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26589873, 26589414
फैक्स /FAX : 011-26588662, 011-26589791, 011-26589258

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भारतीय आयुर्विज्ञान अनुसंधान परिषद
INDIAN COUNCIL OF MEDICAL RESEARCH

स्वास्थ्य अनुसंधान विभाग (स्वास्थ्य एवं परिवार कल्याण मंत्रालय)
वी रामलिंगस्वामी भवन, अन्सारी नगर, नई दिल्ली - 110029
DEPARTMENT OF HEALTH RESEARCH (MINISTRY OF HEALTH & FAMILY WELFARE)
V. RAMALINGASWAMI BHAWAN, ANSARI NAGAR, NEW DELHI - 110029

क्रमांक.E16/48/2022-प्रशासन/E.Office No.139791

दिनांक:19/07/2024

सेवा में,

निदेशक/प्रभारी निदेशक
परिषद के सभी संस्थान/केन्द्र

महोदय/महोदया,

विभिन्न मंत्रालयों/विभागों से प्राप्त निम्नलिखित पत्र/कार्यालय ज्ञापन, सूचना एवं आवश्यक कार्यवाही के लिए संलग्न है।

SI.No	Reference No. & Date	Name of Ministry	Subject
1.	No.CG-DL-E-24062-24-254883 Dated: 24.06.2024	Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Notification, New Delhi	The Public Examination (Prevention of Unfair Means) Act and Rules
2.	OM No.RT-23018/8/2022-T Dated: 08.07.2024	Ministry of Road Transport & Highways Transport Section, Transport Bhawan, 1, Parliament Street, New Delhi	Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.
3.	OM No.F.1/3/2024-PPD Dated:10.07.2024	Ministry of Finance, Department of Expenditure Procurement Policy Division, New Delhi	Amendment in General Financial Rules, 2017.

Signed by
Jagdish Rajesh

Date: 22-07-2024 10:30:03

भवदीय,

जगदीश राजेश

सहायक महानिदेशक (प्रशासन)

अनुलग्नक:यथोक्त

प्रतिलिपि:

1. महानिदेशक/अपर महानिदेशक/वरि.उपमहानिदेशक (प्रशा.)/वरि.वित्त सलाहकार के निजी सचिव
2. परिषद के सभी प्रभाग प्रमुख
3. उपमहानिदेशक (प्रशा.)/सहा. महानिदेशक (प्रशा.)
4. स्टोर अनुभाग
5. प्रमुख वीएमआई - आईसीएमआर की वेबसाइट पर अपलोड करने के अनुरोध के साथ।



ADMN-II ADMN <admn2355@gmail.com>

Fwd: Fwd: [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

R Lakshminarayanan <lakshminarayanan.r@icmr.gov.in>

Tue, Jul 9, 2024 at 1:02 PM

To: admn2355 <admn2355@gmail.com>

Cc: Jagdish Rajesh <rajeshj.hq@icmr.gov.in>, SAFAL CHETRI CHETRI <chetri.s@icmr.gov.in>, KARMARKAR TUSHAR <tushar.arun@gov.in>, MANISHA SAXENA <srddga.hq@icmr.gov.in>

We may circulate this to all the ICMR Institutes / Centres and ICMR HQ Divisions / Sections, for information and compliance.

Thanks

Dr R Lakshminarayanan
Deputy Director General (A) &
Vigilance Officer
ICMR HQ, New Delhi.

From: "KARMARKAR TUSHAR" <tushar.arun@gov.in>

To: "R Lakshminarayanan" <lakshminarayanan.r@icmr.gov.in>, "Geeta Jotwani" <jotwanig.hq@icmr.gov.in>

Sent: Tuesday, July 9, 2024 12:24:56 PM

Subject: Fwd: [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

Sir/Madam,

Kindly perusal and necessary action.

Regards
Dr Tushar Karmarkar
Deputy Secretary, Department of Health Research

From: "Anu Nagar" <anu.nagar1@gov.in>

To: "KARMARKAR TUSHAR" <tushar.arun@gov.in>

Sent: Friday, July 5, 2024 1:36:25 PM

Subject: Fwd: [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

For n/ a
Sent from my iPhone

Begin forwarded message:

From: DG ICMR <secy-dg@icmr.gov.in>

Date: 5 July 2024 at 12:42:05 IST

To: Anu Nagar <anu.nagar1@gov.in>, RICHA KHODA <richa.khoda@gov.in>

Subject: [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

From: "Sonal Yadav" <sonal.y13@nic.in>

To: secy-goi@ismgr.nic.in

Cc: "Ms JASMINE" <jasmine.bhardwaj@nic.in>, "VIMAL US" <vimal.74@nic.in>, "Arun Pratap Singh" <arun.pratapsingh@gov.in>

Sent: Tuesday, July 2, 2024 9:44:22 AM

Subject: [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

NO. 737
16/7/24
Dr. Sonal Yadav
10/7




Sir/Madam,

Please find attached with this e-mail, The Public Examination (Prevention of Unfair Means) Act and Rules, 2024, for information and further appropriate action.

Regards,
Sonal Yadav
Section Officer (Estt.B.I)
DoPT

[Quoted text hidden]

3 attachments

-  **Prevention of Unfair Means Rules, 2024.pdf**
297K
-  **Notification dated 21.06.24.pdf**
870K
-  **Act Notification dt 12.02.2024.pdf**
900K

done

FTS- 3753793

So(A)
12/7/2024
SA

DG. ICMR OFFICE
Diary No. : 263790
Date : 05/7/2024

DG ICMR

Email

[Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

From : Sonal Yadav <sonal.y13@nic.in>

Tue, Jul 02, 2024 01:41 PM

Subject : [Secy-goi] The Public Examination (Prevention of Unfair Means) Act and Rules

3 attachments

To : secy-goi@lsmgr.nic.in

Cc : Ms JASMINE <jasmine.bhardwaj@nic.in>, VIMAL US <vimal.74@nic.in>, Arun Pratap Singh <arun.pratapsingh@gov.in>

JS(A)/JS(RK)
SDBS

Sir/Madam,

Please find attached with this e-mail, The Public Examination (Prevention of Unfair Means) Act and Rules, 2024, for information and further appropriate action.

RB.

Regards,
Sonal Yadav
Section Officer (Estt.B.I)
DoPT

TK urgent. Pl take action as per Rules.
Shri



Sr. DDG(ICMR) / Head(ICMR) HRD Div.
Forwarded for O/A A.
8.7.2024

CS/10/7

Secy-goi mailing list -- secy-goi@lsmgr.nic.in
To unsubscribe send an email to secy-goi-leave@lsmgr.nic.in

ADG(A)

- Prevention of Unfair Means Rules, 2024.pdf
296 KB
- Notification dated 21.06.24.pdf
870 KB
- Act Notification dt 12.02.2024.pdf
900 KB

Signature

S.No. 16890
12-7-2024

250
12/7/24

Mr. Samant
Shri
16/7



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-24062024-254883
CG-DL-E-24062024-254883

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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No. 319]

NEW DELHI, MONDAY, JUNE 24, 2024/ASHADHA 3, 1946

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

अधिसूचना

नई दिल्ली, 23 जून, 2024

सा.का.नि. 342(अ).—केंद्रीय सरकार, लोक परीक्षा (अनुचित साधन निवारण) अधिनियम, 2024 (2024 का 1) की धारा 16 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, अर्थात् :-

अध्याय 1

प्रारंभिक

1. संक्षिप्त नाम और प्रारंभ - (1) इन नियमों का संक्षिप्त नाम लोक परीक्षा (अनुचित साधन निवारण) नियम, 2024 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं - (1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :-

(क) "अधिनियम" से लोक परीक्षा (अनुचित साधन निवारण) अधिनियम, 2024 (2024 का 1) अभिप्रेत है;

(ख) "केन्द्र समन्वयक" से विभिन्न सेवा प्रदाताओं और लोक परीक्षा प्राधिकरण के क्रियाकलापों के समन्वय के लिए तथा लोक परीक्षा प्राधिकरण में समन्वय करने के लिए और लोक परीक्षाओं के संचालन के लिए अधिसूचित सभी

संनियमों या मानकों और दिशानिर्देशों की अनुपालना को पूरा करने के लिए लोक परीक्षा केन्द्र पर तैनात लोक परीक्षा प्राधिकरण का कोई प्रतिनिधि अभिप्रेत है ;

(ग) "दिशानिर्देश" से केन्द्रीय सरकार द्वारा समय-समय पर अधिसूचित दिशानिर्देश अभिप्रेत है ;

(घ) "संनियम या मानक" से केन्द्रीय सरकार द्वारा लोक परीक्षाओं के संचालन के संबंध में समय-समय पर यथा अधिसूचित आज्ञापक अपेक्षाओं का सेट अभिप्रेत है ;

(ङ) "प्रादेशिक अधिकारी" से सरकार के उप सचिव के रैंक से अनिम्न भारसाधक अधिकारी अभिप्रेत है जिसे लोक परीक्षा प्राधिकरण द्वारा प्रदेश के लिए पदाभिहित किया गया है ;

(च) "स्थान भारसाधक" से विभिन्न सेवा प्रदाताओं के क्रियाकलापों का पर्यवेक्षण करने, समन्वय करने और उनका प्रबंध करने के लिए तथा यह सुनिश्चित करने के लिए कि लोक परीक्षा का संचालन करने के लिए अधिसूचित संनियमों, मानकों और दिशानिर्देशों का अनुपालन किया जा रहा है, परीक्षा संचालित करने वाले सेवा प्रदाता द्वारा नामनिर्दिष्ट कोई व्यक्ति अभिप्रेत है ।

