



FINANCE (SALARIES) DEPARTMENT

G.O. No.392, dated 18th August, 2009

(Aavani 2, Thiruvalluvar Aandu 2040)

Tamil Nadu Transparency in Tenders Rules,2000 – Tender Advertisements – Guidelines to be followed while publishing advertisements – Enhancement of the limit of low value procurement – Amendment to the Rules – Orders – Issued.

Read the following :-

1. G.O.Ms.No.764, Public Department, dated 26.3.1980.
2. G.O.Ms.No.617, Public Works Department, dated 16.3.1990.
3. G.O.Ms.No.140, Information & Tourism Department, dated 06.08.1996.
4. G.O.Ms.No.290, Information & Tourism Department, dated 12.12.1997.
5. G.O.Ms.No.490, Finance(Salaries) Department, dated 11.9.1998.
6. G.O.Ms.No.108, Information & Tourism Department, dated 8.5.1999.
7. G.O Ms.No.452, Finance (Salaries) Department, dated 16.11.2001

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ORDER No.392, Finance (SALARIES) Department, dated 18th August 2009.

In the Government Orders first to sixth read above, norms for publishing tender notices in newspapers by Government Departments and Government Organisations have been prescribed.

2. At present, the notices inviting tenders are published in newspapers in accordance with the orders issued in the Government Order sixth read above. It is considered that the limits prescribed in the Government Order sixth read above, are outdated, as they have been prescribed ten years back when the cost of inputs and value of procurement was low. Hence, it is proposed that a new set of rules can be prescribed which will apply to the various tender inviting departments, Boards, Public Sector Undertakings and other organisations presently covered under the Tamil Nadu Transparency in Tenders Act,1998(Tamil Nadu Act 43 of 1998) and the Tamil Nadu Transparency in Tenders Rules,2000.

3. Government hereby orders that the revised financial limits for advertising tender notices in various newspapers will be as follows:-

Construction

Sl. No.	Estimated value of work	Number of Dailies and Editions in which advertisements are to be issued.
(a)	Rs.25 lakhs to Rs.1 crore	Advertisements in <i>Two Tamil Dailies</i> . (District-level editions only).
(b)	Above Rs.1 crore to Rs. 5 crores	Advertisements in <i>Two Tamil Dailies</i> . (All editions in Tamil Nadu)
(c)	Above Rs.5 crores to Rs.50 crores.	Advertisements in <i>One English Daily</i> (All India edition) and <i>One Tamil Daily</i> (All editions in Tamil Nadu).
(d)	Above Rs.50 crores.	Advertisements in <i>Two English Dailies</i> , one being a <i>Business Daily</i> (All India edition) and <i>One Tamil Daily</i> (All editions in Tamil Nadu) and <i>Indian Trade Journal</i> .

All other categories of procurement inclusive of materials, equipments, food items and consultancies for Construction

Sl. No.	Estimated value of procurement	Number of Dailies and Editions in which advertisements are to be issued.
(a)	Rs.10 lakhs to Rs.50 lakhs	Advertisements in <i>Two Tamil Dailies</i> . (All editions in Tamil Nadu)
(b)	Above Rs.50 lakhs to Rs.50 crores	Advertisements in <i>One English Daily</i> (All India edition) and <i>One Tamil Daily</i> (All editions in Tamil Nadu)
(c)	Above Rs.50 crores.	Advertisements in <i>Two English Dailies</i> , one being a <i>Business Daily</i> (All India edition) and <i>One Tamil Daily</i> (All editions in Tamil Nadu) and <i>Indian Trade Journal</i> .

The aforesaid norms will be subject to the following conditions:

- (a) In addition to the publication of the tender notices in newspapers, it shall also be published in the dedicated government website for tenders in accordance with rules already in force. All tender notices shall include the web address of this dedicated website, which at present is www.tenders.tn.gov.in.
- (b) When more than one tender is bunched in a tender notice, the highest value among the individual tenders should be considered to determine the applicable norm. The sum total of values of all individual tenders cannot be considered.
- (c) Tender Inviting Authorities, in their communication to the Director of Information and Public Relations(DIPR) for publishing the tender notice, should clearly specify the size of the required advertisement and the Director of Information and Public Relations(DIPR) should not place advertisements in excess of the required space. The maximum size of the advertisement of the tender notice shall be 50 sq.cm for all procurements up to Rs. 5 crores and shall be 100 sq.cm for all procurements above Rs.5 crores but up to Rs.50 crores. For procurements above Rs.50 crores, there shall be no size restriction, but tender inviting authorities may, as far as possible, restrict the same to 100 sq.cm.
- (d) Tender Inviting Authorities, in their communication to the Director of Information and Public Relations(DIPR) for publishing the tender notice, should clearly specify the estimated value of procurement. In the case of civil works, value as per the detailed estimate should be adopted. In the case of other procurements, the cost projected while obtaining the administrative sanction should be adopted. In rare cases, where this is not possible like routine procurement for ongoing schemes like noon-meals, Public Distribution System(PDS), etc, the per unit price obtained in the previous tender multiplied by the quantity sought to be procured can be taken as the basis of the estimated cost.
- (e) In the case of international competitive biddings, it would be open for the tender inviting authority to give additional advertisements in more number of newspapers.
- (f) In case of procurement under externally funded projects or other funded projects, if the norms insisted upon by the funding agency require publication in more number of newspapers or a bigger size for the tender notice, the same is permissible.
- (g) The aforesaid conditions will be in addition to all other mandatory conditions under the Tamil Nadu Transparency in Tenders Act,1998 (Tamil Nadu Act 43 of 1998) and the Tamil Nadu Transparency in Tenders Rules,2000.
- (h) The aforesaid conditions apply only for procurement of goods and services and shall not apply for advertisements like those regarding regular recruitment into government service, publicity for government programmes, etc.
- (i) The expression 'Construction' in this Government order will have the same meaning as the expression 'Construction' in Section 2(a) of the Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998) and shall cover all civil works including maintenance or renovation of existing structures.

