

File No.Fin(C)A(3)5/2004
Government of Himachal Pradesh
Finance (Regulation) Department


Dated Shimla-171002 the 3rd April, 2020.

OFFICE MEMORANDUM

Subject: **Special instructions relating to procurement of Goods and Services relating to Relief Operations for COVID-19- Global Pandemic- Relaxation in Rules.**

The undersigned is directed to refer to the subject cited above and to say that the provisions for procurement of Goods and Services are contained in Chapter-6 of Himachal Pradesh Financial Rules, 2009 from Rules-91 to 121. There is a possibility that some items may not be available in the country in sufficient quantity within the time frame in which they are needed. Certain items of equipment are currently in global short supply and are effectively in a 'sellers' market.' There are also variations in specifications within the same category of items and hence price differences may sometimes reflect differences in specifications or quality. Being a national health emergency of unprecedented and historic scale, delays in procurement will result in loss of lives of citizens. There is a paramount public interest in ensuring that the necessary supplies are procured in the fastest possible manner and financial procedures have to adapt accordingly.

2. In order to facilitate the procurement of Goods and Services and essential supplies for COVID-19 operations, the matter relating to issuing the special instructions has been considered and the following special instructions are hereby issued for this purpose.

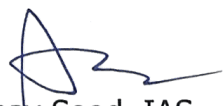


3. Rule-103 of H.P. Financial Rules provides for limited tender system and Rule-104 provides for single tender system. Similarly, Rule-112 provides for outsourcing of services and Rule-119 provides for hiring by choice of services. Similarly, Rule-94 and 94-A as amended vide notification of even number dated 17.7.2017 and 12.2.2020, provides for procurement of Goods and Services through rate contract system or through Government e-Market Place(GeM). In the present situation of lock down, registered vendors/suppliers under GeM, even if orders are placed, may not always be able to effect deliveries of supplies on time and at desired locations, due to closure of factories, stoppage of transportation services and general disruption of normal life.

4. In view of urgency involved in the procurement of medical and other essential supplies, where time is of essence and delay may result in

irreparable loss, the following special instructions are issued for any emergent purchases related to COVID-19 operations:

1. The provisions of Rule-94 and 94-A of H.P.F.R. will not be applicable to purchases made under Rule-103 or 104 cited above. The ceiling of purchase of Rs. 10 lakh provided in the Rule-103, will also not be applicable for COVID-19 related purchases.
 2. Procurement may be simultaneously undertaken under Rule-103 or 104 as the case may be, from more than one source, if the entire quantity required is not available or is not immediately available from one source. Such procurement may, if unavoidable, can be at different rates. Similar procedure will be followed for outsourcing of services in relaxation of Rules-112 and 119 of H.P.F.R.
 3. If the entire quantity required is not immediately available from any one method of procurement, procurement may also be resorted to simultaneously by multiple methods, in relaxation of rules. Such procurement, if unavoidable, can be at different rates for which department may record detailed reasons, while undertaking the purchases.
 4. The term "Essential Supplies" to be purchased under these relaxed conditions may be decided with the approval of the concerned Administrative Secretary.
 6. The Department, if it feels necessary, may constitute committee of Officers to deal with and recommend and /or decide any of these matters.
 7. These instructions will apply notwithstanding anything contrary to the provisions in the delegation of financial powers/H.P.F.R.-2009.
5. These instructions, issued with the prior approval of the competent authority, shall be in force till 31 May, 2020 or till superseded by another order, whichever is earlier.


Akshay Sood, IAS
Secretary(Finance) to the
Government of Himachal Pradesh

All Administrative Secretaries to the
Government of Himachal Pradesh

Endst. No. Fin(C)A(3)5/2004 Dated Shimla-171002 the 3.4.2020.

Copy to:

1. All the Divisional Commissioners in H.P.

2. All Heads of Departments in H.P.
3. All Deputy Commissioners in H.P.
4. The Resident Commissioner, H.P. Himachal Bhawan, New Delhi.
5. The Principal Accountant General, H.P.
6. The Accountant General(A&E) Himachal Pradesh.
7. The Registrar General, High Court of Himachal Pradesh.
8. The Director, Treasuries, Accounts and Lotteries, H.P.
9. All the District & Session Judges, in H.P.
10. All the District Treasury Officers/Treasury Officers in H.P.



Secretary(Finance) to the
Government of Himachal Pradesh