

Z.28013/02/2021-Proc.I(EPW)
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
[Procurement-I (EPW) Section]

Nirman Bhawan, New Delhi
Dated: 13.09.2021

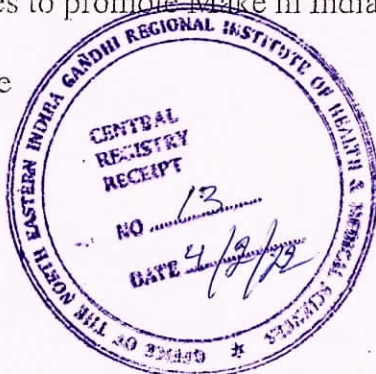
OFFICE MEMORANDUM

Subject: To prescribe and procure Made in India Hearing Aids in line with Procurement Policy

The undersigned is directed to forward a copy of the Public Grievance No. PMOPG/D/2021/0193142 dated 21/08/2021 received from Prime Minister's Office enclosing therewith a copy of letter of Hearing Industries Association, Green Park, Delhi requesting to ensure that the institutions under MoHFW may prescribe and procure Made in India Hearing Aids in line with Procurement Policy.

All Procuring Entities under MoHFW are advised to comply with various instructions issued from time to time by Department of Expenditure, DPIIT and other nodal Ministries to promote Make in India, while making public procurement.

Encl: As Above



Signed by Chandra Shekhar Bahuguna
Date: 13-09-2021 16:17:23
Reason: Approved (C. S. Bahuguna)
Under Secretary to the Govt. of India
Tel: 23061875

To:

1. DGHS, Nirman Bhawan, New Delhi.
2. AS&FA / AS&MD MoHFW, Nirman Bhawan, New Delhi.
3. AS(AA)/ AS(MA)/ AS(VS)/ AS(AS)
4. EA(NS)/ JS(MKB)/ JS(LA)/ JS(VC) / JS(GM)/ JS(VJ)/ JS(PS)/ JS(AB)/ JS(HS)
5. The Director, All AIIMS, New Delhi/ Patna/ Bhubaneswar/ Raipur/ Bhopal/ Jodhpur/ Rishikesh.
6. The Director, National Institute of TB and Respiratory Diseases, New Delhi.
7. The Director, Vallabhnbhai Patel Chest Institute, North Campus, University of Delhi.
8. The Medical Superintendents, Safdarjung/Dr.RML/SSKH/KSC Hospital, New Delhi.
9. The DG&CEO, Central Medical Services Society, New Delhi.
10. The CMD, HSCC (INDIA) Ltd., Corporate Office: E-6(A), Sector-1, Noida

SPO
Mr. Dabhi
Please
circulate
by
email
to
ajay

(U.P.)-201301..

11. The Chairman & Managing Director, HLL Life Care Ltd., Thiruvananthapuram, Kerala - 695012 and NOIDA.
12. The DDG (Stores), Medical Stores Organization, Sector-1, R.K. Puram, New Delhi - 110066.
13. The Director (CGHS), Dte. General: (CGHS), Nirman Bhawan, New Delhi.
14. Director, JIPMER/ PGIMER/ NEIGHRIMS/ RIMS/ NIIHF/ FSSAI / NIMHANS/MGIMSKHS.
15. The Director, Chittaranjan National Cancer Institute, Kolkata.
16. The Director, CIP, Ranchi.
17. The Director, AIISH, Mysore.
18. The Director, LGB Regional Institute of Mental Health, Tezpur.



