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Z.28015/13/2020-Proc.I(EPW) 8068667  
Government of India  
Ministry of Health & Family Welfare  
Department of Health & Family Welfare  
[Procurement-I (EPW) Section]

Nirman Bhawan, New Delhi  
Dated: 13<sup>th</sup> Dec, 2022

**OFFICE MEMORANDUM**

**Subject: Regarding irregular procurement of Works on GeM.**

The undersigned is directed to forward herewith a copy of D.O. letter no. 468/CEO-GeM/2022 dated 07-12-2022 which is self-explanatory received from CEO, GeM on the subject noted for information and necessary action.

(Encl: As above)

Signed by Naresh Kumar  
Date: 13-12-2022 15:40:33  
Reason (Approved)  
Under Secretary to the Govt. of India  
Tel: 23061436

*Mr. Dabest  
To  
For GeM  
9/12/22*

1. Sr. PPS to DGHS, Nirman Bhawan, New Delhi.
2. PPS to SS (H)
3. PPS to AS&FA, AS&MD MoHFW, Nirman Bhawan, New Delhi
4. PPS to AS(MA) /AS(LA) / AS(VHZ)
5. PS to All Joint Secretaries/ Advisor (Cost)
6. The Director, All AIIMS, New Delhi/ Patna/ Bhubaneswar/ Raipur/ Bhopal/ Jodhpur/ Rishikesh.
7. The Director, National Institute of TB and Respiratory Diseases, New Delhi.
8. The Director, Vallabhshai Patel Chest Institute, North Campus, University of Delhi.



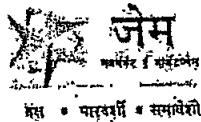
*DDA  
26/12/22*

*SF / SPO  
26/12/22*

9. The Medical Superintendents, Safdarjung/Dr.RML/SSKH/KSC Hospital, New Delhi.
10. The DG&CEO, Central Medical Services Society, New Delhi.
11. The Chairman & Managing Director, HLL Life Care Ltd., Thiruvananthapuram, Kerala – 695012
12. HITES(HLL Infra Tech Services Ltd)- NOIDA, Uttar Pradesh.
13. The DDG (Stores), Medical Stores Organization, Sector-1, R.K. Puram, New Delhi –110066.
14. The Director (CGHS), Nirman Bhawan, New Delhi.
15. Director, JIPMER/ PGIMER/ NEIGHRIMS/ RIMS/ NIHFV/ FSSAI / NIMHANS/MGIMSKHS.
16. The Director, Chittaranjan National Cancer Institute, Kolkata.
17. The Director, CIP, Ranchi.
18. The Director, AIISH, Mysore.
19. The Director, LGB Regional Institute of Mental Health, Tezpur.

//2022/O/O SECY

पञ्चानन कुमार सिंह, भा.प्र.सं.  
मुख्य कार्यकारी अधिकारी  
P.K. SINGH, IAS  
Chief Executive Officer



आजादी का  
अमृत महोत्सव

भारत सरकार  
व्यापार एवं उद्योग मंत्रालय  
गवर्नमेंट ई मार्केटप्लेस  
Government of India  
Ministry of Commerce & Industry  
Government e Marketplace

DO.No. 468/GEO-GeM/2022

7<sup>th</sup> December, 2022

*Respected Sir,*

Sub: -Regarding irregular procurement of Works on GeM.

Government e Marketplace (GeM) was set up as the National Public Procurement Portal by the Union Cabinet for facilitating procurement of goods and services required by Central and State Government Organisations. The portal is an open, inclusive marketplace offering fair and equal opportunities for sellers and service providers to register, list and sell their products to government organizations. The purchase of Goods and Services through GeM by Government users have been made mandatory vide Rule 149 of the General Financial Rules, 2017 by Ministry of Finance.

2. It may please be noted that GeM, presently, has the mandate to facilitate procurement of 'Goods and Services' only. At present, GeM does not have the mandate for procurement of Works. Please refer to the Manual for Procurement of Works (Updated June, 2022) issued by Department of Expenditure, Ministry of Finance, for definition of "Works".

3. It has been observed that bids for procurement of Works are being published by several Buyers on the GeM portal, either as "Custom Bid for Service" or "BOQ" bids. In this connection, it is informed that the range of Service Providers registered on GeM for Custom bids or BOQ bids may not be having the expertise in "Works Contract" and GeM has also not evaluated their credentials from the perspective of a Works Contract. Hence, it may lead to unsatisfactory performance by the Service Providers against the Works Contracts concluded through GeM, besides the possibility of higher rates. Consequently, the buyers issuing such bids have been advised to cancel Works related bids floated on GeM portal and to utilize suitable procurement portal for issuance of Works related bids. In some of the cases, GeM has also cancelled such bids.