(2) उन शब्दों और पदों के, जो इसमें प्रयुक्त हैं, किंतु परिभाषित नहीं हैं और तत्समय प्रवृत्त किसी अन्य विधि में परिभाषित हैं, का वही अर्थ होगा, जो उनका उन अधिनियमों में है ।

अध्याय 2

लोक परीक्षा प्राधिकरण द्वारा अन्य सरकारी अभिकरणों की सेवाओं को नियोजित करना

3. लोक परीक्षा प्राधिकरण द्वारा अन्य सरकारी अभिकरणों की सेवाओं को नियोजित करना- (1) जब कोई लोक परीक्षा प्राधिकरण, लोक परीक्षा के संचालन के लिए किसी अन्य लोक परीक्षा प्राधिकरण की सेवाओं के लिए नियोजित किया जाता है, तो पश्चातवर्ती लोक परीक्षा प्राधिकरण 'सेवा प्रदाता' की परिभाषा के अधीन नहीं आएगा ;

(2) विद्यालय, शैक्षणिक संस्थाएं और अन्य परिसर, जो केन्द्रीय सरकार या राज्य सरकार, पब्लिक सेक्टर उपक्रमों, स्वायत्त निकायों और अन्य सरकारी संगठनों के स्वामित्व में हैं या नियंत्रण में हैं, वे 'सेवा प्रदाता' की परिभाषा के अधीन नहीं आएंगे ;

(3) यदि यह सिद्ध कर दिया जाता है कि उपनियम (2) में निर्दिष्ट संस्थाओं का कर्मचारिवृंद (जिसके अंतर्गत संविदा कर्मचारिवृंद भी है), अनुचित साधनों का प्रयोग करता है या कोई अपराध कारित करता है, तो उस पर अधिनियम के सुसंगत उपबंधों के अनुसार कार्यवाही की जाएगी।

अध्याय 3

कम्प्यूटर आधारित परीक्षण

4. कम्प्यूटर आधारित परीक्षण - (1) कम्प्यूटर आधारित परीक्षण के अंतर्गत अभ्यर्थियों का रजिस्ट्रीकरण, केन्द्रों का आबंटन, प्रवेश-पत्रों का जारी किया जाना, लोक परीक्षा केन्द्रों में प्रश्नपत्रों को खोला जाना और वितरण करना, मूल्यांकन और अंतिम सिफारिशें करना, जैसे कार्यकलाप सम्मिलित हैं ।

(2) कम्प्यूटर आधारित परीक्षण के संबंध में प्रश्नपत्रों को खोलने और वितरित करने से लोक परीक्षा केन्द्र में मुख्य सर्वर से स्थानीय सर्वर में प्रश्नपत्र को डाउनलोड करना, जैसा कि लोक परीक्षा प्राधिकरण द्वारा प्राधिकृत किया जाए, संबंधित लोक परीक्षा केन्द्रों में अभ्यर्थियों के लिए स्थानीय सर्वर से प्राधिकृत व्यष्टिक कम्प्यूटरों में प्रश्नपत्रों को अपलोड और डिजिटल रूप में अंतरित करना अभिप्रेत है ।

अध्याय 4

कम्प्यूटर आधारित परीक्षण के लिए संनियम, मानक और दिशानिर्देश

5. संनियम, मानक और दिशानिर्देश तैयार करना - (1) केन्द्रीय सरकार के निमित्त, राष्ट्रीय भर्ती अभिकरण, पणधारियों के परामर्श से, परीक्षा के कम्प्यूटर आधारित परीक्षण रीति के लिए संनियम, मानक और दिशानिर्देश तैयार करेगा और इसे केन्द्रीय सरकार द्वारा अधिसूचित किया जाएगा ।

(2) संनियम, मानक और दिशानिर्देश के अंतर्गत भौतिक और डिजिटल अवसंरचना तथा क्रियाकलाप शामिल होंगे, जिसके अंतर्गत -

- (क) लोक परीक्षा केन्द्रों के रजिस्ट्रीकरण के लिए मानक प्रचालन प्रक्रिया ;
- (ख) कम्प्यूटर आधारित परीक्षण केन्द्रों के भीतर स्थान की अपेक्षा ;
- (ग) बैठने की व्यवस्था को प्रदर्शित करना ;
- (घ) कम्प्यूटर नोड्स की विशिष्टियां और उमका प्रदर्शन ;
- (ङ) सर्वर और नेटवर्क अवसंरचना की विशिष्टियां ;
- (च) कम्प्यूटर आधारित परीक्षण के संचालन के लिए इलैक्ट्रॉनिकी प्लेटफार्म की विशिष्टियां ;
- (छ) परीक्षा-पूर्व क्रियाकलाप जैसे लोक परीक्षा केन्द्रों पर परीक्षा की तैयारी के लिए पूर्व-संपरीक्षा ;
- (ज) अभ्यर्थियों का प्रवेश, बायोमैट्रिक रजिस्ट्रीकरण, सुरक्षा और छानबीन ;
- (झ) सीट आबंटन ;
- (ञ) प्रश्नपत्र सेट करना और लोड करना ;
- (ट) परीक्षा में अधीक्षण ;
- (ठ) परीक्षापश्चात् क्रियाकलाप ; जांच सूची और घोषणाएं ;
- (ड) लेखक उपलब्ध कराने के लिए दिशानिर्देश ; और
- (ढ) लोक परीक्षा के संचालन में सहबद्ध कोई अन्य क्रियाकलाप ।

अध्याय 5

लोक परीक्षा के लिए केन्द्र समन्वयक

6. लोक परीक्षा प्राधिकरण, केन्द्र समन्वयक या कोई अन्य लोक परीक्षा से संबंधित कर्तव्यों को सौंपने के लिए, केन्द्रीय सरकार, राज्य सरकार, पब्लिक सेक्टर उपक्रम, पब्लिक सेक्टर बैंक, सरकारी विश्वविद्यालयों, स्वायत्त निकायों और अन्य सरकारी संगठनों में सेवारत या सेवानिवृत्त कर्मचारियों की सेवाएं ले सकेगा ।

अध्याय 6

अनुचित साधनों या अपराधों की घटनाओं की रिपोर्ट करना

7. अनुचित साधनों या अपराधों की घटनाओं की रिपोर्ट करना.— (1) यदि लोक परीक्षा के संचालन से संबंधित अनुचित साधनों या अपराध की कोई घटना कारित होती है तो स्थान भारसाधक अपने निष्कर्षों के साथ प्ररूप-1 में एक रिपोर्ट तैयार करेगा। प्ररूप 1 की रिपोर्ट को केन्द्र समन्वयक के माध्यम से प्रादेशिक अधिकारी को भेजा जाएगा । यदि प्रथम सूचना रिपोर्ट को फाइल करने के लिए प्रथम दृष्टया मामला बनता है, तो स्थान भारसाधक आवश्यक कार्रवाई करेगा । प्रादेशिक अधिकारी प्राप्त रिपोर्ट की समीक्षा कर सकेगा और समुचित कार्रवाई करेगा, जिसके अंतर्गत प्रथम सूचना रिपोर्ट फाइल करना सम्मिलित हो सकेगा ।

(2) सेवा प्रदाता के प्रबंधन या निदेशक बोर्ड के स्तर से नीचे के व्यक्तियों की दशा में, जो अनुचित साधनों का प्रयोग करते हैं या कोई अपराध कारित करते हैं या किसी अपराध को कारित करने को सुकर बनाने में शामिल होते हैं या अधिनियम की धारा 8 की उपधारा (2) के अनुसार घटना की रिपोर्ट करने में असफल रहते हैं, तो केन्द्र समन्वयक, प्ररूप-2 में प्रादेशिक अधिकारी को मामले की रिपोर्ट करेगा । प्रादेशिक अधिकारी जांच करेगा और यदि उसका यह समाधान हो जाता है कि किसी सेवा प्रदाता का प्रतिनिधि परीक्षा केन्द्र स्तर पर संलिप्त है, तो वह केन्द्र समन्वयक को प्रथम सूचना रिपोर्ट फाइल करने का निदेश देगा । यदि प्रादेशिक अधिकारी इस निष्कर्ष पर पहुंचता है कि कोई प्रथम सूचना रिपोर्ट फाइल करने की आवश्यकता नहीं है तो वह ऐसा करने के कारणों को लेखबद्ध करेगा ।

(3) यदि प्रादेशिक अधिकारी इस निष्कर्ष पर पहुंचता है कि प्रथम दृष्टया, सेवा प्रदाता के प्रबंधन या निदेशक बोर्ड की संलिप्तता है तो वह घटना के ब्यौरों की रिपोर्ट अपने निष्कर्षों और प्ररूप-2 के साथ लोक परीक्षा प्राधिकरण को करेगा ।

(4) उपनियम (3) में निर्दिष्ट मामलों को लोक परीक्षा प्राधिकरण द्वारा गठित समिति को निर्दिष्ट किया जाएगा, जो प्रादेशिक अधिकारी के रिपोर्ट की जांच करेगी और समुचित निर्णय करने के लिए लोक परीक्षा प्राधिकरण को अपने निष्कर्षों को प्रस्तुत करेगी ।

(5) उपनियम (4) में निर्दिष्ट समिति, लोक परीक्षा प्राधिकरण से एक ज्येष्ठ कार्मिक, लोक परीक्षा प्राधिकरण द्वारा नामनिर्दिष्ट किए जाने वाले विशेषज्ञ सदस्य और मंत्रालय या विभाग, जिसको लोक परीक्षा प्राधिकरण रिपोर्ट करता है, से एक सदस्य (जो निदेशक की पंक्ति से नीचे का न हो) से मिलकर बनेगी।