Copy to:

- . Prime Minister's Office (PMO)
- . Hearing Industries Association, Ashirwad Coplex, D-1, Green Park, New Delhi-110016

Details for registration number : PMOPG/D/2021/0193142

Name: SECRETARY
Date of receipt: 21/08/2021
Address: HEARING INDUSTRIES ASSOCIATION ASHIRWAD
COMPLEX D-1 GREEN PARK
District name: New Delhi
State name: Delhi
Mobile no: Not Provided
Email Id: hearingindustriesassociation@gmail.com
Grievance description:
PG/MUM
Name of organisation(s) where grievance is pending: 1. PROCUREMENT

Type of receipt: Takenup

 Print  Close

Handwritten notes:
6/9/21
[Signature]

HEARING INDUSTRIES ASSOCIATION

HEARING INDUSTRIES ASSOCIATION

Shri Narendra Modi Ji,
Hon'ble Prime Minister
Office of the PMO,
New Delhi

PRIME MINISTER'S OFFICE
09 AUG 2021
डाक अंशिका / DAK SECTION

Ashirwad Complex,
D-1 Green Park,
New Delhi - 110016
E-mail: hearingindustriesassociation@gmail.com

10/07/2021

Resending on 06-Aug-21

Sub: Our request for necessary instructions by Ministry of Health to ALL CGHS Hospitals / Dispensaries to follow PUBLIC PROCUREMENT POLICY of Govt. to procure BIS CERTIFIED and MADE IN INDIA Hearing Aids / Medical Devices, an order which is not yet being followed by many institutions of Health Ministry - thus this request for asking the Health Ministry to expedite the same

Respected Sir,

We are again bringing forward our letter dt 7th April (copy attached).

You had been very kind to forward our request/ grievance to Health Ministry, which was clearly meant for Health Ministry to ensure that Public Procurement Policy of Made in India is followed both in word as well as spirit by all the health ministry centres like CGHS Hospitals/ CGHS dispensaries and national institutes like All India Institute of Speech & Hearing, Mysore.

But Sir, the response we received from the Health Ministry was totally missing the essence of our above-mentioned letter. Instead of instructing CGHS Hospitals / Dispensaries, they mistakenly read the word 'Hearing Aid' and simply wrote to us that hearing aid distribution is done by Dept. of Disability and forwarded our letter to the Dept. of Disability. (See Letter received from Health Ministry vide File No.T-21013/08/2021-NCD-I(NPPCD)/(FTS-8110470) dated 7th June 2021)

They clearly erred, as the purpose of our letter was that the Health Ministry should ensure that their institutions such as CGHS Hospitals/ CGHS dispensaries and National institutes like All India Institute of Speech & Hearing, Mysore, AIIMS, etc. are clearly given the directions to follow in all their prescriptions and procurement a clear preference to Made in India Hearing aids in line with Public Procurement Policy, which is still not happening.

Sir, the result is that MANY poor-quality hearing aids of CHINESE ORIGIN coming in via Singapore, Malaysia, Hongkong etc., are being procured and prescribed by hospitals of CGHS, Armed Forces and health ministry institutions.

Even the CGHS circular for hearing aids does not state that Hearing aids must be Made in India and BIS certified which is mandatory under Public Procurement Policy & also as per circular of Department of Pharmaceuticals.

So, we are therefore again writing to you because the Health Ministry is not replying to our letter, where we wrote to them about their error in understanding our letter. (The copy of our letter dated 16.06.2021 written to Health Ministry, in response to their letter of 7th June is attached)

Waiting for your kind help in the interest of "MAKE IN INDIA" Medical Devices.

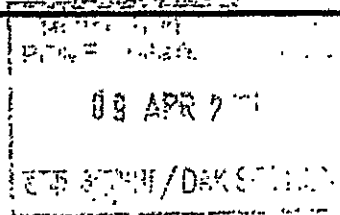
or Hearing Industries Association

Secretary
incl

Encl:

- Our letter dated 7th April 2021 addressed to Hon'ble Prime Minister's Office
- Letter received from Health Ministry vide File No.T-21013/08/2021-NCD-I(NPPCD)/(FTS-8110470) dated 7th June 2021
- Reply sent to Health Ministry vide [email] dated 16.06.2021
- Order of Health Ministry for Medical devices (Department of Pharmaceuticals) vide Order No.31026/35/2016-MD dated 16.06.2016

The Hon'ble Prime Minister
Govt of India, Prime Minister's Office
South Block, Raisina Hill,
New Delhi-110011

Date: 07th April, 2021

Sub: Request for necessary instructions to Ministry of Health for procurement of Hearing aids/ Hearing Health care products from Make in India companies under Public Procurement Policy

