

## Store Purchase Preference Policy, 2002

BIHAR

India

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### Rule STORE-PURCHASE-PREFERENCE-POLICY-2002 of 2002

- Published on 14 June 2003
- Commenced on 14 June 2003
- [This is the version of this document from 14 June 2003.]
- [Note: The original publication document is not available and this content could not be verified.]

Store Purchase Preference Policy, 2002 Government of Bihar, Department of Industries, Letter No. 2458, Patna, dated 14.06.2003 Last Updated 1st February, 2020

#### 1.

Whereas industry in general, and the cottage and the small industry in particular contribute significantly to the National and State economies by providing enormous employment opportunities to the people, both the Central and State Govt, have adopted policies to promote and nurture them, hence on the pattern of the National and other State Government, the Govt, of Bihar too, as early as in July, 1956, decided and directed all State controlled bodies to accord priority and price preference in Govt, purchases of stores manufactured by the cottage and small industries located within the State. Certain directions were issued by the Department of Industries, Govt, of Bihar vide Resolution Nos. 726 and 7285 dated 30 July, 1956 and 6 June, 1984 respectively regarding such priority and price preference. The experience assimilated over the decades reveals that the relevant directions of the existing "Stores Purchase Preference Rules" need to be modified to make them more effective so that the desired objective can be achieved. The State Govt, has also decided to extend priority/price preference to stores produced by the medium/large industries of the State vis-a-vis the products of industries located outside the State.

#### 2.

Accordingly it has been resolved that following concessions shall be given with immediate effect to the industries located in the State of Bihar in purchase of stores by all Govt.

Department./Corporations/Board/Authorities/autonomous institutions, and all the following provisions shall apply: -2.1 In order to obviate any loss to local industries arising out of tax differences prevailing in other States as well as to ensure uniform tax compliance, in all the tenders called by each Govt. Department there will be a mandatory provision that units located in Bihar or Corporate offices/local agent/authorized dealer of the manufacturing units located outside the State

and registered with the Commercial Taxes Department Bihar only can participate. Note. - "Units situated in the State" means such units that are located and registered in the State of Bihar."2.2 All the Govt. departments/Corporations/ Boards/Authorities/and autonomous institutions in the purchase of stores shall accord:(i)a maximum of 2% price preference to the stores produced by medium/ large units (including public sector enterprises) vis-a-vis stores manufactured by medium/large units located outside the State of Bihar; and(ii)a maximum of 7% price preference to the stores produced by operative small units permanently registered in Bihar, including the stores produced by Public Undertakings/Corporations/Khad/Board as compared to the stores produced by small/medium and large units located outside the State of Bihar.2.3 If the quotations of two or more small units located within the State or their quotations are identical, the purchase orders shall be proportionately divided amongst the participating units in accordance with their production capacities.2.4.1. All quotations/tenders must be submitted on FOR destination basis inclusive of all local taxes.2.4.2. Subject to the provisions mentioned above, whenever stores are purchased from units located outside the State, the supply against such purchase orders shall be executed only through their local branches/agents/authorized dealer and it will be ascertained that all the applicable taxes of the State have been paid.2.4.3. After completion of the supply, while making payment the purchasing department shall ensure that the supplier has paid all the commercial taxes and send a confirmation to this effect to the Commercial Taxes Department.2.4.4. It is resolved that only price preference shall be accorded in processing tenders and placement of purchase orders for stores produced by local units. There shall be no relief or compromise in the quality of stores and the schedule of supply.2.5 Separate registration under the "Stores purchase preference policy" shall no longer be required and such practice be deemed as abolished. All the units in production located in the State and having permanent registration shall be eligible for benefits under this policy in respect of the items of their registration.2.6 While according price preference to local units, it would also be in the interest of the State to ensure that the stores are purchased only from those units which conform to prevalent National Standard/Recognized Standard of quality. Hence all tenders shall have an imperative condition that the quality of stores to be supplied must be in total conformity with the specifications laid down for the item by the National/International Standard Organizations (i.e. ISO/ISI/Agmark etc.). The tenders must also incorporate a condition that technical tenders and financial tenders shall be received in separate envelopes and firstly the envelopes containing technical tenders be opened and processed and only in the cases where they are acceptable/admissible as per corresponding terms of tenders, the accompanying financial quotation of the competing supplier shall be opened for consideration and finalization.2.7 For the purpose of Govt, contract, the small industrial units located in the State of Bihar will not be required to deposit 'earnest money'. However, they will have to deposit only 20% of the general security amount. After obtaining the purchase orders the units which fail to supply as per conditions laid down, actions will be taken for their black listing.2.8 Each department/Corporation/Board/Authority/Autonomous institution will constitute purchase committee at district level upon whose recommendation the concerned authority will finalize purchases.2.9 Unless otherwise decided at the appropriate level in the interest of the work the purchasing department shall allow to the small industrial units a minimum period of 30 days from the receipt of the order to deliver the ordered items.2.10 A copy of the order for purchase shall promptly be made available to the Department of Industries while another shall be prominently displayed upon the Notice Board of the purchasing department.