(6) लोक परीक्षा के संचालन से संबंधित अनुचित साधनों या अपराधों की सभी घटनाओं की रिपोर्ट प्रादेशिक अधिकारी द्वारा समय-समय पर की गई कार्रवाई के ब्यौरों के साथ लोक परीक्षा प्राधिकरण को की जाएगी।

अध्याय 7

लोक सेवक के संबंध में अनुसरण की जाने वाली प्रक्रिया

8. लोक सेवक के संबंध में अनुसरण की जाने वाली प्रक्रिया – (1) लोक परीक्षा प्राधिकरण, लोक परीक्षा के संचालन के लिए तैनात लोक सेवक के कार्यों के संबंध में प्रादेशिक अधिकारी की या अन्यथा रिपोर्ट की प्राप्ति पर जांच करेगा कि क्या लोक सेवक द्वारा लोक परीक्षा के संचालन में की गई कोई बात सदभावपूर्वक की गई थी, जैसा कि अधिनियम की धारा 14 में निर्दिष्ट है।

(2) उपनियम (1) के प्रयोजन के लिए, लोक परीक्षा प्राधिकरण द्वारा एक समिति का गठन किया जा सकेगा, जिसका अध्यक्ष संयुक्त सचिव या समतुल्य की पंक्ति से अन्यून कोई अधिकारी होगा और यह लोक परीक्षा प्राधिकरण से एक ज्येष्ठ अधिकारी तथा लोक परीक्षा प्राधिकरण द्वारा नामनिर्दिष्ट किसी विशेषज्ञ से मिलकर बनेगी।

(3) समिति, सभी सुसंगत सूचना की जांच करेगी और अपने निष्कर्षों को समुचित कार्रवाई करने के लिए लोक परीक्षा प्राधिकरण को प्रस्तुत करेगी।

अध्याय 8

मानिटर करना

9. प्रत्येक लोक परीक्षा प्राधिकरण, इस अधिनियम के उपबंधों के कार्यान्वयन की मानिटरि करने के लिए एक तंत्र स्थापित करेगा।

प्ररूप - 1

[नियम 7 देखें]

स्थान भारसाधक द्वारा अनुचित साधनों या अपराध को रिपोर्ट करने के लिए रूपविधान

भाग 1: प्रारंभिक ब्यौरे

1. लोक परीक्षा प्राधिकरण का नाम
2. लोक परीक्षा का ब्यौरा (तारीख और केन्द्र का स्थान सहित)
3. शिकायतकर्ता का नाम और पहचान
(पहचान सबूत की प्रति संलग्न करें)
4. अनुचित साधनों या अपराध के घटित होने की तारीख और स्थान:

भाग 2: अनुचित साधनों या अपराध के ब्यौरे

1. अनुचित साधनों या अपराध के ब्यौरे
2. संलिप्त व्यक्तियों के ब्यौरे:

भाग 3: उपलब्ध सामग्री (साक्ष्य)

अनुचित साधनों या अपराध के संबंध में उपलब्ध शिकायत की प्रति, अन्य दस्तावेज़, साक्ष्य या कोई अन्य सुसंगत सामग्री

भाग 4: साक्षियों की विशिष्टियां

ब्यौरे (नाम, पता, संपर्क ब्यौरे और पहचान सबूत)

भाग 5: निष्कर्ष

1. क्या प्रथम सूचना रिपोर्ट को दर्ज करना और उसका कारण देना अपेक्षित है
2. कोई अन्य सिफारिश/टिप्पण
3. केन्द्र समन्वयक को रिपोर्ट भेजने की तारीख और समय

(हस्ताक्षर)

स्थान भारसाधक का नाम और पूर्ण ब्यौरे

प्ररूप-2**[नियम 7 देखें]**

यदि सेवा प्रदाता या लोक सेवक संलिस है तो अनुचित साधनों या अपराध के बारे में रिपोर्ट करने हेतु केन्द्र समन्वयक द्वारा उपयोग के लिए रूपविधान

भाग 1: प्रारंभिक ब्यौरे

1. लोक परीक्षा प्राधिकरण का नाम
2. लोक परीक्षा का ब्यौरा (तारीख और केन्द्र का स्थान सहित)
3. सेवा प्रदाता का ब्यौरा
4. शिकायतकर्ता का नाम और पहचान (पहचान सबूत की प्रति संलग्न करें)

भाग 2: अनुचित साधनों या अपराध के ब्यौरे

1. सेवा प्रदाता के संलिस व्यक्ति (व्यक्तियों) के नाम
2. संलिस लोक सेवक (लोक सेवकों) के नाम
3. अनुचित साधनों या अपराध का ब्यौरा

भाग 3: उपलब्ध सामग्री (साक्ष्य)

अनुचित साधनों या अपराध के संदर्भ में उपलब्ध शिकायत की प्रति, अन्य दस्तावेज़, साक्ष्य या कोई अन्य सामग्री

भाग 4: साक्षियों की विशिष्टियां

ब्यौरे (नाम, पता, संपर्क ब्यौरे और पहचान सबूत)

भाग 5: क्षेत्रीय अधिकारी के लिए सिफारिश

(हस्ताक्षर)

केन्द्र समन्वयक का नाम और पूरा ब्यौरा

(प्रादेशिक अधिकारी को भेजी जाने वाली रिपोर्ट की तारीख और समय)

[फा. सं. 39020/12/2023-पीपी(बी.1)]

मनोज कुमार द्विवेदी, अपर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**(Department of Personnel And Training)****NOTIFICATION**

New Delhi, the 23rd June, 2024

G.S.R. 342(E).—In exercise of the powers conferred by section 16 of the Public Examinations (Prevention of Unfair Means) Act, 2024 (1 of 2024), the Central Government hereby makes the following rules, namely: -

CHAPTER-I**PRELIMINARY**

1. **Short title and commencement.** - (1) These rules may be called the Public Examinations (Prevention of Unfair Means) Rules, 2024.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. **Definitions.**- (1) In these rules, unless the context otherwise requires:-

- (a) 'Act' means the Public Examinations (Prevention of Unfair Means) Act, 2024 (1 of 2024);
- (b) "centre coordinator" means a representative of the public examination authority deputed at public examination centre for coordination of activities of different service providers and public examination authority; and for overseeing the compliance of all norms or standards and guidelines notified for conduct of public examinations;
- (c) "guidelines" means the guidelines notified by the Central Government from time to time;
- (d) "norms or standards" means set of mandatory requirements with regard to the conduct of public examinations, as notified by the Central Government, from time to time;
- (e) "Regional Officer" means an officer-in-charge, not below the rank of Deputy Secretary to the Government, designated for the region, by the public examination authority;
- (f) "venue-in-charge" means a person nominated by the examination conducting service provider to supervise, coordinate and manage the activities of different service providers and to ensure that the norms or standards and the guidelines notified for conduct of public examination are complied with.

(2) Words and expressions used herein but not defined and defined under any other law for the time being in force, shall have the same meaning as assigned to them in those Acts.

CHAPTER II**ENGAGEMENT OF SERVICES OF OTHER GOVERNMENT AGENCIES BY THE PUBLIC EXAMINATION AUTHORITY**

3. **Engagement of services of other government agencies by public examination authority.**- (1) When a public examination authority engages the services of another public examination authority for conduct of public examination, the latter public examination authority shall not be covered under the definition of 'service provider':

(2) The schools, educational institutions and other premises owned or controlled by the Central Government or State Government, Public Sector Undertakings, autonomous bodies and other Government Organisations shall not be covered under the definition of 'service provider'.

(3) If it is established that the staff (including contractual staff) of the institutions referred to in sub rule (2) resorts to unfair means or commits an offence, he shall be dealt with in accordance with the relevant provisions of the Act.

CHAPTER-III**COMPUTER BASED TEST**

4. **Computer Based Test.**- (1) The computer based test includes activities, such as registration of candidates, allocation of centres, issue of admit cards, opening and distribution of question papers at public examination centres, evaluation and final recommendations.

(2) The opening and distribution of question papers, in relation to computer based test means downloading the question paper from the main server to the local server in the public examination centre, as authorized by the public examination authority, uploading and digitally transferring the question papers from the local server to individual computers authorised for the candidates in the concerned public examination centres.

CHAPTER-IV
NORMS, STANDARDS AND GUIDELINES FOR THE
COMPUTER BASED TEST

5. **Preparations of norms, standards and guidelines.**- (1) The National Recruitment Agency, on behalf of the Central Government, shall in consultation with the stakeholders, prepare norms, standards and guidelines for the computer based test mode of examination, which shall be notified by the Central Government.

(2) The norms, standards and guidelines shall cover physical and digital infrastructure and activities which include -

- (a) standard operating procedure for registration of public examination centres;
- (b) space requirement within the computer based test centres;
- (c) layout of the seating arrangement;
- (d) specifications and layout of computer nodes;
- (e) specifications for the server and network infrastructure;
- (f) specifications for electronic platform for conduct of computer based test;
- (g) pre-examination activities, such as pre-audit for the examination readiness of the public examination centres;
- (h) candidate check in, biometric registration, security and screening;
- (i) seat allocation;
- (j) question paper setting and loading;
- (k) invigilation in the examination;
- (l) post examination activities; checklist and declarations;
- (m) guidelines for providing scribes; and
- (n) any other activity associated with conduct of public examination.

