

DELHI TRANSPORT CORPORATION
STRATEGIC BUSINESS UNIT
HAUZ KHAS BUS TERMINAL
NEW DELHI – 110 016

No.DCGM/SBU/834/2021/81

Date:18.02.2021

Mh. Kareen Ansari,
R/o yugantar (HRHZE7K)
3-4-142/6, Barkatpura, Hyderabad, PIN-500027
Email: hrhzeh7k@yourti.in

Sir/Madam,

Reference to your RTI application No. RTI/PIO/0019563/20/2636 dated 23.12.2020 for providing the requisite information, the reply of the Questions pertain to SBU, Hauz Khas office is as under: -

S.N	Question	Reply
1.	Number of tender floated in the years 2019 and 2020 for procurement of electric buses?	Three tenders have been floated during the period from 2019 to 2020.
2.	Date each tender was floated,	1 st Tender floated on 15.10.2019, 2 nd Tender floated on 15.06.2020, 3 rd Tender floated on 03.12.2020.
3.	Number of buses ordered in each tender.	Nil
4.	If bidders failed to qualify for the tenders, and reason for disqualification of the bidder.	1. Tender dated 15.10.2019 – One bidder out of total four bidders, disqualified due to conditional bid. 2. Tender dated 15.06.2020 – One bidder out of total three bidders, did not meet the eligibility criteria.
5.	Number of electric buses delivered as of 31 st December 2020 that were originally due to be rolled out by July 2019 under FAME II scheme.	Nil
6.	Reason for the delay in procurement process.	Due to higher rates/km quoted by bidders in bid.
7.	Document detailing import restrictions on electric vehicle components from china.	1. As per clause 37.1(Volume-III) of RFP No.-940 floated on 3.12.2020.The bidder shall use only Non-Chinese made ITS items in the manufacturing of buses. The relevant document is enclosed herewith (Page No. 1). 2. In compliance to order (Public Procurement

		No.1), F.No. 6/18-2019/PPD of Ministry of Finance - Restruction under rule 144(xi) of GFR's. The relvent documents are enclosed from page No. 2 to 8.
8.	Number of electric buses planned to be inducted in between January 1, 2021 and March 31, 2021.	Nil However, the tender for Engagement of 300 AC Electric buses is in under process.

Note: The enclosed pages i.e.from 1 to 8 has already been sent at hrhzeh7k@yourti.in



Manager-II (SBU)

✓ CC to: Dy.CGM (PIO, HQ):- For favour of kind information pl. w.r.t. letter No. RTI/ PIO (HQ)/ 20/0019563/1436 dated 26.12.2020

- 36.5 The updation of route master and sound files with indexing should be possible through transmission from control room over the air using GPRS and through additional port in the controller as well.
- 37 **Specifications for Intelligent Transport System (I.T.S.)**
- 37.1 The ITS enabled bus with On Bus Intelligent Transport System will have ITS Control Unit, together with bus driver display console. The bus will have Passenger Information System (PIS System) at front, rear, side and internal display board with integrated voice announcement system as per requirements given in Clause 36 above, integrated GPS device for Automatic Vehicle Location System (with compliance of AIS 140 with emergency buttons for access to every passenger in the bus, preferably protected enclosure for switch) and Security Camera Network (CCTVs) with bus reverse system and display screen should meet the specification for IP based cameras and mNVR as per Detailed specification document for CCTV devices as per IS 16833:2018 : CCTV system with an inbuilt tracking system and integrated emergency System or minimum specifications as per Annexure 2 of volume-III, whichever is superior shall be complied. The amendment/ clarification issued by Transport Department, Govt. of NCT of Delhi regarding minimum specification for CCTVs System till the stage of Proto Type shall be applicable. The bidders shall use only Non-Chinese make ITS items in the manufacturing of buses.
- 37.2 The bus should have 3 (Three) internal and one Reverse Parking Camera and Rear View Camera System to display the zone behind the vehicle shall be provided along with display on or near dash board. The Reverse Parking Alert system (RPAS) shall comply with provisions of AIS 145. This indirect vision system shall get activated upon engagement of reverse gear. RPAS should give audio warning on reaching the critical distance available for reverse parking.
- 37.3 **Vehicle Tracking System:** To carry out on line vehicle tracking there shall be tracking device (VLT/ ATD) as per system conforming to provisions stipulated in IS 16833:2018 - Annex A with latest Amendments (with compliance of AIS 140 with emergency buttons for access to every passenger in the bus, preferably inbuilt box).
- 37.4 The on-board equipment shall be tamperproof and theft proof.
- 37.5 All the required cables power and signal from battery and device to device shall be laid properly as per the provision of Bus Code for electric cables.
- 37.6 The common minimum requirement to VHMD parameters will be-SOC level, Motor Speed in RPM, Vehicle Speed.
- 37.7 Reverse parking digital camera of rearward vision shall be provided along with display on screen mounted on or near dash board. The system shall comply with provisions of AIS 145. This indirect vision system shall get activated upon Bus reversing position. It should give audio warning on reaching the critical distance

