

Clarifications in Policy Guidelines
for availing IT/ITES Solutions,
Projects, products and related
services.

Government of Gujarat,
Science and Technology Department,
Advisory Circular No. TSP/2004/808/DST
Sachivalaya, Gandhinagar
Dated: 18 MAY 2012

Read :

- (1) GR NO.ITP/2001/405/ITD, dated 04.05.2001.
- (2) GR No. TSP/2004/808/DST, dated 30.07.2004.
- (3) GR No. TSP/2004/808/DST, dated 18.03.2010.
- (4) GR NO. TSP/2004/808/DST, dated 23.02.2012.

Circular!-

Preamble:-

The state Government has announced the Guidelines for availing IT solution, Product, Software and Services vide GR No: TSP/2004/808/DST dated: 30-7-2004 referred at Sr No. 2 in read, above.

2). Instances have come to notice of this department where clarity regarding procurement procedure of Hard Ware & Software has been found inadequate though the provisions of these Government Resolutions referred at read are absolute clear these in respects. It is, therefore, decided to issue this advisory giving unambiguous interpretation of the existing orders of the Government of Gujarat.

3). The following is the gist from the above GRs which clarifies completely the procedure to be observed while deciding upon procurement of the hardwares/Softwares including IT/ITES services in the Government Department.

1. ***The clause 'E' of the G.R dated 30/7/2004 and 18/3/2010 of TSP Policy is as under;***
"E. If Government department/ HOD's / Board / Corporation/Society or any Agency / entity of the State Government intend to availing IT/ITES Solution projects. Product & related services with the Government organizations like GIL, NIC, I NDEX t –B or GIPL the above open bidding procedure will not be attracted."
2. ***It is to be clarified for Sr.1 applies to appointment of Consultant without tender. It however, does not purport to say that these agencies, as consultant, can carry out any procurement what so ever without due process of price discovery of e-procurement.***
3. ***Any such interpretation done by the any department at the instance of any of the above consultant so appointed would amount to breach of CVC guidelines & could attract severe audit objections.***
4. ***Vide GR No: ITP/2001/405/ITD, dated 4/5/2001, GIL has been declared as "Central Purchase Organization" for procurement of Hardware/Software and IT related equipments etc Purchases of the Government departments/board/corporation/agencies. This is overriding GR***

- since date of its issuance in respect of procurement in a government.*
5. *Any procurement carried out ignoring the provisions of this GR dated 4/5/2001 would also amount to an irregular practice.*
 6. *As per the provisions of TSP GR dated 30/7/2004 and dated 18/3/2010, all procurements have to be a consequence of an application deployed or prepared to be deployed in the department and should result through a gap analysis carried out by the Consultant/TSP for that department and should invariably be approved by IT Committee of the department, which would have representative of GIL & DST present. In cases of more than one crore the IT committee should have Additional Chief Secretary, Department of Science and Technology, Principal Secretary (Expenditure) Finance Department and Chairman cum Managing Director, GIL as members.*
 7. *After clearances from IT Committee all procurement above 1 Cr. should be cleared by SPC (IT) which has been declared as empowered Committee for the final decision vide GR No: TSP/2004/808/DST, dated 23.02.2012.*
 8. *Consultant appointed under these policy guidelines is to abide by the guidelines /GR's / Circulars issued by Science & Technology Department as the policy / procedure of Government and their advisory role should be framed in to these decisions.*
 9. *Government of India, Central Vigilance Commission, vide its Office Order no. 75/12/04 dated 24/12/2004, has issued guidelines regarding participation of consultants in tender that the Consultants/firm hired to provide consulting services for the preparation or implementation of a project, and any of its affiliates, will be disqualified for subsequently providing goods or works or services related to the initial assignment for the same project. After careful consideration Government, under the clause – A. Bidder's Eligibility Criteria of the GR No: LAN-2004-927-DST dated 30-7-2004, has added the condition, "Consultants/firm hired to provide consulting services for the preparation or implementation of a project, and any of its affiliates, will be disqualified for subsequently providing goods or works or services related to the initial assignment for the same project."*
 10. *As per the provisions of G.R. no. TSP/2004/808/DST dated 30/7/2004, Clause no. 5, Role of GIL and Standardization in IT projects, GIL will act as a central purchase organization for procurement of ready made software (OS, Database, Packages, Antivirus, Security etc.). This will enable GoG to get better pricing through volume discounts and ensure standardization. GIL may charge 3% of order value.*
 11. *The above is issued as a clarification for the existing orders of the Government with a view to prevent misinterpretation of any provisions.*



(Mukesh Ved)
Joint Secretary,
Science & Technology Department.

To,
The Secretary to the Governor, Raj Bhavan, Gandhinagar.
The Principal Secretary to the Chief Minister.
The Personal Secretaries to all Ministers.
The Personal Secretary to the Leader of Opposition Party in Gujarat Legislative Assembly,
Gandhinagar.
Managing Director, Gujarat Informatics Ltd., Gandhinagar.

National Informatics Center, Block No.13, New Sachivalaya, Gandhinagar.

All Secretariat Department.

The Secretary, Gujarat Vigilance Commission, Gandhinagar.

The Secretary, Gujarat Public Service Commission, Ahmedabad.

The Secretary, Gujarat Legislature Secretariat, Gandhinagar.

The Registrar, Gujarat High Court, Ahmedabad.

The Secretary, Gujarat Civil Services Tribunal, Gandhinagar.

All Heads of Department.

All Heads of Office.

All Collectors.

All D.D.Os.

The Accountant General, (A&E), Gujarat, Post Box No.220, Rajkot.

The Accountant General (A&E), Gujarat, Ahmedabad branch, Ahmedabad.

The Accountant General(Audit)-1, Gujarat, M.S.Building, Ahmedabad.

The Director of Accounts & Treasuries, Gandhinagar.

All Treasury Officer.

All Pay & Accounts Officers, Ahmedabad/Gandhinagar.

Resident Audit Officer, Ahmedabad/Gandhinagar.

Select file, S& T Deptt.