CHAPTER-V
CENTRE COORDINATOR FOR PUBLIC EXAMINATION

6. The public examination authority may avail services of serving or retired employees of the Central Government, State Government, Public Sector Undertakings, Public Sector Banks, Government Universities, autonomous bodies and other Government Organisations for assigning duty as Centre Coordinator or any other public examination related duties.

CHAPTER-VI
REPORTING OF INCIDENTS OF UNFAIR MEANS OR OFFENCES

7. **Reporting of incidents of unfair means or offences.**- (1) If any incident of unfair means or offence in connection with the conduct of public examination occurs, the venue-in-charge shall prepare a report along with his findings in *Form 1*. The report in *Form 1* shall be sent to the Regional Officer through Centre Coordinator. If a *prima facie* case is made out for filing of First Information Report, the venue-in-charge shall take necessary action. Regional Officer may review the report received and cause appropriate action to be taken, which may include filing of First Information Report.

(2) In case, persons, below the level of Management or Board of Directors of the service provider, resort to unfair means or commit an offence or are involved in facilitating an offence, or fail to report the incident as per sub-section (2) of section 8 of the Act, the Centre Coordinator shall report the matter to the Regional Officer in *Form 2*. The Regional Officer shall enquire and if satisfied that representative of any service provider at examination center level is involved, he shall direct the Centre Coordinator to file the First Information Report. In case, the Regional Officer arrives at a conclusion that no First Information Report is required to be filed, he shall record reasons therefor.

(3) In case, the Regional Officer concludes that, *prima facie*, there is involvement of Management or Board of Directors of service provider, he shall report the details of the incident, enclosing his findings, along with *Form 2* to the public examination authority.

(4) The cases referred in sub-rule (3) shall be referred to a committee to be constituted by the public examination authority which shall examine the report of the Regional Officer and submit its findings to the public examination authority for appropriate decision.

(5) The committee referred to in sub-rule (4), shall comprise of a senior official from the public examination authority, an expert member to be nominated by the public examination authority and a member from the Ministry or Department (not below the rank of Director) to which the public examination authority reports.

(6) All incidents of unfair means or offence in connection with the conduct of public examination shall be reported to the public examination authority by Regional officer along with the details of action taken from time to time.

CHAPTER-VII

PROCEDURE TO BE FOLLOWED IN RESPECT OF PUBLIC SERVANT

8. **Procedure to be followed in respect of public servant.**- (1) The public examination authority, on receipt of report of Regional officer or otherwise, regarding the actions of a public servant deputed for conduct of public examination shall examine whether anything done in conduct of public examination by the public servant was in good faith as referred to in section 14 of the Act.

(2) A committee may be constituted by the public examination authority for the purpose of sub rule (1), which shall be headed by an officer not below the rank of Joint Secretary or equivalent and shall comprise of one senior officer from the public examination authority and an expert to be nominated by the public examination authority

(3) The Committee shall examine all relevant information and submit its finding to the public examination authority for appropriate action.

CHAPTER-VIII

MONITORING

9. Every public examination authority shall set up a mechanism for monitoring the implementation of provisions of the Act.

FORM -1

[See rule 7]

FORMAT FOR REPORTING OF UNFAIR MEANS OR OFFENCE BY VENUE IN CHARGE

PART 1: PRELIMINARY DETAILS

1. Name of public examination authority
2. Details of public examination (including date and location of centre):
3. Name and identity of complainant
(Attach copy of identity proof)
4. Date and place of occurrence of unfair means or offence:

PART 2: DETAILS OF UNFAIR MEANS OR OFFENCE

1. Details of unfair means or offence
2. Details of persons involved:

PART 3: MATERIAL (EVIDENCES) AVAILABLE

Copy of complaint, other documents, evidence or any other relevant material available with reference to the unfair means or offence

PART 4: PARTICULARS OF WITNESSES

Details (Name, address, contact details and identity proof)

PART 5: FINDINGS

1. Whether filing of First Information Report is required and reasons thereof
2. Any other recommendation/ remark
3. Date and time of sending the report to the Centre Coordinator

(Signature)

Name and complete details of Venue-In-Charge

FORM -2

[See rule 7]

FORMAT FOR USE BY CENTRE COORDINATOR FOR REPORTING OF UNFAIR MEANS OR OFFENCE IN CASE SERVICE PROVIDER OR A PUBLIC SERVANT IS INVOLVED**PART 1: PRELIMINARY DETAILS**

1. Name of public examination authority
2. Details of public examination (including date and location of centre)
3. Details of service provider
4. Name and identity of complainant (*Attach copy of Identity proof*)

PART 2: DETAILS OF UNFAIR MEANS OR OFFENCE

1. Name of person(s) of service provider involved
2. Name of the public servant(s) involved
3. Details of unfair means or offence

PART 3: MATERIAL (EVIDENCES) AVAILABLE

Copy of complaint, documents, evidence or any other material available with reference to unfair means or offence

PART 4: PARTICULARS OF WITNESSES

Details (Name, address, contact details and identity proof)

PART 5: RECOMMENDATION FOR REGIONAL OFFICER

(Signature)

Name and full details of Centre Coordinator

(Date and time of sending report to Regional Officer)

[F.No. 39020/12/2023-PP(B.I)]

MANOJ KUMAR DWIVEDI, Addl. Secy.

भारत का राजपत्र
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

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कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

अधिसूचना

नई दिल्ली, 21 जून, 2024

का.आ.2422(अ).—केंद्रीय सरकार, लोक परीक्षा (अनुचित साधन निवारण) अधिनियम, 2024 (2024 का 1) की धारा 1 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए 21 जून, 2024 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के उपबंध लागू होंगे।

[फा. सं. 39020/12/2023-पीपी(बी.1)]

मनोज कुमार द्विवेदी, अपर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 21st June, 2024

S.O. 2422(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Public Examinations (Prevention of Unfair Means) Act, 2024 (1 of 2024), the Central Government hereby appoints the 21st day of June, 2024 as the date on which the provisions of the said Act shall come into force.

[F. No. 39020/12/2023-PP(B.1)]

MANOJ KUMAR DWIVEDI, Addl. Secy.

3712 GI/2024



भारत का राजपत्र The Gazette of India

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 1] नई दिल्ली, सोमवार, फरवरी 12, 2024/ माघ 23, 1945 (शक)
No. 1] NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024

No. 1 OF 2024

[12th February, 2024.]

An Act to prevent unfair means in the public examinations and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Public Examinations (Prevention of Unfair Means) Act, 2024.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “candidate” means a person who has been granted permission by the public examination authority to appear in public examination and includes a person authorised to act as a scribe on his behalf in the public examination;

(b) “communication device” shall have the same meaning assigned to it in clause (ha) of sub-section (1) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(c) “competent authority” shall mean the Ministry or a Department of the Central Government administratively concerned with the public examination authority;

(d) “computer network”, “computer resource” and “computer system” shall have the meanings respectively assigned to them in clauses (j), (k) and (l) of sub-section (1) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(e) “conduct of public examination” shall include all the procedures, processes and activities, as may be prescribed, for being adopted for the conduct of public examination;

(f) “institution” means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, by whatever name it may be called, which is other than the public examination authority and the service provider engaged by such authority.

Explanation.—For the purposes of this clause, it is clarified that “company” includes a company as defined in clause (20) of section 2 of the Companies Act, 2013; or a limited liability partnership firm as defined in clause (n) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008;

18 of 2013.

7 of 2009.

(g) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(h) “organised crime” means an unlawful activity committed by a person or a group of persons indulging in unfair means in collusion and conspiracy to pursue or promote a shared interest for wrongful gain in respect of a public examination;

(i) “person associated with a service provider” means a person who performs services for or on behalf of such service provider irrespective of whether such person is an employee or an agent or a subsidiary of such service provider, as the case may be;

(j) “prescribed” means prescribed by rules made under this Act;

(k) “public examination” means any examination conducted by the public examination authority, as specified in the Schedule, or conducted by such other authority as may be notified by the Central Government;

(l) “public examination authority” means an authority as specified by the Central Government by a notification, from time to time for conducting the public examinations;

(m) “public examination centre” means such premises, which is selected by the service provider or otherwise selected by the public examination authority, to be used for conduct of public examination and which, amongst others, may include any school, computer centre, institution, any building or part thereof and the same shall include the entire periphery and land appurtenant thereto which may be used for security and other related reasons for conduct of the public examinations; and

(n) "service provider" means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, including its associates, sub-contractors and provider of support of any computer resource or any material, by whatever name it may be called, which is engaged by the public examination authority for conduct of public examination.

(2) Words and expressions used herein but not defined and defined under any other law for the time being in force, shall have the same meanings as assigned to them in those laws.

CHAPTER II

UNFAIR MEANS AND OFFENCES

3. The unfair means relating to the conduct of a public examination shall include any act or omission done or caused to be done by any person or group of persons or institutions, and include but not be restricted to, any of the following acts for monetary or wrongful gain—

Unfair means.

- (i) leakage of question paper or answer key or part thereof;
- (ii) participating in collusion with others to effect leakage of question paper or answer key;
- (iii) accessing or taking possession of question paper or an Optical Mark Recognition response sheet without authority;
- (iv) providing solution to one or more questions by any unauthorised person during a public examination;
- (v) directly or indirectly assisting the candidate in any manner unauthorisedly in the public examination;
- (vi) tampering with answer sheets including Optical Mark Recognition response sheets;
- (vii) altering the assessment except to correct a *bona fide* error without any authority;
- (viii) willful violation of norms or standards set up by the Central Government for conduct of a public examination on its own or through its agency;
- (ix) tampering with any document necessary for short-listing of candidates or finalising the merit or rank of a candidate in a public examination;
- (x) deliberate violation of security measures to facilitate unfair means in conduct of a public examination;
- (xi) tampering with the computer network or a computer resource or a computer system;
- (xii) manipulation in seating arrangements, allocation of dates and shifts for the candidates to facilitate adopting unfair means in examinations;
- (xiii) threatening the life, liberty or wrongfully restraining persons associated with the public examination authority or the service provider or any authorised agency of the Government; or obstructing the conduct of a public examination;
- (xiv) creation of fake website to cheat or for monetary gain; and
- (xv) conduct of fake examination, issuance of fake admit cards or offer letters to cheat or for monetary gain.