**2.**

**11.**

A. In case any tenderer has a grievance against the whole or part of the decision of any Department/Authority calling for tenders, he/she may file an objection in two copies within 10 days of the notification of the order for purchase on the Notice Board of the concerned Department, by remitting a non-refundable fee of Rs. 500 and an earnest money of Rs. 1000 along with an affidavit before the Appellate Committee for redress. The Appellate Committee shall be constituted as follows:

- |  |                    |
|--|--------------------|
| (1) Industrial Development Commissioner/Secretary Industries                                       | - Chairman         |
| (2) A senior officer nominated by Finance Department   | - Member           |
| (3) A senior officer nominated by the<br>concerned Department/Board/Authority, etc. calling tender | - Member           |
| (4) A technical expert of the tendered item (to be nominated by the Chairman)                      | - Member           |
| (5) Director, Technical Development, Department of Industry.                                       | - Member-Secretary |

**2.**

**11.**

B. The decision of the Appellate Committee will be conveyed to the concerned Department Corporation/Board/Autonomous institution/Authority after approval of the Minister for Industry and the decision will be final and the concerned Department/ Corporation shall ensure its implementation.

**2.**

**12.**

A. The Industries Department expects each Department/Corporation/Board/Authority/Autonomous Institution to keep it informed about their recurring requirement of the stores on an annual basis so that the Department disseminating the information among existing industries enabling them to produce those items as well as to establish and promote new units to cater to the need.

**2.**

**12.**

B. In the first month of the financial year each Department/Corporation/Board/Authority/Autonomous institution shall make available to the industries Department the details, including the quantity/quality/price, of the stores purchased from industries located outside the

State, especially those items purchased in the previous year, so that the Department may make efforts for their production in the State itself. In case of any alteration the information already sent will be promptly communicated by the Department to the Department of Industries.

2.

12.

C. The Industries Department shall prepare every year a medium and large industries depicting their in the installed capacities of those units.<sup>2.13</sup> For the solution of any particular difficulty implementation of these policies the Industries Department will make a decision with permission in concurrence of the Finance Department and communicate to offices/persons and that shall be final.<sup>2.14</sup> To implement the above mentioned provisions the controlling administrative departments will issue necessary formal directions to the Corporations/Boards/Authority/Autonomous Institute

3.

From the date of notification of this order, all previous notification issued on this subject including "Bihar Purchase Preference Rules, 1975" as amended from time to time) shall deemed to be repealed. fcgkj ljdkj] foRr foHkkx] Kkiakd ,e&4&19&2007&2397 fo 2 fnuakd 3-4-2007fo"k;& jkT; ljdkj }kjk dz; dh tkus okyh lkefxz;ksa dh vkiwfrZ esa jkT; ds Hkhrj vofLFkr m|ksxksa dks izkFkfedrk nsus ds laca/k esaAljdkjh dk;ksZa ds fy, lkefxz;ksa dh vkiwfrZ fcgkj foRrh; fu;ekoyh ds izko/kkuksa ds vuq:i yh tkrh gS ftlesa dz; dk eq[; fl)kar gS ljdkjh jkf'k ds fy, lcls vPNk ewY; Value for Money ikjnf'kZrk] fu"i{krk ,oa izfrLi/kkZRed izfdz;k dk ikyu djrs gq, de ls de dher ij vPNh ls vPNh xq.kork dk lkeku dz; fd;k tk;SA

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