



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol. XV Aizawl Thursday, 20. 11. 1986 Agrahayana 29, S.E. 1908 Issue No. 75 (C)

THE MIZORAM PREFERENTIAL STORES PURCHASE RULES, 1986

NO. IND 100/75/262-272 Dated Aizawl, the 20th Nov., '86.

In exercise of the powers conferred by rule 21 of the Delegation of Financial Powers Rules, 1978 with the prior consent of the Ministry of Finance, Government of India, New Delhi, the Lieutenant Governor (Administrator) of Union Territory of Mizoram is pleased to make the following rules, namely :-

Short title, extent and commencement.

1. (1) These rules may be called the Mizoram Preferential Stores Purchase Rules, 1986 ;
 - (2) They shall extend to the whole of the Union Territory of Mizoram in respect of all the purchase of stores to be made by the Department, institutions, agencies, undertakings, corporations, companies, etc., of the Government in respect of items listed in Schedule I. In so far as they relate to the corporations, federations of the Government undertakings, these rules shall be deemed to be the Government's institutions issued under the appropriate clauses of the articles of associations, bye-laws of these corporations and/or federations ;
 - (3) They shall come into force on such date the Administrator of the Union Territory of Mizoram, by notification in official gazette, appoint.
2. **Definitions :** In these Rules, unless the context otherwise requires —
- (a) "Board" means the Mizoram Stores Purchase (Review and Coordination) Board constituted under rule 3 ;
 - (b) "Cottage Industry" means a Village Industry premises of which are situated within Union Territory under the Mizoram Khadi and Village Industries Board, Billk Board and Handicrafts and Handloom Board, and also includes a home Industry conducted in the Union Territory by an artisan, member or members of a family or groups or organisation, with or without the aid of hired labour or labourers and registered as a Cottage Industry by the Director ;

- (c) "Departmental Purchase Board" means a Departmental Purchase Board constituted under Sub rule 8(2) ;
- (d) "Director" means the Director of Industries, Mizoram or his authorised representative ;
- (e) "Government" means the Government of Mizoram ;
- (f) "Other Industry" means and industrial units in the Union Territory being other than a Cottage Industry or a Small Industry ;
- (g) "Purchasing Authority" means the person or authority which is duly authorised or is competent to make purchase of stores ;
- (h) "Registered Industry" means an industry registered under rule 6 ;
- (i) "Small Industry" means an industrial unit situated in the Union Territory, having a fixed capital investment of not more than Rupees 35 lakhs, excluding lands and buildings ;
- (j) "Union Territory" means The Union Territory of Mizoram.

3. **Constitution of the Board :** There shall be constituted a Mizoram Stores Purchase (Review and Co-ordination) Board consisting of the following members, namely :—

- | | |
|---|-----------------------|
| 1. Chief Secretary, Mizoram, Aizawl. | —Chairman |
| 2. Secretary, Industries Department, Mizoram Aizawl | —Member/Vice Chairman |
| 3. Development Commissioner, Mizoram, Aizawl | —Member |
| 4. Secretary, General Administration Department, Mizoram, Aizawl. | —Member |
| 5. Secretary, Finance Department, Mizoram Aizawl. | —Member |
| 6. Director of Industries, Mizoram, Aizawl. | —Member Secretary. |

The Government may change the composition of the Board from time to time.

4. **Meeting of Board and Quorum :—**

- (1) The Board shall meet as often as required and at least once in every three months.
- (2) The notice for a Board meeting shall normally be issued at least 7 days in advance ;
- (3) A minimum of four members including the Chairman or vice chairman and the Member Secretary shall form a quorum.