4. It is requested to bring the above facts to the notice of the organizations / offices under your control and instruct them not to create any Works related bid on GeM.

*Respectfully,*

Yours sincerely,

*[Signature]*  
7/12/22

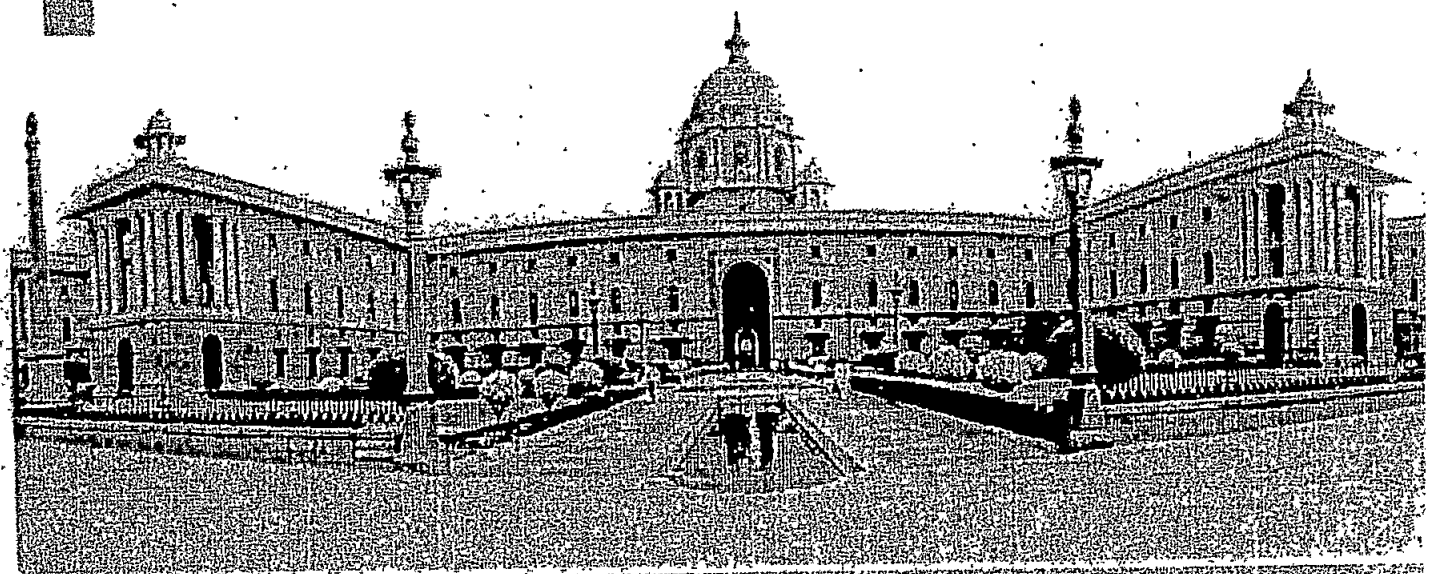
*[Signature]*  
(P.K. Singh)

As(MA)  
Adv. (C)

To,  
Secretaries of all Ministries/Departments.



# MANUAL FOR PROCUREMENT OF WORKS (Updated June, 2022)



Government of India  
Ministry of Finance  
Department of Expenditure

not include appointment of an individual made under any law, rules, regulations or order issued in this behalf. It includes 'Consultancy Services' and 'Other (Non-consultancy) Services';

xxxix) "Subject matter of procurement" means any item of procurement whether in the form of goods, services or works or a combination thereof;

xi) "Works" refer to any activity, sufficient in itself to fulfil an economic or technical function, involving construction, fabrication, repair, overhaul, renovation, decoration, installation, erection, excavation, dredging, and so on, which make use of a combination of one or more of engineering design, architectural design, material and technology, labour, machinery and equipment. Supply of some materials or certain services may be incidental or consequential to and part of such works. The term "Works" includes (i) civil works for the purposes of roads, railway, airports, shipping-ports, bridges, buildings, irrigation systems, water supply, sewerage facilities, dams, tunnels and earthworks; and so on, and (ii) mechanical and electrical works involving fabrication, installation, erection, repair and maintenance of a mechanical or electrical nature relating to machinery and plants.