- I. The Competent Authority is empowered to cancel the registration already granted if it determines that there is sufficient cause. Such cancellation by itself, however, will not affect the execution of contracts already awarded. Pending cancellation, it may also suspend the registration of a bidder, and the bidder shall not be eligible to bid in any further tenders during the period of suspension.
- J. For national security reasons, the Competent Authority shall not be required to give reasons for rejection / cancellation of registration of a bidder.
- K. In transitional cases falling under para 3 of this Order, where it is felt that it will not be practicable to exclude bidders from a country which shares a land border with India, a reference seeking permission to consider such bidders shall be made by the procuring entity to the Competent Authority, giving full information and detailed reasons. The Competent Authority shall decide whether such bidders may be considered, and if so shall follow the procedure laid down in the above paras.
- L. Periodic reports on the acceptance/ refusal of registration during the preceding period may be required to be sent to the Cabinet Secretariat. Details will be issued separately in due course by DPIIT.

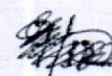
[*Note:

- i. In respect of application of this Order to procurement by/ under State Governments, all functions assigned to DPIIT shall be carried out by the State Government concerned through a specific department or authority designated by it. The composition of the Registration Committee shall be as decided by the State Government and paragraph G above shall not apply. However, the requirement of **political and security clearance as per para D shall remain and no registration shall be granted without such clearance.**
- ii. Registration granted by State Governments shall be valid only for procurement by the State Government and its agencies/ public enterprises etc. and shall not be valid for procurement in other states or by the Government of India and their agencies/ public enterprises etc.]



Annex I: Competent Authority and Procedure for Registration

- A. The Competent Authority for the purpose of registration under this Order shall be the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT)*.
- B. The Registration Committee shall have the following members*:
- i. An officer, not below the rank of Joint Secretary, designated for this purpose by DPIIT, who shall be the Chairman;
 - ii. Officers (ordinarily not below the rank of Joint Secretary) representing the Ministry of Home Affairs, Ministry of External Affairs, and of those Departments whose sectors are covered by applications under consideration;
 - iii. Any other officer whose presence is deemed necessary by the Chairman of the Committee.
- C. DPIIT shall lay down the method of application, format etc. for such bidders as stated in para 1 of this Order.
- D. On receipt of an application seeking registration from a bidder from a country covered by para 1 of this Order, the Competent Authority shall first seek political and security clearances from the Ministry of External Affairs and Ministry of Home Affairs, as per guidelines issued from time to time. Registration shall not be given unless political and security clearance have both been received.
- E. The Ministry of External Affairs and Ministry of Home Affairs may issue guidelines for internal use regarding the procedure for scrutiny of such applications by them.
- F. The decision of the Competent Authority, to register such bidder may be for all kinds of tenders or for a specified type(s) of goods or services, and may be for a specified or unspecified duration of time, as deemed fit. The decision of the Competent Authority shall be final.
- G. Registration shall not be granted unless the representatives of the Ministries of Home Affairs and External Affairs on the Committee concur*.
- H. Registration granted by the Competent Authority of the Government of India shall be valid not only for procurement by Central Government and its agencies/ public enterprises etc. but also for procurement by State Governments and their agencies/ public enterprises etc. No fresh registration at the State level shall be required.



Model Clauses/ Certificates

15. Model Clauses and Model Certificates which may be inserted in tenders / obtained from Bidders are enclosed as **Annex III**. While adhering to the substance of the Order, procuring entities are free to appropriately modify the wording of these clauses based on their past experience, local needs etc. without making any reference to this Department.

