

General Purchase Bylaws for

Mahabhadrakali CGHS Limited, Plot No 6, Sector 13, Dwarka, Delhi

In the Special General Body Meeting (SGBM) for Mahabhadrakali CGHS Limited (herein after referred to as “the Society”) held on 28th April 2024 it was resolved to constitute a Purchase Committee (herein after referred to as “the Committee”) and minutes of the meeting were circulated vide MBK/CGHS/2024 dated 05/05/2024 and signed by the President.

The members of the Committee thus constituted have unanimously formulated these Bylaws for systematic functioning of the Committee to meet the expectations of the General Body of the Society and are narrated below:

1. *Members of the Committee:* During the SGBM eight (8) members were nominated and approved and have been listed in the Minutes of SGBM. Any of the member as constituted may voluntarily quit the committee but any additions or substitution to this committee can be made only upon approval of the GBM of the Society.
2. *Term of the Committee:* The Committee has come into effect from the day of circulation of the minutes of the SGBM i.e. 05/05/2024 and will remain active till the Society GBM resolves to terminate or modify its resolution.
3. *Purpose of the Committee:* The SGBM has resolved that the Committee will help and facilitate the MBK management committee in all purchases exceeding Rs 10,000.00 except any exigency and emergent circumstances.
4. In order to effect the mandate given by the SGBM the Committee has formulated “**General Purchase Bylaws (GPB) for Mahabhadrakali CGHS Limited.**”. The members of the Committee have unanimously resolved to follow these Bylaws with such amendments that are adopted unanimously by the members of the committee from time to time, notified to the Society management and displayed on the Notice Board of the Society.
5. Please refer to the image at the end of the document that provides a schematic flow chart describing the broad process of procurement laid down in these Bylaws.
6. In addition to provisions of Clause 4, the Committee may examine, help and facilitate the Society management with any purchases that is presented to the Committee. (Past, past continuous, emergent purchases on post facto basis).
7. *Purchase Proposal:* Soon after deciding to proceed with procurement of any goods or services the Society management will forward a Purchase Proposal to the Committee. Any Purchase Proposal will consist of at least following details:
 - 7.1. General Narration of the Goods of Services required and their purpose in brief.
 - 7.2. Specifications and Drawings of the Goods or Services required as the case may be.
 - 7.3. Statement about adequate provisioning of the necessity in the Society Budget or any resolutions passed by the Society or any statutory requirement that can be covered through a post facto provisioning.

- 7.4. The Society will maintain an *In and Out Register* to record the date and time for each Purchase Proposal made to the Committee and the responses received by it from the Committee.
8. *Process to be followed by the Committee*: Soon after receiving a Purchase proposal, duly supported by Budget/GBM authorization from the management the Committee will initiate the Purchase process promptly and in following steps:
- 8.1. Satisfy itself with adequacy of the description and specifications of the Goods or Services provided by management and seek clarifications as the case may be.
 - 8.2. The Committee can arrange for Purchases by multiple methods as detailed below. The Committee will deliberate each Purchase proposal and choose a suitable method of procurement depending upon the circumstances, urgency, value of the goods and services etc. and abundance of the vendors for them. The purchase methods can be any of the following but not limited to the options listed below. However, the Committee will record the rationale for its options and provide it to the management along with its recommendations in each case.
 - 8.2.1. Procurement through Open Tender (*Here Tenders are given wide circulation so that a large number of vendors are informed about the tender and all qualified bidders are free to participate*)
 - 8.2.2. Procurement through Limited Tender (*Here the tenders are circulated amongst a smaller group of bidders shortlisted based on certain criteria*)
 - 8.2.3. Procurement through Local Purchase (*Here a sub-committee consisting of members of the Committee and Management can go to market and make purchases after satisfying themselves about the Quality and Quantity of goods and Services and recording their proceedings*)
 - 8.3. Formulation Qualification Criteria for bidders if any, manner of circulation of the of Tender and accordingly formulation of Tender Document.
 - 8.4. Formulation of a sub-committee, on case-by-case basis, consisting of some members of the Committee that will take lead in running the Tender process.
 - 8.5. Circulation of the Tender as decided in clause 8.2. The Committee will subscribe to a suitable unique email facility with limited access for the purpose of communication with vendors.
 - 8.6. Formal and transparent receipt of the Tenders
 - 8.6.1. Sealed Tenders will be received in a locked Tender Box kept at the Society Office or Guard room at Main Gate of the Society.
 - 8.6.2. The Tender Box will be routinely opened by the sub-committee formed as per clause 8.3 and the Tenders submitted retrieved.
 - 8.7. Assessment of the tenders and negotiations with the bidders.
 - 8.8. Formulation of Purchase Committee recommendations
9. The Committee will be guided by the norms/specifications/guidelines issued by relevant Government organizations like CPWD, CAQM, Delhi Jal Board etc. In absence of suitable norms, it can take its own considered decision after duly recording it.