5. Powers and functions of the Board ;

- (1) The Board shall supervise and review the proper implementation of these Rules and of the basic policy underlying these Rule .
- (2) For this purpose, within the over all frame-work of and without prejudice the these Rules, and subject to such policy directives as may be given by the Government from time to time the Board shall be competent to lay down purchase policies and procedures which shall be binding on the purchasing authorities and the purchase Boards, constituted under various departments.
- (3) Without prejudice to the generality of the foregoing provisions, the Board may-
 - (a) Constitute suitable Technical Committees consisting of the Director of Industries, representatives of major purchasing authorities, representatives of concerned industries ; Cost Accountants, Quality Control Officer of the Directorate of Industries, Mizoram etc., for laying down quality specifications and/or reasonable prices for different items of stores ;
 - (b) decide whether any particular items of stores mentioned in Schedule I should be purchased at reasonable prices fixed by the Technical Committees, or on rate contract basis, or by tenders or quotations limited to all or any of the Registered Industries ;
 - (c) decide whether any rate contract arrangement should be made for supply of any items of stores not mentioned in Schedule I with any of the Registered Industries ;
 - (d) add to the items in Schedule I, and
 - (e) clarify doubts and remove difficulties encountered in implementing these Rules.

6. Registration of Units for Store Purchases :

- (1) On application in a prescribed form in Schedule II and after necessary verification, the Director may register separately, cottage, small and Village industries, for item of stores respectively manufactured by them.
- (2) Such application for registration shall require deposit of registration fee in the Treasury by the applicants under the head of account "130-Industries. 4-Other receipts" at the following rate :—

(a) Cottage Industry	—	Rs. 10/-
(b) Small Industry	—	Rs. 100/-
(c) Other Industry	—	Rs. 1000/-

Note Only those registered units (Provisional or permanent) registered with Industries Department, shall be registerd for this purpose.

- (3) Registration will be valid for a period of one year only ending on 30th June of each year. The Director may renew registration on application in a prescribed form in Scheduled III.

- (4) Units registered under this Rules shall be exempted from paying the earnest money and security deposit for items in respect of which they are registered.
- (5) The Director shall maintain all relevant particulars about registered industries in suitable Registers, and make them available to purchasing authorities from time to time.
- (6) If the Board is satisfied after giving the concerned industry a reasonable opportunity of being heard, that any industry registered under the foregoing provisions of these Rules, has furnished any false information or defaulted in supplying stores in accordance with its commitments or made short supply or supplied substandard stores, or indulged in any other undesirable activity, the Board may cancel its registration and debar it from registration for such further period not exceeding five years as it may consider necessary, besides taking such other legal or administrative action as may be permissible.

7. Preferences :

- (1) Items of stores mentioned in Schedule-I shall be purchased only from registered industries as provided in sub-rule (1) of rule 6 and in accordance with the policy and procedure laid down by the Board under clause (b) of sub-rule (3) of rule 5 ;

Provided that if the Director certifies that the capacity for production within the Union Territory of any such item is exhausted, purchases from the open market as per the usual procedure will be permissible as long as this certificate remains in force.

- (2) In respect of items of stores, mentioned in Schedule I price preference shall be given to registered industries (or their authorised agents and dealers) upto 15% higher than the approved rates as applicable to items of stores of similar nature and qualities, procured from firms other than cottage and Village Industries Units of Mizoram subject to the condition that the products conform to an acceptable Standard of quality and specification.

Provided that in case the total value per annum of any such item of stores purchased by a purchasing authority from one unit does not exceed Rupees one lakh value per Items.

Note. In preparing comparative statements of quotation or indents, the Union Territory taxes should be excluded but the Central Taxes (including Central Sales Tax) and transport, packing, forwarding and interest charges should be included.

- (3) (a) Without prejudice to the other provisions of these rules, as a general policy, and other things being equal, registered industries should be preferred to units not-so registered.

(b) And within the industries so registered Cottage Industries should be preferred to Small Industries to the extent of 10 %.

(c) And in the case of competition between registered Small Industries, preference shall be given to Small industries to the extent of 5 %.

- (4) Every possible effort should be made to substitute items in the Union Territory for those presently purchased from outside the Union Territory.

