

Corrigendum - Tender No. WDS/2020/1

**In reference to the circular F.No.6/18/2019-PPD dated 23rd July,2020 issued by Public Procurement Division, Department of Expenditure of, Ministry of Finance, this annexure is being added to the Tender document even numbered. It is mandatory to provide self-certification on its letterhead by the bidder as per the model certificate for the Tender as provided in the last para of this annexure. (For the details the said circular can be referred)*

Clauses for the Tender

- I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.
- II. “Bidder” (including the term ‘tenderer’, ‘consultant’ or ‘service provider’ in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the description of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.
- III. “Bidder from a country which shares a land border with India” for the purpose of this Order means: -
 - a. An entity incorporated, established or registered in such a country; or
 - b. A subsidiary of an entity incorporated, established or registered in such a country; or
 - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d. An entity whose beneficial owner is situated in such a country; or
 - e. An Indian (or other) agent of such an entity; or
 - f. A natural person who is a citizen of such a country; or
 - g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above
- IV. The beneficial owner for the purpose of (iii) above will be as under:
 1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person (s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.

Explanation—

 - a. “Controlling ownership interest” means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;

- b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
 - 2. In case of a partnership firm, the beneficial owner is the natural person (s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
 - 3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person (s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
 - 4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
 - 5. In case of a trust, the identification of beneficial owner (s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- V. An Agent is a person employed to do any act for another, or to represent another in dealings with third person.
- VI. The Competent Authority for the purpose of registration under this order shall be the registration committee constituted by the Department of Promotion of Industry and Internal Trade (DPIIT)*.

Annexure- 8: Certificate for Land border sharing country

To,
Deputy Manager,
Claims Department,
Agriculture Insurance Company of India Ltd. (AIC)
Plate B&C, Fifth Floor, Block 1, East Kidwai Nagar
New Delhi -110023

Date:

Dear Sir,

Sub: Tender No: WDS/2020/01 for Weather Data Services

"I have read the clause of MoF circular No. F.No.6/18/2019-PPD regarding restriction on procurement from a bidder of a country which shares a land border with India; I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfils all requirements in this regard and is eligible to be considered. In case I fail to comply with the circular, my bid shall be liable to be rejected without assigning any further reason" [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]

Place:

Date:

Seal and signature of the bidder