(Sanjay Prasad)
Joint Secretary (PPD)
Email ID: js.pfc2.doe@gov.in
Telephone: 011-23093882

To

- (1) Secretaries of All Ministries/ Departments of Government of India for information and necessary action. They are also requested to inform these provisions to all procuring entities.
- (2) Secretary, Department of Public Enterprises with a request to immediately reiterate these orders in respect of Public Enterprises.
- (3) Secretary DPIIT with a request to initiate action as provided under Annex I
- (4) Chief Secretaries/ Administrators of Union Territories/ National Capital Territory of Delhi



(v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

10. "Agent" for the purpose of this Order is a person employed to do any act for another, or to represent another in dealings with third persons.

Sub-contracting in works contracts

11. In works contracts, including turnkey contracts, contractors shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in paragraph 8 above. This shall not apply to sub-contracts already awarded on or before the date of this Order.

Certificate regarding compliance

12. A certificate shall be taken from bidders in the tender documents regarding their compliance with this Order. If such certificate given by a bidder whose bid is accepted is found to be false, this would be a ground for immediate termination and further legal action in accordance with law.

Validity of registration

13. In respect of tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance / placement of order, registration shall not be a relevant consideration during contract execution.

Government E-Marketplace

14. The Government E-Marketplace shall, as soon as possible, require all vendors/ bidders registered with GeM to give a certificate regarding compliance with this Order, and after the date fixed by it, shall remove non-compliant entities from GeM unless/ until they are registered in accordance with this Order.

- 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 any of the above

9. "Beneficial owner" for the purpose of paragraph 8 above will be as under:

- (i) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means.
Explanation—
 - a. "Controlling ownership interest" means ownership of, or entitlement to, more than twenty-five per cent of shares or capital or profits of the company;
 - b. "Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
- (ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
- (iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
- (iv) Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

[Handwritten signature]

entire process shall be scrapped and initiated *de novo*. The *de novo* process shall adhere to the conditions prescribed in this Order.

- c) As far as practicable, and in cases of doubt about whether a bidder falls under paragraph 1, a certificate shall be obtained from the bidder whose bid is proposed to be considered or accepted, in terms of paras 8, 9 and 10 read with para 1 of this Order.

Incorporation in tender conditions

- 4. In tenders to be issued after the date of this order, the provisions of paragraph 1 and of other relevant provisions of this Order shall be incorporated in the tender conditions.

Applicability

- 5. Apart from Ministries / Departments, attached and subordinate bodies, notwithstanding anything contained in Rule 1 of the GFRs 2017, this Order shall also be applicable
 - a. to all Autonomous Bodies;
 - b. to public sector banks and public sector financial institutions; and
 - c. subject to any orders of the Department of Public Enterprises, to all Central Public Sector Enterprises; and
 - d. to procurement in Public Private Partnership projects receiving financial support from the Government or public sector enterprises/ undertakings.
 - e. Union Territories, National Capital Territory of Delhi and all agencies/ undertakings thereof

Definitions

- 6. "Bidder" for the purpose of this Order (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.
- 7. "Tender" for the purpose of this Order will include other forms of procurement, except where the context requires otherwise.
- 8. "Bidder from a country which shares a land border with India" for the purpose of this Order means

F.No.6/18/2019-PPD
Ministry of Finance
Department of Expenditure
Public Procurement Division

161, North Block,
New Delhi
23rd July, 2020

Order (Public Procurement No. 1)

Subject: Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017

Attention is invited to this office OM no. 6/18/2019-PPD dated 23rd July 2020 inserting Rule 144 (xi) in GFRs 2017. In this regard, the following is hereby ordered under Rule 144 (xi) on the grounds stated therein:

Requirement of registration

1. Any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services (including consultancy services and non-consultancy services) or works (including turnkey projects) only if the bidder is registered with the Competent Authority, specified in **Annex I**.
2. This Order shall not apply to (i) cases where orders have been placed or contract has been concluded or letter/notice of award/ acceptance (LoA) has been issued on or before the date of this order; and (ii) cases falling under **Annex II**.

Transitional cases

3. Tenders where no contract has been concluded or no LoA has been issued so far shall be handled in the following manner: -
 - a) *In tenders which are yet to be opened, or where evaluation of technical bid or the first exclusionary qualificatory stage (i.e. the first stage at which the qualifications of tenderers are evaluated and unqualified bidders are excluded) has not been completed:* No contracts shall be placed on bidders from such countries. Tenders received from bidders from such countries shall be dealt with as if they are non-compliant with the tender conditions and the tender shall be processed accordingly.
 - b) *If the tendering process has crossed the first exclusionary qualificatory stage:* If the qualified bidders include bidders from such countries, the

