

No.12-02-6-CTE-SPI(I)-2
Government of India Central
Vigilance Commission (CTE's
Organisation)

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi – 110 023
Dated the 21st April, 2004.

OFFICE ORDER NO. - 25/04/04

Subject: Consideration of Indian Agents.

The commission has received a complaint alleging that in Government tenders an agent participates by representing a company officially and another bid is submitted as a 'direct offer' from the manufacturer. At times, the agent represents a foreign company in one particular tender and in another tender the said foreign company participates directly and the agent represent another foreign company. There is a possibility of cartelization in such cases and thus award of contract at higher prices.

2. The issue has been deliberated in the Commission. In order to maintain the sanctity of tendering system, it is advised that the purchases should preferably be made directly from the manufacturers. Either the Indian Agent on behalf of the foreign principal or the foreign principal directly could bid in a tender but not both. Further, in cases where an agent participates in a tender on behalf of one manufacturer, he should not be allowed to quote on behalf of another manufacturer along with the first manufacturer in a subsequent/parallel tender for the same item.
3. It is suggested that these guidelines may be circulated amongst the concerned officials of your organisation for guidance.

Sd/- (A.K.
Jain)
Technical Examiner
For Chief Technical Examiner

To

All CVOs of Ministries/ Departments/ PSUs/ Banks/ Insurance Companies./ Autonomous Organizations/ Societies/ UTs.