8. Miscellaneous :—

- (1) All purchasing authorities shall purchase stores according to the financial powers respectively delegated to them and duly observing these Rules and all other relevant rules, procedures and instructions. In case, there is any conflict between these Rules and any other administrative (as being distinct from statutory) rules, instructions or procedures these rules shall prevail. Wherever these rules conflict with any law or rules having force of law, the letter will prevail. However, cases of such conflict with any law or rules having force of law, shall be reported by the purchasing authorities to the Government in the Industries Department.
- (2) Each Government Department shall constitute at least one Departmental Purchase Board which shall have the Director as one of its members. In the event of any dissent by the Director from the majority decision of any such purchase Board, the matter shall be referred to the Board for a decision about the policy involved. However, if the stores are required urgently and no decision is received from the Board within a period of ten days from the date of its receiving such a reference, the purchasing authority may make the purchase without waiting for the Board's decision.
- (3) Items of stores not manufactured by any of the registered Industries may be purchased in accordance with the other relevant rules, procedures or instructions in force from time to time.
- (4) All purchasing authorities shall submit to their respective administrative Departments and annual return in the form given in Schedule IV in the month of May every year.

The administrative departments shall consolidate these returns and send them to the Board in the month of June every year for review.

SCHEDULE - I

(See rules 1 (2), 5(3)(b), 7(1))
Reserved items of Stores:

1. All different items of furniture, tools, equipments made of wood.
2. All kinds of tinsmithy and blacksmithy products of tools, implements, equipments etc. , for form use, household use, and for general use.
3. Cane and Bamboo products.
4. Bakery & Confectionery Products.
5. Constructional and Building materials of local products.
6. Exercise books and other publications and stationery items.
7. Handloom cloth, Hand woven cloth, dyed and bleached yarn.
8. Tailoring, Knitting, Embroidery and Handicraft products.
9. Artistic Painting, sketching, printing, farming Photographic items.
10. Sericultural products.
11. Agricultural and Farm products
12. Items of steel and Alluminium works.
13. Item of Metal works, steel fabrication, truck and Bus body building
13. Electrical goods and Articles.
15. Electronic goods and Articles.
16. Items of general use such as soap, parafin wax candles, non-edible oil, brass, silver utensils, plastic products.
17. Products of Ice plant and distillery, brewery, soda water, purified water.
18. Mechanical works such as repairing, fitting, fixing, tyre rethreading.
19. Items of Shoe making Industries.
20. Chemical products such as dye, paint, ink, chalk crayon.
21. Mineral products.

SCHEDULE II

(See Rule 6 (1))

APPLICATION FORM

For registration as industries for the purpose of
Preferential store purchase

1. Name of Firm _____
OR
Name of proprietor and Address : _____

2. Registration Number with
Industries Department : _____

3. Production details :

<u>Item (s)</u>	<u>Rate per Item,</u>	<u>Quantity (of production in a year)</u>
(a) _____	_____	_____
(b) _____	_____	_____
(c) _____	_____	_____
(d) _____	_____	_____

4. Price & Pricing pattern :

(Indicate what are the basis & norms adopted by the firm for fixing their prices).

5. Can the firm arrange home delivery ?

6. Has the firm been cleared by standard quality controlling officer ? if so attach a certificate or copy thereof.

(Signature of applicant)

Seal _____

SCHEDULE-III

(SEE RULE 6 (3))

APPLICATION FOR RENEWAL OF REGISTRATION

- 1. Name of applicant and address : _____

- 2. Name of Firm and address : _____

- 3. Last Registration number and date of expiry of the last registration. : _____
- 4. Production details during the preceding twelve months : _____

	Items	Rate per item	Total quantity of production
	_____	_____	_____
(a)	_____	_____	_____
(b)	_____	_____	_____
(c)	_____	_____	_____
(d)	_____	_____	_____

Signature of applicant

Seal

19

SCHEDULE - IV
(SEE RULE 8(4))

ANNUAL SPORES PURCHASE RETURN FOR THE YEAR.....

Items of Purchase.	Purchased from industries registered with Director of Industries.		Purchase from industries not registered with Director of Industries.		Reasons for not Purchasing from Industries registered with Director of Industries.	Remarks (Please indicate difficulties in/suggest for improvement of the stores purchase policy.
	Value Quantity.	Value.	Quantity.	Value.		
1	2	3	4	5	6	7

Signature and Designation.