditions governing the bid. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.

6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process. (However, in bids for [attached categories](#), trials are allowed as per approved procurement policy of the buyer nodal Ministries)
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.
15. Any ATC clause in contravention with GeM GTC Clause 4 (xiii)(h) will be invalid. In case of multiple L1 bidders against a service bid, the buyer shall place the Contract by selection of a bidder amongst the L-1 bidders through a Random Algorithm executed by GeM system.
16. Buyer added ATC Clauses which are in contravention of clauses defined by buyer in system generated bid template as indicated above in the Bid Details section, EMD Detail, ePBG Detail and MII and MSE Purchase Preference sections of the bid, unless otherwise allowed by GeM GTC.
17. In a category based bid, adding additional items, through buyer added additional scope of work/ additional terms and conditions/or any other document. If buyer needs more items along with the main item, the same must be added through bunching category based items or by bunching custom catalogs or bunching a BoQ with the main category based item, the same must not be done through ATC or Scope of Work.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

All GeM Sellers/Service Providers shall ensure full compliance with all applicable labour laws, including the provisions, rules, schemes and guidelines under the four Labour Codes i.e. the Code on Wages, 2019; the Industrial Relations Code, 2020; the Occupational Safety, Health and Working Conditions Code, 2020; and the Code on Social Security, 2020 as and when notified and brought into force by the Government of India.

For all provisions of the Labour Codes that are pending operationalisation through rules, schemes or notifications, the corresponding provisions of the pre-existing labour enactments (such as The Minimum Wages Act, 1948, The Payment of Wages Act, 1936, The Payment of Bonus Act, 1965, The Equal Remuneration Act, 1976, The Payment of Gratuity Act, 1972, etc. and relevant State Rules) shall continue to remain applicable.

The Seller/ Service Providers shall, therefore, be responsible for ensuring compliance under:

- **All notified and enforceable provisions of the new Labour Codes as mentioned hereinabove; and**
- **All operative provisions of the erstwhile Labour Laws until their complete substitution.**

All obligations relating to wages, social security, safety, working conditions, industrial relations etc. and any other statutory requirements shall be strictly met by the Seller/ Service Provider. Any non-compliance shall constitute a breach of the contract and shall entitle the Buyer to take appropriate action in accordance with the contract and applicable law.

This Bid is governed by the [सामान्य नियम और शर्तें/General Terms and Conditions](#), conditions stipulated in Bid and [Service Level Agreement](#) specific to this Service as provided in the Marketplace. However in case if any condition specified in सामान्य नियम और शर्तें/General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement, then it will over ride the conditions in the General Terms and Conditions.

जेम की सामान्य शर्तों के खंड 26 के संदर्भ में भारत के साथ भूमि सीमा साझा करने वाले देश के बिडर से खरीद पर प्रतिबंध के संबंध में भारत के साथ भूमि सीमा साझा करने वाले देश का कोई भी बिडर इस निविदा में बिड देने के लिए तभी पात्र होगा जब वह बिड देने वाला सक्षम प्राधिकारी के पास पंजीकृत हो। बिड में भाग लेते समय बिडर को इसका अनुपालन करना होगा और कोई भी गलत घोषणा किए जाने व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।/In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

---धन्यवाद/Thank You---