



भारत सरकार Government of India
रेल मंत्रालय Ministry of Railways
रेलवे बोर्ड (Railway Board)



No.2020/Tele/15(18)/4 (3317053)

Dated: 05.04.2023

Principal CSTE,
All Indian Railways.

Sub: Adherence to PMI-MII Policy Guidelines – Clarification from DoT.

**Ref: 1. This office letter of even No. dated 14.02.2023.
2. DoT's letter No. 16-03/2021-IP dated 17.03.2023 (enclosed)**

Vide letter under reference (1) above, Zonal Railways were advised about the various guidelines related to PMI and local content applicable for Telecom products.

Now, vide letter under reference (2) above, DoT has informed that it is still to notify the list of goods, services and works with reference to clause 3(a) of DPIIT PPP-MII order dated 16.09.2020. Para 3(a) mandates that for notified products, procurement is to be done only from class-I local suppliers irrespective of purchase value.

However, for procurement of Telecom Service, goods & works, all other clauses of DPIIT PPP-MII order dated 16.09.2020 will be applicable. Further, the minimum local content as per DoT's notification dated 29.08.2018 for certain telecom products remains valid for all other provisions of DPIIT PPP-MII orders with regard to "local Content."

Zonal Railways are advised to ensure compliance accordingly.

DA: As above

(राकेश रंजन)
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Copy for kind information to:
EDRS(G)/Railway Board

No.16-03/2021-IP
Government of India
Ministry of Communications
Department of Telecommunications
(Investment Promotion Cell)
20, Ashoka Road, Sanchar Bhawan,
New Delhi-110001

Dated: .03.2023

OFFICE MEMORANDUM

Subject: Difficulties in implementing DoT PPP MII order dated. 29.08.2018- reg.

The undersigned is directed to refer to M/o Railways letter dated 07.03.2023 regarding captioned subject.

2. In this regard, it is intimated that list provided in Table A of the DoT Gazette Notification dated 29.08.2018 pertains to clause 3(a) of then prevailing PPP-MII order, which specifically provisioned for procurement with estimated value of Rs. 50 lakhs or less only. Thereafter, DPIIT PPP-MII order has been revised multiple times and the latest order is dated 16.09.2020. As per clause 3(a) of latest DPIIT PPP-MII order, goods, services or works notified by Nodal Ministry/ department shall be procured from only Class-I local supplier, irrespective of the purchase value. In case of DoT, the list of goods, services and works is under examination and yet to be notified. Further, in so far as procurement of Telecom products/ services/ works is concerned, all other clauses of DPIIT's PPP-MII order dated 16.09.2020 will be applicable. Further, as per DoT OM dated 27.09.2021, DoT's Gazette Notification dated 31.08.2021 has been kept in abeyance and DoT Gazette Notification dated 29.08.2018 pertains to clause 3(a) of the then prevailing PPP-MII order and stands for procurement with estimated value of Rs. 50 lakhs or less.

2.1 Further, it is informed that minimum local content is to be notified by Nodal department, which has been done by DOT as per notification dated 29.08.2018 for certain products under clause 3(a) of

DPIIT PPP-MII order, which would be valid for all other provisions of DPIIT PPP-MII order with regards to "local content".

3. However, for items not available locally, Global Tender Enquiry (GTE) may be issued even for procurement less than Rs 200 Crore only after following the procedure laid down in DoE OM dated 03.08.2021(Copy enclosed). Further, DPIIT has also provisioned certain exemptions at clause 14 of its PPP-MII order dated 16.09.2020 (Copy enclosed).

4. This issues with the approval of competent authority.

**Signed by Mahesh Kumar
Kashyap**
Date: 17-03-2023 10:05:17
Reason: Approved
(Sh. Mahesh Kumar Kashyap)
Under Secretary (IP)
Tele: 23036598
(Email: usip.hq-dot@nic.in)

To,

Shri Rakesh Ranjan
Executive Director (Telecom Development)
M/o Railways
(Email- edtd@rb.railnet.gov.in)



भारत सरकार (GOVERNMENT OF INDIA)
रेल मंत्रालय (MINISTRY OF RAILWAYS)
रेलवे बोर्ड (RAILWAY BOARD)



No. 2019/ Tele/15(18)/4 pt (3317053)

New Delhi Dated: 07.03.2023

**Secretary (Telecom),
DoT, Ministry of Communications,
Sanchar Bhawan 20, Ashoka Road,
New Delhi 110001.**

(Kind Attention: Shri Anand Singh, JS/T)

Sub: Difficulties in implementing DoT PPP MII order dated. 29.08.2018

Ref: DoT's letter no. 18-01/2018-IP-(Part 3) dt. 06.12.2022

In reference to above, instructions regarding applicability of DoT PPP/MII order dated 29.08.2018 in Railway works/ projects irrespective of the source of fund has been issued for compliance in zonal Railways and other associated offices/associates/CPSEs under Ministry of Railways. Reading this order along with the DPIIT's PMI order number P-45021/2/2017-PP (BE-II) dated. 16.09.2020, difficulties are being faced in finalizing the Railways tender related to Telecom works.