Conspiracy for unfair means.

4. No person or group of persons or institutions shall collude or conspire to facilitate indulgence in any such unfair means.

Disruption to conduct public examination.

5. (1) No person, who is not entrusted or engaged with the work pertaining to the public examination or conduct of public examination or who is not a candidate, shall enter the premises of the examination centre, with intent to disrupt the conduct of the public examination.

(2) No person authorised, engaged or entrusted with the duties to conduct public examination shall, before the time fixed for opening and distribution of question papers—

(a) open, leak or possess or access or solve or seek assistance to solve such question paper or any portion or a copy thereof in unauthorised manner for monetary or wrongful gain;

(b) give any confidential information or promise to give such confidential information to any person, where such confidential information is related to or in reference to such question paper for monetary or wrongful gain.

(3) No person, who is entrusted or engaged with any work pertaining to public examination shall, except where he is authorised in furtherance of his duties so to do, reveal or cause to be revealed or make known to any other person any information or part thereof which has come to his knowledge for any undue advantage or wrongful gain.

Other offences.

6. If any person or group of persons or institution commits any unfair means or offence under sections 3, 4 and section 5, the service provider shall forthwith report the offence to the concerned police authorities and also inform the public examination authority:

Provided that if the service provider resorts to unfair means and commits the offence or is involved in facilitating an offence, the public examination authority shall report the same to the concerned police authorities.

No premises other than examination centre shall be used for public examination.

7. It shall be an offence for the service provider or any person associated with the service provider to cause any premises, other than the examination centre, authorised by the public examination authority, to be alternatively used for the purpose of holding public examination, without the written approval of the public examination authority:

Provided that nothing contained in this section shall be an offence where any change in the examination centre without prior consent of the public examination authority is due to any *force majeure*.

Offences in respect of service providers and other persons.

8. (1) Any person, including the person associated with a service provider, shall be deemed to have committed an offence if he individually or in collusion with any other person or group of persons or institutions assists any person or group of persons or institutions in any manner unauthorisedly in the conduct of public examination.

(2) Service provider or any person associated with it shall be deemed to have committed an offence if he fails to report incidence of any unfair means or commission of any offence.

(3) Where an offence committed by a service provider is, *prima facie*, established during investigation to have been committed with the consent or connivance of any director, manager, secretary or other officer of such service provider, such person shall also be liable to be proceeded against:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

CHAPTER III

PUNISHMENT FOR OFFENCES

9. All offences under this Act, shall be cognizable, non-bailable and non-compoundable.

Cognizable offences.

10. (1) Any person or persons resorting to unfair means and offences under this Act, shall be punished with imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed, as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Punishment for offences under this Act.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) The service provider shall also be liable to be punished with imposition of a fine up to one crore rupees and proportionate cost of examination shall also be recovered from such service provider and he shall also be barred from being assigned with any responsibility for the conduct of any public examination for a period of four years.

(3) Where it is established during the investigation that offence under this Act has been committed with the consent or connivance of any Director, Senior Management or the persons in-charge of the service provider firm, he shall be liable for imprisonment for a term not less than three years but which may extend to ten years and with fine of one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(4) Nothing contained in this section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

11. (1) If a person or a group of persons including the examination authority or service provider or any other institution commits an organised crime, he shall be punished with imprisonment for a term not less than five years but which may extend to ten years and with fine which shall not be less than one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Organised crimes.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) If an institution is involved in committing an organised crime, its property shall be subjected to attachment and forfeiture and proportionate cost of examination shall also be recovered from it.

CHAPTER IV

INQUIRY AND INVESTIGATION

12. (1) An officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police shall investigate any offence under this Act.

Officers empowered to investigate.

(2) Notwithstanding anything contained in sub-section (1), the Central Government shall have the powers to refer the investigation to any Central Investigating Agency.

CHAPTER V

MISCELLANEOUS

Members, officers and employees of public examination authority to be public servants.

13. The Chairperson, Members, officers and other employees of the public examination authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

Protection of action taken in good faith by any public servant.

14. No suit, prosecution or other legal proceedings under this Act, shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers:

Provided that the public servants in the service of any public examination authority shall be subject to administrative action in terms of service rules of such public examination authority:

Provided further that nothing shall prevent proceeding against such public servants where, *prima facie* case exists for establishing commission of an offence under this Act.

Provisions of this Act to be in addition to other laws.

15. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force:

Provided that the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law in force.

Power to make rules.

16. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) to lay down procedures, processes and activities for being adopted for conduct of the public examination;

(b) any other matter which is to be or may be prescribed.

Laying of rules.

17. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session, immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions within three years, not inconsistent with the provisions of this Act, as appear to it to be necessary for removal of difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

CHAPTER VI

AMENDMENT TO THE CRIMINAL LAW (AMENDMENT) ORDINANCE, 1944

19. In the Criminal Law (Amendment) Ordinance, 1944, in the Schedule, after serial number 5 and entries relating thereto, the following serial number and entries shall be inserted, namely:—

Amendment of
Ordinance 38 of
1944.

"6. An offence punishable under the Public Examinations (Prevention of Unfair Means) Act, 2024."

THE SCHEDULE

[See section 2 (k)]

ANY EXAMINATION CONDUCTED BY—

1. Union Public Service Commission.
2. Staff Selection Commission.
3. Railway Recruitment Boards.
4. Institute of Banking Personnel Selection.
5. Ministries or Departments of the Central Government and their attached and subordinate offices for recruitment of staff.
6. National Testing Agency.
7. Such other authority as may be notified by the Central Government.

DR. RAJIV MANI,
Secretary to the Govt. of India.

Email

Hemant Kumar

Fwd: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.

From : Jagdish Rajesh <rajeshj.hq@icmr.gov.in> Tue, Jul 09, 2024 10:14 AM
Subject : Fwd: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg. 1 attachment
To : Hemant Kumar <kumarhemant.hq@icmr.gov.in>
Cc : YOGESH KUMAR <yktyagi@icmr.gov.in>

Please circulate

With Regards,

Jagdish Rajesh,
Assistant Director General (Admn.)
Indian Council of Medical Research(ICMR),
New Delhi

From: "DG ICMR" <secy-dg@icmr.gov.in>
To: "Jagdish Rajesh" <rajeshj.hq@icmr.gov.in>
Sent: Tuesday, July 9, 2024 9:57:25 AM
Subject: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.

From: "Office of Secretary DHR" <secy-dhr@gov.in>
To: "RICHA KHODA" <richa.khoda@gov.in>, "MANISHA SAXENA" <srddga.hq@icmr.gov.in>
Cc: "DG ICMR" <dg@icmr.org.in>
Sent: Monday, July 8, 2024 6:01:50 PM
Subject: Fwd: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.

From: "Transport Section" <sot-rth@nic.in>
To: "Manoj Ahuja" <Secy-agri@nic.in>, "Dr(Mr) Himanshu Pathak" <dg.icar@nic.in>, "Dr. Abhilaksh Likhi" <secy-fisheries@nic.in>, "Ms. Alka Upadhyaya" <secyahd@nic.in>, "RAJESH KOTECHA" <secy-ayush@nic.in>, "Office of Secretary CPC" <sec.cpc@nic.in>, "Dr. Arunish Chawla" <secy-pharma@nic.in>, "VUMLUNMANG VUALNAM" <secy.moca@nic.in>, "Mr Amrit Lal Meena" <secy.moc@nic.in>, "secy-ipp" <secy-ipp@nic.in>, "Commerce Secretary Office" <csoffice@nic.in>, "Dr. Neeraj Mittal" <secy-dot@nic.in>, "Secretary Posts" <secretary-posts@indiapost.gov.in>, "Nidhi Khare" <secy-

Mr. Sumit
9/12

ca@nic.in>, "Shri Sanjeev Chopra" <secy-food@nic.in>, "Dr. Ashish Kumar Bhutani" <secy-coop@gov.in>, "Secretary MCA" <secy.mca@nic.in>, "Govind Mohan" <secy-culture@nic.in>, "Secretary DP" <sdps@nic.in>, "Dr. Niten Chandra IAS" <secyesw@nic.in>, "Shri Giridhar Aramane" <defsecy@nic.in>, "Chanchal Kumar" <secydoner@nic.in>, "Dr M Ravichandran" <secretary@moes.gov.in>, "Sanjay Kumar" <secy.sel@nic.in>, "K. Sanjay Murthy" <secy.dhe@nic.in>, "Secretary Meity" <secretary@meity.gov.in>, "Ms Leena Nandan" <secy-moef@nic.in>, "SAURABH KUMAR" <secyeast@mea.gov.in>, "Dammu Ravi" <secyer@mea.gov.in>, "gov insecycpv" <gov.insecycpv@mea.gov.in>, "Shri Ajay Seth" <secy-dea@nic.in>, "T.V. Somanathan" <secyexp@nic.in>, "Sanjay Malhotra" <rsecy@nic.in>, "Secretary DFS" <secy-fs@nic.in>, "Shri Ali R. Rizvi" <secy-dpe@nic.in>, "Secretary MoFPI" <secy.mofpi@nic.in>, "Apurva Chandra" <secyhw@nic.in>, "Office of Secretary DHR" <secy-dhr@gov.in>, "Shri Kamran Rizvi" <shioff@nic.in>, "Registrar General and census commissioner" <rgi.rgi@nic.in>, "Dr Rajendra Kumar" <secybm@nic.in>, "SECRETARY,OL" <secy-ol@nic.in>, "K. Moses Chalai" <secy-iscs@nic.in>, "Ajay Kumar Bhalla" <hshso@nic.in>, "Shri Anurag Jain" <secyurban@nic.in>, "Sanjay Jaju" <secy.inb@nic.in>, "Mr Tuhin Kanta Pandey" <secydivest@nic.in>, "Debashree Mukherjee" <secy-mowr@nic.in>, "Ms. Vini Mahajan" <secydws@nic.in>, "Secy Labour Employment" <secy-labour@nic.in>

Sent: Monday, July 8, 2024 5:49:00 PM

Subject: Re: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.