Respected Sir,

You will be glad to know that Indian Hearing Aids are today exported to International market and besides having USFDA accreditation are ISI marked by Bureau of Indian Standards

Sir, while your government is successfully implementing your policy of "Make in India" and "Vocal for Local" by way of coming out with Public Procurement Policy which is clearly amplifying the Preference to buy "Make in India" products which are BIS Certified (copy attached), but we regret to inform you that the Indian hearing Aids manufacturers who are also Class 1 Local Supplier are still not able to receive orders for Hearing Aids under the CGHS Scheme purchases of Ministry of Health & Family Welfare.

While we have written a letter to the Ministry of Health, we have not received any response on the same, may be because of them being preoccupied with Covid pandemic.

However we would be grateful if the Prime Minister's Office takes up this matter with Health Ministry so that the orders for Hearing Aids, audiological equipments & other Hearing health care equipments may kindly be procured henceforth from:

1. Make in India companies who are also Class -1 Local Supplier
2. ISI mark by Bureau of Indian Standard as per govt. order issued by Ministry of Finance dt 12th May (copy attached) for supply under CGHS scheme all over India and also all hospitals/ institutions, autonomous govt. hospitals/ institutions such as AllMS, All India Institute of Speech & Hearing and other govt. hospitals.

The above would help the genuine Indian manufacturers who are manufacturing World Class hearing aids, get the benefit meant for genuine Made in India products only. This would also help enhance job opportunities for Indian manpower besides saving valuable foreign exchange.

Your kind help in this matter would be highly appreciated.

Best Regards and JAI HIND,

for Hearing Industries Association


Secretary

Encl: Govt. order of Ministry of Finance of 12th May, 2020 mandating use of National Standards
: Copy of PPP (Preference to Make In India) dt 16.09.2020

HSPW
TSC.

21

F.No.12/17/2019-PPD
Ministry of Finance
Department of Expenditure
Public Procurement Division

North Block, New Delhi
Dated the 12th May, 2020

Office Memorandum

Subject: Use of National Regulations or National Standards or Building Codes in case of Public Procurement in terms of Rule 144(iii) of GFR 2017.

Attention is invited to the above Rule, which states that the National Technical Regulations or recognized National Standards or Building Codes needs to be specified in the public procurement, wherever such standards exists. The Rule also provides that wherever such standard exists. If a procuring entity intends to adopt any other technical specification, he shall have to record his reasons in writing for doing so.

2. It has come to the notice of this Department that even in cases where Indian Technical specifications exist, the procuring entities specify foreign Quality Certifications and Accreditations. It is reiterated that wherever Indian Technical specifications and Quality Certifications exists, the procuring entity should prescribe them. In those rare or exceptional cases where, despite the existence of Indian technical specifications, the procuring entity intends to specify foreign Technical Certifications and Accreditations. It must record its reasons in writing for adoption of such other technical specifications. Needless to say, this may also be subject to matter of audit.

3 This issues with the approval of Secretary (Expenditure).

12.5.20
(Sanjay Aggarwal)
Director (PPD)
sanjay.aggarwal58@nic.in
011-23094961

To
Secretaries of all Ministries/ Departments, Govt of India

File No: T-21013/08/2021-NCD-I[NPPCD] / [FTS - 8110470]

Government of India

Ministry of Health & Family Welfare

Department of Health & Family Welfare

NCD-I Section

Nirman Bhawan, New Delhi

Dated the June, 2021

To

M/S HEARING INDUSTRIES ASSOCIATION,
ASHIRWAD COMPLEX,
GREEN PARK, NEW DELHI - 110016
Email - hearingindustriesassociation@gmail.com

Subject: PMOPG/D/2021/0109713 dated 16.04.2021 from M/s Hearing Industries Association -reg.

Sir,

I am directed to refer to grievance bearing registration no. PMOPG/D/2021/0109713 dated 16.04.2021 and to say that procurement of Hearing aids / Hearing Health care products does not come under the purview of National Programme for Prevention and Control of Deafness (NPPCD) /NCD-I Section.