10. The Committee will then formulate its recommendations in each case and submit its recommendation to the Management. The Purchase Order will be issued by the Management.
11. A copy of each Purchase Order, whether issued pursuant to recommendation of the Purchase Committee or issued as per Clause 4 provisions for '*exigency and emergent circumstances*' and will be recorded in the *In and out Register* and submitted to the Committee.
12. While issuing any Purchase Order the management will expressly designate an "Incharge" for each Purchase order and the In-charge will be authorized to receive the Goods and Services delivered under the Purchase order. The In-charge will check for quality and quantity of the Goods and Services and record it in a register maintained for the purpose. The In-charge will record of the quality and quantity of Goods and Services supplied and annex a statement to that effect along with each invoice submitted by the Supplier for making payments.
13. The Committee will receive every invoice for payment against every Purchase Order, examine it, get satisfied about the Quantum and Quality of Goods and Services, its consistency with the Purchase Order and then recommend its approval to the management.
14. All payments against all purchases will be made by the Management as per its delegation of authority.
15. The Committee will follow the following administrative procedure for its workings:
 - 15.1. The Committee will elect a chairman on rotation basis to facilitate working of the Committee. The Chairman will not have any additional powers and will be on par with any member of the Committee. However, he is expected to take administrative lead during his tenure.
 - 15.2. The committee can conduct its meetings physically at Society Office or virtually and maintain a record thereof.
 - 15.3. The management will subscribe to a suitable virtual meeting software to facilitate such meetings and recording thereof.
 - 15.4. Quorum will be reached if at least 5 members record their presence at the beginning of the meeting.
 - 15.5. The Committee will attempt to take decisions by consensus, however, in case a consensus cannot be reached then decision taken by majority of the members present will be adopted.
 - 15.6. Notice of 24 hours will be adequate to call a meeting and such members that cannot join physically will be able join virtually.
 - 15.7. As soon as a Proposal is received from the Management, it will be circulated amongst all members virtually by mail or whatsapp group.
 - 15.8. All members should peruse the proposal and convene meeting to proceed on the proposal within 48 hours of receipt of each proposal.

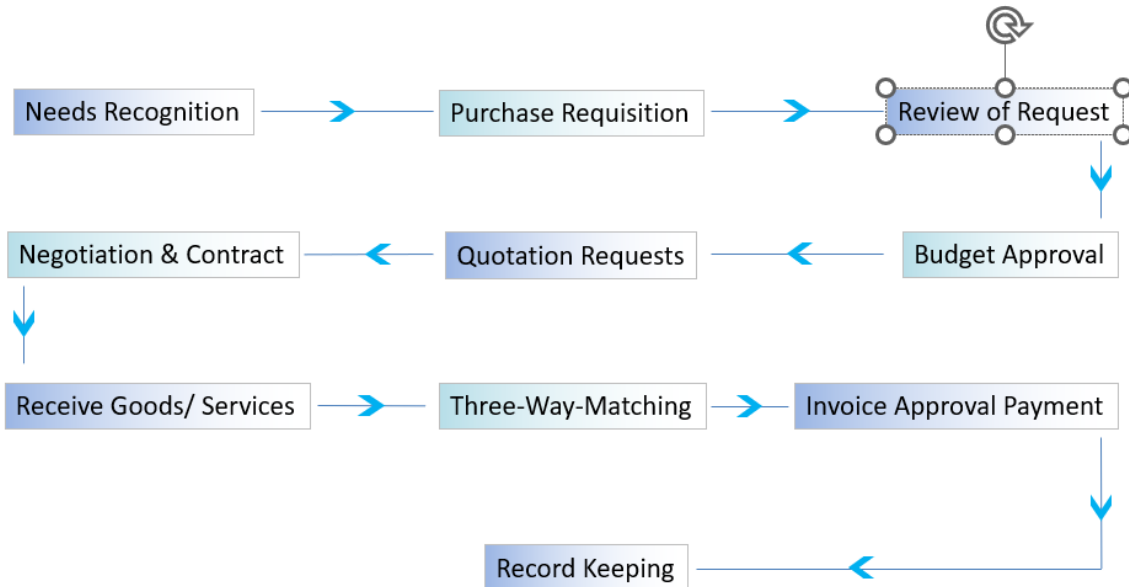
- 15.9. The Committee should endeavor to issue Tender Notice not later than 7 days of receipt of any proposal from Management.
- 15.10. In case the Committee is not satisfied with the Purchase Proposal, it should return the Proposal with its observations not later than 3 days from receipt of the proposal to the management.
- 15.11. Any member of the Committee can receive the Purchase proposal from the Management in hard copy form as well softcopy form for quick dispersal amongst members. Such member should sign the *In and Out register* and put down date and time of receipt of the proposal.
- 15.12. Soon after receipt of a proposal the member receiving the proposal should circulate it amongst the Committee members.
- 15.13. The member who receives the proposal should promptly convene meeting of the Committee as per 13.6.
- 15.14. All physical documents related with the Committee will be in possession of the Chairman and he will transfer these documents to new chairman as and when he is elected by the Committee.