Sir/ Madam,

Kindly ignore the previous mail. Please find the attachment on the subject cited above.

Regards,

Section Officer (Transport)
Ministry of Road Transport & Highways (MoRTH)
Tele: 011-23715211.

From: "Transport Section" <sot-rth@nic.in>

To: "Manoj Ahuja" <Secy-agri@nic.in>, "Dr(Mr) Himanshu Pathak" <dg.icar@nic.in>, "Dr. Abhilaksh Likhii" <secy-fisheries@nic.in>, "Ms. Alka Upadhyaya" <secyahd@nic.in>, "RAJESH KOTTECHA" <secy-ayush@nic.in>, "Office of Secretary CPC" <sec.cpc@nic.in>, "Dr. Arunish Chawla" <secy-pharma@nic.in>, "VUMLUNMANG VUALNAM" <secy.moca@nic.in>, "Mr Amrit Lal Meena" <secy.moc@nic.in>, "secy-ipp" <secy-ipp@nic.in>, "Commerce Secretary Office" <csoffice@nic.in>, "Dr. Neeraj Mittal" <secy-dot@nic.in>, "Secretary Posts" <secretary-posts@indiapost.gov.in>, "Nidhi Khare" <secy-ca@nic.in>, "Shri Sanjeev Chopra" <secy-food@nic.in>, "Dr. Ashish Kumar Bhutani" <secy-coop@gov.in>, "Secretary MCA" <secy.mca@nic.in>, "Govind Mohan" <secy-culture@nic.in>, "Secretary DP" <sdps@nic.in>, "Dr. Niten Chandra IAS" <secyesw@nic.in>, "Shri Giridhar Aramane" <defsecy@nic.in>, "Chanchal Kumar" <secydoner@nic.in>, "Dr M Ravichandran" <secretary@moes.gov.in>, "Sanjay Kumar" <secy.sel@nic.in>, "K. Sanjay Murthy" <secy.dhe@nic.in>, "Secretary Meity" <secretary@meity.gov.in>, "Ms Leena Nandan" <secy-moef@nic.in>, "SAURABH KUMAR" <secyeast@mea.gov.in>, "Dammu Ravi" <secyer@mea.gov.in>, "gov insecycpv" <gov.insecycpv@mea.gov.in>, "Shri Ajay Seth" <secy-dea@nic.in>, "T.V. Somanathan"

<secyexp@nic.in>, "Sanjay Malhotra" <rsecy@nic.in>, "Secretary DFS" <secy-fs@nic.in>, "Shri Ali R. Rizvi" <secy-dpe@nic.in>, "Secretary MoFPI" <secy.mofpi@nic.in>, "Apurva Chandra" <secyhfw@nic.in>, "Office of Secretary DHR" <secy-dhr@gov.in>, "Shri Kamran Rizvi" <shioff@nic.in>, "Registrar General and census commissioner" <rgi.rgi@nic.in>, "Dr Rajendra Kumar" <secybm@nic.in>, "SECRETARY,OL" <secy-ol@nic.in>, "K. Moses Chalai" <secy-iscs@nic.in>, "Ajay Kumar Bhalla" <hshso@nic.in>, "Shri Anurag Jain" <secyurban@nic.in>, "Sanjay Jaju" <secy.inb@nic.in>, "Mr Tuhin Kanta Pandey" <secydivest@nic.in>, "Debashree Mukherjee" <secy-mowr@nic.in>, "Ms. Vini Mahajan" <secydws@nic.in>, "Secy Labour Employment" <secy-labour@nic.in>
Cc: ceo-niti@gov.in, "T.V. Somanathan" <secyexp@nic.in>, "Paresh Kumar Goel" <paresh.goel89@gov.in>, "Harsh Prabhakar" <harsh.prabhakar@nic.in>, "Chirag Sagar" <chirag.sagar@gov.in>, "Harish Sharma" <harish.sharma22@gov.in>

Sent: Monday, July 8, 2024 3:02:10 PM

Subject: Revised Process for scrapping of Govt. Vehicles older than 15 years-reg.

Sir/Madam,

Please find the attachment on the subject cited above.

Regards,

Section Officer (Transport)
Ministry of Road Transport & Highways (MoRTH)
Tele: 011-23715211.

— **Process of Scrapping of Govt Vehicles.pdf**
4 MB

No. RT-23013/8/2022-T
Government of India
Ministry of Road Transport & Highways
Transport Section
Transport Bhawan, 1, Parliament Street, New Delhi-110001

68th July, 2024

OFFICE MEMORANDUM

Subject: Process for scrapping of Govt vehicles older than 15 years-reg.

The undersigned is directed to refer to this Ministry's OM of even no dated 17.12.2022 wherein the mechanism for scrapping of Government-owned vehicles through e-auction on MSTC portal was proposed and to state that in order to facilitate seamless scrapping of such vehicles, the e-auction platforms developed by Metal Scrap Trade Corporation Limited (MSTC), a Mini Ratna company-I under the administrative control of Ministry of Steel, and the Forward Auction portal developed by Government e-Marketplace (GeM) under the aegis of Ministry of Commerce and Industries, may be used to conduct e-auction of such vehicles.

2. Registered vehicle Scrapping Facilities (RVSFs) which have been commissioned as per provisions of MoRTH notified vide GSR 653(E) dated 23rd September 2021 and its amendments shall only be allowed to participate in the auction. This would support operations of existing RVSFs by providing them with a base volume of end-of-life vehicles and would also encourage private investment in establishment of new RVSFs.

3. The details of the proposed mechanism for scrapping of Government-owned vehicles through e-auction on MSTC and GeM portals are provided in Annexure.

4. The mechanism proposed in the Annexure is issued in supersession of the mechanism issued vide OM dated 17.12.2022.

5. This issues with the approval of the Competent Authority.

Encl: As above

(Harsh Prabhakar)
Executive Engineer (Transport)

To

1. Secretaries of all Union Ministries and Departments
2. Chief Secretaries of all State/ UT Governments

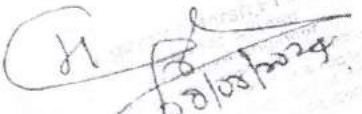
Copy to:

1. CEO, NITI Aayog
2. Secretary, Department of Expenditure

Proposed mechanism for e-auction of Government-owned vehicles through MSTC and GeM Portal

Union State Government to use the portals developed by Metal Scrap Trading Corporation (MSTC) and Government e-Marketplace (GeM) i.e. the auction agencies, for e-auction of condemned vehicles to RVSF. In order to expedite the scrapping of condemned vehicles, Union State Governments may directly engage with these auction agencies to conduct e-auction. The detailed procedure for e-auction of vehicles through the portals of the auction agencies is provided below:

1. Union Ministries/Departments and State Governments to share details of condemned vehicles (including vehicle type, model, vintage, image, etc.) with the auction agency.
2. Union Ministries/Departments and State Governments to conduct valuation of vehicles through valuers appointed by them or empaneled by the auction agency and finalize the reserve price and tolerance %.
3. Union Ministries/ Departments and State Governments or the auction agency to enter reserve price and associated tolerance % into the respective portal before the launch of e-auction.
4. Auction agency to support the Union Ministries/Departments and State Governments in forming the e-auction lots based on vehicle details, location of vehicles etc. and in developing an e-auction catalog. Auction notification containing details of e-auction starting date, list of vehicles, location, ownership etc. will be sent to RVSFs. Such scrapping is to be done in accordance with the procedure as prescribed in Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules 2021.
5. e-Auction is then launched on the auction portal.
6. Prospective bidders would be allowed to conduct on-site inspection of vehicles to assess fair value of the e-auction lot. High quality images may be included in auction catalog to reduce the requirement of physical inspection since the RVSFs may not have enough capacity to conduct physical inspection over a short period of time.
7. Interested bidders to deposit a pre-bid earnest money deposit (EMD) or Standing Security Deposit, as prescribed by the auction agency, to become eligible for bidding. After depositing EMD or Standing Security deposit, bidders to submit their bid on the auction portal.
8. e-Auction is to be closed at a pre-determined time. An e-auction is deemed successful if the highest bid value is more than the reserve price or within the tolerance threshold and is cancelled if the highest bid is lower than the tolerance of reserve price set by the seller. If an e-auction is cancelled, then the Competent Authority may put up the lot for re-auction after re-fixing the reserve price based on market response.
9. Auto-generated notification is sent to the highest bidder and the seller.
10. Highest bidder (RVSF) would then transfer the bid amount to the auction agency or the seller, as per the terms in the e-auction catalog. Auction agency to issue a digitally signed Delivery/Sale Order upon confirmation of payment.
11. Highest bidder (RVSF) to pick up the vehicles for scrapping and hand over a 'Certificate of Deposit' to the seller through the Vahan RVSF module as per the process specified in rule 10 sub-rule 1 of GSR 653 (E) dated 23rd September 2021 and its amendment vide GSR 695 (E) dated 13th September 2022.
12. De-registration of vehicles to be done by RVSF as per the process specified in rule 10 sub-rule 1 of GSR 653 (E) dated 23rd September 2021 and its amendment vide GSR 695 (E) dated 13th September 2022.
13. If the bid amount was transferred by the RVSF to the auction agency, the auction agency shall further transfer the bid amount to Union Ministries Departments and State Governments along with the 'Certificate of Deposit'.