2. Hearing aids are being provided to the identified hearing impaired persons as per terms and conditions of Scheme of Assistance to Disabled persons for Purchasing/ Fitting of aids/ appliances (ADIP Scheme). The scheme is dealt under the Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment.

3. In view of above, your grievance is being forwarded to Department of Empowerment of Persons with Disabilities (DIVYANGJAN), Ministry of Social Justice & Empowerment for further necessary action at their end.

Yours faithfully

Digitally signed by
DHARMINDER SINGH
DN: cn=DHARMINDER SINGH, o=GOVT OF INDIA, ou=Ministry of Health & Family Welfare, email=DHARMINDER.SINGH@nic.gov.in, c=IN
Reason: Approved

(Dharminder Singh)

Under Secretary to the Govt. of India

Tel.: 011-23062666

Copy to: (along with copy of grievance with a request that the comments / reply on the

matter may be furnished directly to the applicant / organization)

- (1) The Director,
Department of Empowerment of Persons with Disabilities (DIVYANGJAN),
Ministry of Social Justice & Empowerment,
5th Floor, Pandit Deenadayal Antyodaya Bhawan,
CGO Complex, Lodhi Road, New Delhi-110003

Hearing Aids are also being procured by the Health Ministry hospitals/ institutions such as ALL India Institute of Speech and Hearing, which is being done through the funds of the Health Ministry.

Therefore, your simply referring the letter to the department of Empowerment of Persons with Disabilities, DOES NOT serve purpose, as far as the prescriptions and fitting of hearing aids done by HEALTH MINISTRY hospitals / CGHS Institutions is concerned.

Please Note:

It is important to note that hearing aids are also prescribed and procured by various AIIMS / CGHS Dispensaries / Hospitals across India and in many of their centres, they are still using FOREIGN / CHINESE BRAND, while doing trials on patient and prescribing the foreign / Chinese products, and NOT USING BIS CERTIFIED, MADE IN INDIA products.

When we have contacted the various CGHS run govt hospitals and All India institute of Speech & Hearing besides CGHS dispensaries, we have been told that they do not have any instructions for prescribing and procuring medical devices/ hearing aids with Preference to MAKE IN INDIA and BIS Certified, which essentially means that they are NOT following the Public procurement Policy of the Govt of India.

This is where there is a clear need of 'Made-in-India' and 'ISI Marked' hearing aids to be prescribed and fitted, especially because these are funded through health ministry / CGHS funds for CGHS Beneficiaries and others.

Therefore, in line with GOVT of India guidelines, all the institutions in India need to be clearly instructed to procure medical devices / hearing aids which are 'Made-in-India' and especially which are 'ISI Marked' by BIS.

We are hereby referring to the attached letter of Department of Pharmaceuticals (which is the nodal ministry of medical devices) which clearly states - Hearing Aids must be "Made-in-India" and "BIS certified" as per Public Procurement Policy.see attached Annexure 'A'

We are also hereby referring to the circular of the Finance Ministry itself where they have clearly specified that medical devices should be BIS certified (National Standards).see attached Annexure 'B'

PRAYER

We hereby make a clear request that inline with the above, please instruct all the CGHS Dispensaries, AIIMS, AIISH and various other Ministry of Health Institutions who are prescribing Hearing aids, may kindly procure them in line with PPP and GOI guidelines which is clearly specified by the Dept. of pharmaceuticals (nodal ministry for medical devices), Ministry of Finance as well as the Health Ministry also.

They may be clearly instructed to do trials and fittings of hearing aids, with preference to Make In India products, which are ISI marked by Bureau of Indian Standards, since these hearing aids / medical devices are being procured with funds from health ministry and CGHS.