DoT PPP MII order dated. 29.08.2018 notifies telecom services/ works under item 36 of the Table-A indicating 70% local content requirement duly certifying local capacity and local competition. Clause-3A of DPIIT's aforesaid order states that: *"In procurement of the goods, services or works in respect of which the nodal Ministry/ Department has communicated that there is sufficient local capacity and local competition, only class-I local suppliers as defined under the order, shall be eligible to bid irrespective of purchase value"*.

It is stated that in most of the tenders for telecom services/ work in Railways the bidders are not able to meet the local content requirement of 70%. This is leading to problems in finalizing works tender.

DoT is accordingly requested to kindly clarify the applicability of the DoT's PPP MII order dated 29.08.2018 with DPIIT's PMI order dated 16.09.2020.

Signed by Rakesh Ranjan

Date: 07-03-2023 16:38:49

Reason: Approved

(राकेश रंजन)

कार्यकारी निदेशक/दूरसंचार

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भारत सरकार Government of India
रेल मंत्रालय Ministry of Railways
रेलवे बोर्ड (Railway Board)



No. 2019/Tele/15(18)4 Pt. (eOffice: 3317053)

New Delhi Dated: 14.02.2023

Principal CSTE's
All Indian Railways.

CMD, RailTel

Sub: Adherence to PMI-MII Policy Guidelines.

Ref: 1. DoT's OM No. 18-01/2018-IP (Part-3) dated 06.12.2022 (Annexure-I)
2. DPIIT OM No. P-45021/102/2019 BE-II Part-I dated 04.03.2021 (Annexure-II)
3. DoT Notification 18-10/2017-IP dated 29.08.2018 (Annexure-III)
4. DPIIT letter no. P-45021/2/2017-PP (BE-II) 16.09.2020 (Annexure-IV)
5. Board's Letter No. 2020/Tele/15(18)/4-Part(I)(3416151) dated 29.12.2022 (Annexure V)

1. Department of Telecom has been identified as the nodal agency for implementing the provisions related to procurement of goods, services or works related to telecom sector of the PMI policy issued by DPIIT.
2. DoT, vide its letter at Annexure-I, has indicated that its notification indicating local content (Annexure-III) is applicable for Railway works as well. Zonal railways are therefore advised to ensure procuring a minimum percentage as indicated under PMI of their telecom products, services or works requirement fulfilling the Local Content criterion prescribed in the DoT's notification while procuring the notified telecom items.
3. Attention is also invited to the DPIIT's OM at Annexure-II where in it has been clarified that bidders offering imported products will fall under the category of non-local supplies. Bidders can't claim themselves as class-I/II local suppliers by claiming the services such as transportation, insurance, installation, commissioning, training, and after sale service support like AMC/CMC etc. as local value addition.
4. Further, DPIIT's guidelines communicated vide Annexure V indicates common examples of "Restrictive and Discriminatory Conditions against Local Suppliers" and "other conditions" which make the bid non-compliant to PPP-MII orders.
5. Zonal Railways are advised to kindly ensure compliance of all these guidelines of DoT and DPIIT in their tenders for telecom products, services and works.

Encl: As above.

(राकेश रंजन)
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Copy to:

1. DG/IRISET, Secunderabad
2. PED/S&T/RDSO

No.18-01/2018-IP-(Part-3)
Government of India
Ministry of Communications
Department of Telecommunications
(Investment Promotion Cell)
Sanchar Bhawan, 20, Ashoka Road

New Delhi, Dated

OFFICE MEMORANDUM

Subject 2020/Tele/15(18)/4 **Applicability of DoT PPP MII order on Indian Railways purchases of Telecom gear- reg.**

The undersigned is directed to state that it has been reported by M/s Coral Telecom Ltd. that Ministry of Railway is insisting that DoT PPP-MII order dated 29.08.2018 is not applicable since, as per clause 4 of the order, it is applicable on Central schemes, Central Sector schemes and USO funded projects while Railway telecom projects are not covered under either. It has been insisted that Indian Railways, generates its own funds that are used for such projects hence telecom procurement is not covered under DoT order.

2. In this regard, it is clarified that DoT PMI order is derived from the DPIIT Order and keeping the generality of the DPIIT order, notifies the Telecom Products, Services or Works. In para 2 of "Definitions", DPIIT Order dated 16.09.2022 has defined "Procuring Entity" as a Ministry or Department or attached or subordinate office of or autonomous body controlled by the Government of India and includes Government companies as defined in the Companies Act. Therefore, DoT PMI Order is applicable to Railways as well.

3. Further, as far as applicability of clause 9 of DoT PPP-MII order is concerned, that specifies compliance to national specifications of TEC for procurement of telecom products, it is clarified that clause 9 of DoT PMI Order dated 29.08.2018 does not provide exception for items being procured for captive use. Therefore, TEC GR shall be applicable if TEC GR is available for a telecom product.

4. This issues with the approval of competent authority.

**Signed by Mahesh Kumar
Kashyap
Date: 06-12-2022 18:00:08
Reason: Approved**

(Mahesh Kumar Kashyap)

Under Secretary to Govt. of India

Tele: 23716598

Email- usip.hq-dot@nic.in

To,

**Chairman and CEO
2020 (Tele/1518)/4
Railway Board
Ministry of Railways**

Copy to:

*Additional Member (Telecom)
Railway Board
Ministry of Railways*