 02/03/2024

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502, Lok Nayak Bhavan,
Khan Market, New Delhi,
10.07.2024

OFFICE MEMORANDUM

Subject: - Amendment in General Financial Rules, 2017.

It has been decided with the approval of Finance Minister to make following amendments in the General Financial Rules, 2017:

S. No.	Existing Rule	Amended Rule
1.	Rule133(1) A Ministry or Department at its discretion may directly execute repair works estimated to cost up to Rupees Thirty Lakhs after following due procedure indicated in Rule139,159 & 160.	Rule133(1) A Ministry or Department at its discretion may directly execute repair works estimated to cost up to Rupees Sixty Lakhs after following due procedure indicated in Rule 139, 159 & 160.
2.	Rule 133 (2) A Ministry or Department may, at its discretion, assign repair works estimated to cost above Rupees thirty Lakhs and original/ minor works of any value to any Public Works Organisation (PWO) such as Central Public Works Department (CPWD), State Public Works Department, others Central Government organisations authorised to carry out civil or electrical works such as Military Engineering Service (MES), Border Roads Organisation (BRO), etc. or Ministry/ Department's construction wings of Ministries of Railways, Defence, Environment & Forests, Information & Broadcasting and Departments of Posts, and Space etc.	Rule 133 (2) A Ministry or Department may, at its discretion, assign repair works estimated to cost above Rupees Sixty Lakhs and original/ minor works of any value to any Public Works Organisation (PWO) such as Central Public Works Department (CPWD), State Public Works Department, others Central Government organisations authorised to carry out civil or electrical works such as Military Engineering Service (MES), Border Roads Organisation (BRO), etc. or Ministry/ Department's construction wings of Ministries of Railways, Defence, Environment & Forests, Information & Broadcasting and Departments of Posts, and Space

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Mr Seemab
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S. No.	Existing Rule	Amended Rule
3.	<p>Rule 133 (3) As an alternative to 133(2), a Ministry or Department may award repair works estimated to cost above Rupees thirty Lakhs and original works of any value to:</p> <p>(i) any Public Sector Undertaking set up by the Central or State Government to carry out civil or electrical works or</p> <p>(ii) to any other Central/ State Government organisation/ PSU which may be notified by the Ministry of Housing and Urban Affairs (MoHUA) for such purpose after evaluating their financial strength and technical competence.</p> <p>For the award of work under this sub-rule, the Ministry/ Department shall ensure competition among such PSUs/ Organisations. This competition shall be essentially on the lump sum service charges to be claimed for execution of work.</p> <p>In exceptional cases, for award of work under (i) and (ii) above, on nomination basis, the conditions contained in Rule 194 would apply. The work under these circumstances shall also be awarded only on the basis of lump sum service charge.</p>	<p>etc.</p> <p>Rule 133 (3) As an alternative to 133(2), a Ministry or Department may award repair works estimated to cost above Rupees Sixty Lakhs and original works of any value to:</p> <p>(i) any Public Sector Undertaking set up by the Central or State Government to carry out civil or electrical works or</p> <p>(ii) to any other Central/ State Government organisation/ PSU which may be notified by the Ministry of Housing and Urban Affairs (MoHUA) for such purpose after evaluating their financial strength and technical competence.</p> <p>For the award of work under this sub-rule, the Ministry/ Department shall ensure competition among such PSUs/ Organisations. This competition shall be essentially on the lump sum service charges to be claimed for execution of work.</p> <p>In exceptional cases, for award of work under (i) and (ii) above, on nomination basis, the conditions contained in Rule 194 would apply. The work under these circumstances shall also be awarded only on the basis of lump sum service charge</p>
4.	<p>Rule 139: Procedure for Execution of Works. The broad procedure to be followed by a Ministry or Department for execution of works under its own arrangements shall be as under: -</p>	<p>Rule 139: Procedure for Execution of Works. The broad procedure to be followed by a Ministry or Department for execution of works under its own arrangements shall be as under: -</p>

S. No.	Existing Rule	Amended Rule
	<p>(iv) Open tenders will be called for works costing Rs. Five lakh to Rs.Thirty lakh;</p> <p>(v) limited tenders will be called for works costing less than Rupees five lakhs</p>	<p>(iv) Open tenders will be called for works costing Rs. Ten lakh to Rs. Sixty lakh;</p> <p>(v) Limited tenders will be called for works costing less than Rupees Ten lakhs</p>
5.	<p>Rule 149: Government e-Marketplace (GeM). Government of India has established the Government e-Marketplace (GeM) for common use Goods and Services. GeM SPV will ensure adequate publicity including periodic advertisement of the items to be procured through GeM for the prospective suppliers. The Procurement of Goods and Services by Ministries or Departments will be mandatory for Goods or Services available on GeM. The credentials of suppliers on GeM shall be certified by GeM SPV. The procuring authorities will certify the reasonability of rates. The GeM portal shall be utilized by the Government buyers for direct on-line purchases as under:</p> <p>(i) Up to Rs.25,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period.</p> <p><i>Note: In case of automobiles, procurement under this sub-rule is permitted without any ceiling limit.</i></p> <p>(ii) Above Rs.25,000/- and up to Rs.5,00,000/- through the GeM</p>	<p>Rule 149: Government e-Marketplace (GeM). Government of India has established the Government e-Marketplace (GeM) for common use Goods and Services. GeM SPV will ensure adequate publicity including periodic advertisement of the items to be procured through GeM for the prospective suppliers. The Procurement of Goods and Services by Ministries or Departments will be mandatory for Goods or Services available on GeM. The credentials of suppliers on GeM shall be certified by GeM SPV. The procuring authorities will certify the reasonability of rates. The GeM portal shall be utilized by the Government buyers for direct on-line purchases as under:</p> <p>(i) Up to Rs.50,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period.</p> <p><i>Note: In case of automobiles, procurement under this sub-rule is permitted without any ceiling limit.</i></p> <p>(ii) Above Rs.50,000/- and up to Rs.10,00,000/- through the</p>

S. No.	Existing Rule	Amended Rule
	<p>Seller having lowest price amongst the available sellers, of at least three different manufacturers, on GeM, meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM can be used by the Buyer even for procurements less than Rs. 5,00,000.</p> <p>(iii) Above Rs.5,00,000/- through the supplier having lowest price meeting the requisite quality, specification and delivery period after mandatorily obtaining bids, using online bidding or reverse auction tool provided on GeM.</p>	<p>GeM Seller having lowest price amongst the available sellers, of at least three different manufacturers, on GeM, meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM can be used by the Buyer even for procurements less than Rs. 10,00,000/-.</p> <p>(iii) Above Rs. 10,00,000/- through the supplier having lowest price meeting the requisite quality, specification and delivery period after mandatorily obtaining bids, using online bidding or reverse auction tool provided on GeM.</p>
6.	<p>Rule 154 : Purchase of goods without quotation Purchase of goods upto the value of Rs. 25,000 (Rupees twenty five thousand) only] only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by the competent authority in the following format.</p> <p>"I, am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from a reliable supplier at a reasonable price."</p>	<p>Rule 154 : Purchase of goods without quotation Purchase of goods upto the value of Rs. 50,000/- (Rupees fifty thousand) only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by the competent authority in the following format.</p> <p>"I, am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from a reliable supplier at a reasonable price."</p>
7.	<p>Rule 155: Purchase of goods by Purchase Committee. [In case a certain item is not available on the GeM portal,] Purchase of goods costing above [Rs.25,000</p>	<p>Rule 155 : Purchase of goods by Purchase Committee. [In case a certain item is not available on the GeM portal,] Purchase of goods costing above</p>

S. No.	Existing Rule	Amended Rule
	<p>(Rupees twenty five thousand only) and upto Rs.2,50,000/- (Rupees two lakh and fifty thousand only)] on each occasion may be made on the recommendations of a duly constituted Local Purchase Committee consisting of three members of an appropriate level as decided by the Head of the Department. The committee will survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. Before recommending placement of the purchase order, the members of the committee will jointly record a certificate as under:</p> <p>"Certified that we, members of the purchase committee are jointly and individually satisfied that the goods recommended for purchase are of the requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question, and it is not debarred by Department of Expenditure or Ministry/ Department concerned."</p>	<p>[Rs.50,000/- (Rupees Fifty thousand only) and upto Rs. 5,00,000/- (Rupees Five lakh only)] on each occasion may be made on the recommendations of a duly constituted Local Purchase Committee consisting of three members of an appropriate level as decided by the Head of the Department. The committee will survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. Before recommending placement of the purchase order, the members of the committee will jointly record a certificate as under:</p> <p>"Certified that we, members of the purchase committee are jointly and individually satisfied that the goods recommended for purchase are of the requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question, and it is not debarred by Department of Expenditure or Ministry/ Department concerned."</p>
8.	<p>Rule 161 : Advertised Tender Enquiry (i) Subject to exceptions incorporated under Rule 154, 155, 162 and 166, invitation to tenders by advertisement should be used for procurement of goods of estimated value of Rs. 25 lakhs (Rupees Twenty Five Lakh) and above. Advertisement in such cases should be given on <i>Central Public Procurement Portal (CPPP)</i> at</p>	<p>Rule 161 : Advertised Tender Enquiry (i) Subject to exceptions incorporated under Rule 154, 155, 162 and 166, invitation to tenders by advertisement should be used for procurement of goods of estimated value of Rs. 50 lakhs (Rupees Fifty Lakh) and above. Advertisement in such cases should be given on GeM as well as on GeM- Central</p>