4. In the Government Order seventh read above, the limit of low value procurement as mentioned in *clause (d) of section 16 of the Tamil Nadu Transparency in Tenders Act, 1998(Tamil Nadu Act 43 of 1998)*, was fixed as “*less than rupees five lakhs*”. As the prices of many of the procured items have increased in the past few years, and as the scale of procurement has increased, Government hereby revise the limits of low value procurement, as follows:

- (a) For construction -- Less than Rs.25 lakhs
- (b) All other categories of procurement inclusive of consultancies for construction --Less than Rs.10 lakhs

In addition, as per *sub-rule(1) of rule 11 of the Tamil Nadu Transparency in Tenders Rules,2000*, all procurements *above Rs.10 crores* which require publication in the Indian Trade Journal stands amended to the effect that publication in the Indian Trade Journal is required only *if the procurement value exceeds Rs.50 crores*.

5. In order to effect the aforesaid amendments to the Tamil Nadu Transparency in Tender Rules, 2000, the following notification will be published in the Tamil Nadu Government Gazette Extraordinary dated the 18th of August, 2009.

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 22 of the Tamil Nadu Transparency in Tenders Act, 1998(Tamil Nadu Act 43 of 1998), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Transparency in Tenders Rules, 2000.

2. The amendments hereby made shall come in to force on and from the 18th of August, 2009.

AMENDMENTS

In the said Rules –

- (1) in rule 11,in sub-rule (1), for the words “**ten crores**” the words “**fifty crores**” shall be substituted;
- (2) for rule 33, the following rule shall be substituted, namely:-

“33. For the purposes of clause (d) of section 16 of the Act, “low value procurement” means any procurement, which is less than rupees **twenty five lakhs** in value for construction and which is less than rupees **ten lakhs** in value for all other categories of procurement inclusive of consultancies for construction”.

(By Order of the Governor)

K.GNANADESIKAN
Principal Secretary to Government

To

The Works Manager, Government Central Press, Chennai-79.

(for the publication of the notification and send 100 copies to Government)

All Secretaries to Government.

The Secretary, Legislative Assembly, Secretariat, Chennai-9.

The Comptroller, Governor's Household, Raj Bhavan, Chennai-32.

The Governor's Secretariat, Raj Bhavan, Guindy, Chennai-32.

Heads of Departments.

All Collectors / All District Judges / All Chief Judicial Magistrates.

All Departments of Secretariat.

All The Principal Accountant-General(A & E), Chennai-18.

The Principal Accountant-General (A &E),Chennai-18. (by name).

The Accountant-General (Audit-1), Chennai-35.

The Accountant-General (Audit-1), Chennai-35. (by name).

The Accountant-General (Audit-II), Chennai-6.

The Accountant-General (Audit-II), Chennai-6.(by name).

The Accountant-General (CAB), Chennai-9.

The Commissioner of Treasuries and Accounts, Chennai-15.

The Pay and Accounts Officer (Secretariat), Chennai-9.

The Pay and Accounts Officer (South), Chennai-35.

The Pay and Accounts Officer (North), Chennai-1.

The Pay and Accounts Officer (East), Chennai-5.

The Pay and Accounts Officer, Madurai-625 001.

All Treasury Officers.

The Chairman, Tamil Nadu Public Service Commission, Chennai-2.

The Registrar, High Court, Chennai-104.

The Registrars of All Universities.

All State Owned Corporations and Statutory Boards.

The Commissioner, Corporations of Chennai /Madurai /Coimbatore / Tiruchirappalli/ Salem /
Tirunelveli/Erode/Tiruppur/Vellore/Tuticorin.

The Project Co-ordinator, Tamil Nadu Integrated Nutrition Project,
No. 570, Anna Salai, Chennai-18.

Copy to:

The Secretary to Chief Minister, Chennai-9.

The Private Secretary to the Chief Secretary, Chennai-9.

The Private Secretary to the Secretary to Government, Finance Department, Chennai-9.

The Information and Public Relation Department,Chennai-9

The Law Department, Chennai-9.

All Officers in Finance Department, Chennai-9.

All Sections in Finance Department, Chennai-9.

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SECTION OFFICER.