Reply from your Ministry is MISSING the ESSENCE of the LETTER which was for CGHS hospitals/ Health Min. institutions;- REQUEST FOR INSTRUCTIONS to ALL CGHS Dispensaries / Govt Hospitals / AIIMS / AIISH MYSORE etc. to ensure that Public Procurement Policy for preference to MAKE IN INDIA products must be followed and hearing aids prescribed and fitted by CGHS Hospitals / Dispensaries with Health Ministry Funds and MUST be "ISI Marked by BIS" and "Preferably Made in India" - inline with PPP

2 messages

Hearing Industries Association <hearingindustriesassociation@gmail.com>

To: js@nic.gov.in

Cc: dorniel@mygov.nic.in, narendramod1234@gmail.com

Wed, Jun 16, 2021 at 5:37 PM

Shri Alok Saxena
Joint Secretary to the Govt. of India
Ministry of Health, Nirman Bhawan
New Delhi

sub: Reply from your Ministry is MISSING the ESSENCE of the LETTER which was for CGHS hospitals/ Health Min. institutions:

REQUEST FOR INSTRUCTIONS to ALL CGHS Dispensaries / Govt Hospitals / AIIMS / AIISH MYSORE etc. to ensure that Public Procurement Policy for preference to MAKE IN INDIA products must be followed and hearing aids prescribed and fitted by CGHS Hospitals / Dispensaries with Health Ministry Funds and MUST be "ISI Marked by BIS" and "Preferably Made in India" - inline with PPP

Ref: PMOPG/D/2021/0109713 dated 16.04.2021 from M/s. Hearing Industries Association to the Office of the Prime Minister

Your ref: Letter vide File No.T-21013/08/2021-NCD-I(NPPCD)/ (FTS-8110470) dated 7th June'2021

Respected Sir,

We have received your letter of 7th June and are surprised that the KEY ISSUE, which was regarding the prescriptions and fittings of Hearing Aids done at CGHS Hospitals / Dispensaries from the funds of Health Ministry may kindly be done by following the Public Procurement Policy of Preference to 'MAKE-IN-INDIA', has been sidestepped.

You have clearly missed out on seeing the essence of our letter, where we have referred to the following important issues, whereby the hearing aids are consistently being prescribed and fitted through CGHS / Health Ministry Funds at CGHS Dispensaries / Hospitals / AIIMS / AIISH etc.

Hearing Industries Association
Secretary

Encl: Annexure A and B

CC: Office of the Prime Minister, New Delhi

2 attachments

Annexure B- order of Ministry of Finance dt 12.05.20.pdf
328K

Annexure A-DEPARTMENT OF PHARMACEUTICALS.pdf
2506K

Hearing Industries Association <hearingindustriesassociation@gmail.com>
To: dgoffice@naco.gov.in

[Quoted text hidden]

2 attachments

Annexure B- order of Ministry of Finance dt 12.05.20.pdf
328K

Annexure A-DEPARTMENT OF PHARMACEUTICALS.pdf
2506K

Wed, Jun 16, 2021 at 6:02 PM

No. 31026/36/2016-MD
Government of India
Ministry of Chemicals & Fertilizers
Department of Pharmaceuticals

Janpath Bhawan, New Delhi

Dated, the 16 October, 2018

OFFICE MEMORANDUM

Subject: Guidelines for implementing the provisions of Public Procurement (Preference to Make in India) Order (PPO), 2017, related to procurement of Goods & Services in Medical Devices – reg.

This issue of mandatory requirement of USFDA/CE certification in public procurement has been raised from time to time by Medical Device Industry representatives. This Department has considered the issue and hereby amends the guidelines dated 18.5.2018 issued by this Department for implementation of PPO 2017 dated 15.06.2017 issued by Department of Industrial Policy & Promotion, by inserting Para 4.1 as under:

2. “4.1. Every procurement agency should follow the standards laid down by Bureau of Indian Standards, for the medical device concerned, for procurement purposes. Where such standards exist, USFDA/CE certifications etc. shall not be mandated.”

3. Other contents of the guidelines dated 18.05.2018 remain unchanged.

40/10/18
(Parveen Kumar)

Under Secretary to the Government of India

Email: parveen.19@gov.in

Tel: 23352298

To

As per list attached.

Copy to: DG, Bureau of Indian Standards

Di... ..