S. No.	Existing Rule	Amended Rule
	<p><i>www.eprocure.gov.in</i> and on GeM. An organisation having its own website should also publish all its advertised tender enquiries on the website.</p>	<p>Public Procurement Portal (CPPP). An organisation having its own website should also publish all its advertised tender enquiries on the website.</p>
9.	<p>Rule 162 : Limited Tender Enquiry</p> <p>(i) This method may be adopted when estimated value of the goods to be procured is up to Rupees Twenty five Lakhs. Copies of the bidding document should be sent directly by speed post/ registered post/ courier/ email to firms which are borne on the list of registered suppliers for the goods in question as referred under Rule 150 above. The number of supplier firms in Limited Tender Enquiry should be more than three. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis. Further, an organisation should publish its limited tender enquiries on <i>Central Public Procurement Portal (CPPP) as per Rule 159</i>. Apart from <i>CPPP</i>, the organisations should publish the tender enquiries on the Department's or Ministry's website.</p> <p>(iii) Purchase through Limited Tender Enquiry may be adopted even where the estimated value of the procurement is more than Rupees twenty-five Lakhs, in the following circumstances.</p>	<p>Rule 162 Limited Tender Enquiry (LTE)</p> <p>(i) This method may be adopted when estimated value of the goods to be procured is up to Rupees Fifty Lakhs. Copies of the bidding document should be sent directly by speed post/ registered post/ courier/ email to firms which are borne on the list of registered suppliers for the goods in question as referred under Rule 150 above. The number of supplier firms in Limited Tender Enquiry should be more than three. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis. Further, an organisation should publish its limited tender enquiries on GeM as well as on GeM- CPPP. Apart from GeM, the organisations should publish the tender enquiries on the Department's or Ministry's web site.</p> <p>(iii) Purchase through Limited Tender Enquiry may be adopted even where the estimated value of the procurement is more than Rupees Fifty Lakhs, in the following circumstances.</p>

S. No.	Existing Rule	Amended Rule
	<p>(a) The competent authority in the Ministry or Department certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The Ministry or Departments should also put on record the nature of the urgency and reasons why the procurement could not be anticipated.</p> <p>(b) There are sufficient reasons, to be recorded in writing by the competent authority, indicating that it will not be in public interest to procure the goods through advertised tender enquiry.</p> <p>(c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.</p>	<p>(a) The competent authority in the Ministry or Department certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The Ministry or Department should also put on record the nature of the urgency and reasons why the procurement could not be anticipated.</p> <p>(b) There are sufficient reasons, to be recorded in writing by the competent authority, indicating that it will not be in public interest to procure the goods through advertised tender enquiry.</p> <p>(c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.</p>
10.	<p>Rule173 : Transparency, competition, fairness and elimination of arbitrariness in the procurement process (xxii) In case a purchase Committee is constituted to purchase or recommend the procurement, no member of the purchase Committee should be reporting directly to any other member of such Committee in case estimated value of procurement exceeds Rs. 25 lakhs.</p>	<p>Rule 173 : Transparency, competition, fairness and elimination of arbitrariness in the procurement process (xxii) In case a purchase Committee is constituted to purchase or recommend the procurement, no member of the purchase Committee should be reporting directly to any other member of such Committee in case estimated value of procurement exceeds Rs. 50 lakhs.</p>



S. No.	Existing Rule	Amended Rule
11.	<p>Rule 183 Identification of likely sources.</p> <p>(i) Where the estimated cost of the consulting service is up to [Rupees twenty-five lakhs], preparation of a long list of potential consultants may be done on the basis of formal or informal enquiries from other Ministries or Departments or Organisations involved in similar activities, Chambers of Commerce & Industry, Association of consultancy firms etc.</p> <p>(ii) Where the estimated cost of the consulting services is above Rupees twenty-five lakhs, in addition to (i) above, an enquiry for seeking 'Expression of Interest' from consultants should be published on <i>Central Public Procurement Portal (CPPP)</i> at <i>www.eprocure.gov.in</i> and on GeM. An organisation having its own website should also publish all its advertised tender enquiries on the website. Enquiry for seeking Expression of Interest should include in brief, the broad scope of work or service, inputs to be provided by the Ministry or Department, eligibility and the pre-qualification criteria to be met by the consultant(s) and consultant's past experience in similar work or service. The consultants may also be asked to send their comments on the objectives and scope of the work or service projected in the enquiry. Adequate time should</p>	<p>Rule 183 Identification of likely sources.</p> <p>(i) Where the estimated cost of the consulting service is up to [Rupees Fifty lakhs], preparation of a long list of potential consultants may be done on the basis of formal or informal enquiries from other Ministries or Departments or Organisations involved in similar activities, Chambers of Commerce & Industry, Association of consultancy firms etc.</p> <p>(ii) Where the estimated cost of the consulting services is above Rupees Fifty lakhs, in addition to (i) above, an enquiry for seeking 'Expression of Interest' from consultants should be published on GeM as well as on GeM-CPPP. An organisation having its own website should also publish all its advertised tender enquiries on the website. Enquiry for seeking Expression of Interest should include in brief, the broad scope of work or service, inputs to be provided by the Ministry or Department, eligibility and the pre-qualification criteria to be met by the consultant(s) and consultant's past experience in similar work or service. The consultants may also be asked to send their comments on the objectives and scope of the work or service projected in the enquiry. Adequate time should be allowed for getting</p>




S. No.	Existing Rule	Amended Rule
	be allowed for getting responses from interested consultants.	responses from interested consultants.
12.	<p>Rule 201: Invitation of Bids.</p> <p>(i) For estimated value of the non-consulting service up to Rupees ten lakhs or less: The Ministry or Department should scrutinise the preliminary list of likely contractors as identified as per Rule 199 above, decide the prima facie Eligible and capable contractors and issue limited tender enquiry to them asking for their offers by a specified date and time etc. as per standard practice. The number of the contractors so identified for issuing limited tender enquiry should be more than three.</p> <p>(ii) For estimated value of the non-consulting service above Rs.10 lakhs: The Ministry or Department should issue advertisement in such case should be given on <i>Central Public Procurement Portal (CPPP) at www.eprocure.gov.in and on GeM</i>. An organization having its own website should also publish all its advertised tender enquiries on the website. The advertisements for invitation of tenders should give the complete web address from where the bidding documents can be downloaded.</p>	<p>Rule 201: Invitation of Bids.</p> <p>(i) For estimated value of the non-consulting service up to Rupees Fifty lakhs or less: The Ministry or Department should scrutinise the preliminary list of likely contractors as identified as per Rule 199 above, decide the prima facie Eligible and capable contractors and issue limited tender enquiry to them asking for their offers by a specified date and time etc. as per standard practice. The number of the contractors so identified for issuing limited tender enquiry should be more than three.</p> <p>(ii) For estimated value of the non-consulting service above Rs. 50 lakhs: The Ministry or Department should issue advertisement in such cases on GeM as well as on GeM-CPPP. An organisation having its own website should also publish all its advertised tender enquiries on the website. The advertisements for invitation of tenders should give the complete web address from where the bidding documents can be downloaded.</p>
13.	<p>Rule 218: Modes of Disposal.</p> <p>(i) Surplus or obsolete or unserviceable goods of assessed residual value above Rupees Two Lakh should be</p>	<p>Rule 218: Modes of Disposal.</p> <p>(i) Surplus or obsolete or unserviceable goods of assessed residual value above Rupees Four Lakh should be</p>



S. No.	Existing Rule	Amended Rule
	<p>disposed of by:</p> <p>(a) obtaining bids through advertised tender or</p> <p>(b) public auction. For surplus or obsolete or unserviceable goods with residual valueless than Rupees Two Lakh, the mode of disposal will be determined by the competent authority, keeping in view the necessity to avoid accumulation of such goods and consequential blockage of space and, also, deterioration in value of goods to be disposed of. Ministries/ Departments should, as far as possible prepare a list of such goods.</p>	<p>disposed of by:</p> <p>(a) obtaining bids through advertised tender or</p> <p>(b) public auction. For surplus or obsolete or unserviceable goods with residual value less than Rupees Four Lakh, the mode of disposal will be determined by the competent authority, keeping in view the necessity to avoid accumulation of such goods and consequential blockage of space and, also, deterioration in value of goods to be disposed of. Ministries/ Departments should, as far as possible prepare a list of such goods.</p>

2. It is clarified that the specific relaxation in the GFRs already provided to Scientific Ministries etc. vide OM No. 20/42/2021-PPD dated 20.05.2024 will continue to be available to them.

3. This OM is also available on website of Department of Expenditure; www.doe.gov.in -> Notification -> Circular -> Procurement Policy OM.


 (Anil Kumar)
 Deputy Secretary (Procurement Policy)
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To,

All the Secretaries and Financial Advisors to Government of India.