16. Following principals will guide the working of the Committee:

Guiding principles for the Committee:

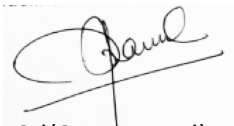
- i. The procurement process irrespective of the method followed should be transparent and visible especially to the management and the members of the Society. Therefore, use of virtual platforms as well as society notice boards for dissemination of information is to be adopted.
- ii. Proactive empanelment of various venders especially local vendors subject to meeting of quality & technical requirements and making suitable provisions in the bidding document.
- iii. Proactive empanelment of various venders with prior Experience and minimum turnover for Recognized & Registered venders (Delhi NCR area) subject to meeting of quality & technical specifications and making suitable provisions in the bidding document.
- iv. Startup and MSME venders may be exempted from Prior Experience and Prior Turnover requirements for DPIIT Recognized Startups/vendors, subject to meeting of quality & technical specifications and making suitable provisions in the bidding document.

Stages of a Procurement Process



These Bylaws are agreed to adopted by the Purchase Committee for Mahabhadrakali CGHS Limited, Plot No 6, Sector 13, Dwarka on 24 May 2024

1. Mr. Pankaj Agarwal (H. No. 128)	5. Mr. Kapil Gupta (H. No. 107)
2. Mr. Pankaj Girdhar (H. No. 50)	6. Mr. Tarun Kumar (H. No. 101)
3 Mr. Devesh Shankar (H. No. 122)	7. Mr. Tejinder Singh (H. No. 103)
4. Mr. SP Kansal (H. No. 068)	8. Mr. HL Meena (H. No. 007)


-Sd(S. P. Kansal)

Chairman, Purchase Committee

Copies to:

1. President, Mahabhadrakali CGHS,
2. The Society Notice Board

Amendment to Purchase Bylaws

Reference Management Committee Meeting dated 4th Jan'25, It was resolved to amend the purchase manual and bylaws. Based on our experience of working both with the Purchase Committee as well as the Management Committee, it is pertinent to refine the General Purchase Bylaws by incorporating the following amendments. As the MC is competent to adopt the General Purchase Bylaws and amendments to them, it is adopted as following effective resolution dated 4th Jan,25:

Amendments

The Purchase Proposals are to be segregated into the following categories:

1. Category A:
The proposed purchase is not repetitive in nature and the estimated purchased cost is below Rs 100,000.00 (Rs One Lakhs).
2. Category B:
The proposed purchase is not repetitive in nature and the estimated purchased cost exceeds Rs 100,000.00 (Rs One Lakhs).
3. Category R₁:
The proposed purchase is a Maintenance Contract or a Service Contract (repetitive in nature).
4. Category R₂:
Arrangements for National Holidays, festivals and AGM (repetitive in nature).
5. Category C₁:
The proposed purchase is repetitive in nature and the gross purchases over the year may exceed Rs 10,000.00
6. Category C₂:
Engagement of labor (skilled and unskilled) directly under supervision of manager for carrying out repair & maintenance (R&M) works in society

Category A proposal - Purchase Methodology:

Upon receipt of Purchase Request, the PC will form a two-member subcommittee. These members will directly secure quotations for the PR from suitable vendors and submit their recommendations to the PC which will then communicate its recommendation along with draft Work Order/ Purchase Order to the MC. The MC will issue the Purchase Order and nominate an 'In-charge' for execution of the purchase.

Category B proposal - Purchase Methodology:

Procedure as detailed in clause 8 of the General Purchase Bylaws above.

Category R₁ & R₂ proposal - Purchase Methodology:

Irrespective of the Value of the contract the MC may decide whether to invite fresh tenders for the work or carry out negotiations with the existing or past vendors for the works. MC would evaluate the performance of such vendors and record its decision in the MC minutes.

In case the performance of the present or past vendor(s) is found satisfactory then a sub-committee consisting of one member of PC (nominated by the Chairman PC) and at least one member of MC will negotiate with such vendor(s) for revised commercial terms for the renewal period and make suitable recommendations to the MC. Based on the recommendation received the MC will then issue the necessary work order / purchase order to the vendor.

In case the MC decides to engage a new vendor for the work then again, the job will be delegated to a sub-committee consisting of one member of PC (nominated by the Chairman PC) and at least one member of MC. This sub-committee will reach out to multiple vendors and conduct negotiations with them. The sub-committee may revise the technical and commercial specifications during the process in a manner that is beneficial for society. The sub-committee will make recommendations to the MC preferably along with a draft Purchase Order with detailed commercial terms as negotiated with the preferred vendor.

Category C₁ proposal - Purchase Methodology:

For carrying out various repair and maintenance (R&M) works at society sundry purchases are required to be made like electrical accessories, plumbing accessories, cement, sand, tiles, spare parts for pumps, paints, diesel etc. Small quantities of such material may be required repetitively and there is a need to optimize such purchases. Some of these works may be repetitive in nature and their cumulative value may exceed Rs. 10,000.00 over time.

MC will list out broad categories where regular sundry purchases are required to be made and conduct market surveys, carry out negotiations and identify vendors (preferably two for each category). MC should negotiate commercial understanding/rate contracts with such vendors. The rates finalized should be revised as and when required.

Any purchases of such sundry material will be authorized by the Secretary. Purchases of such sundry material should be made as per the rate contracts with preferred vendors. Occasional purchases from vendors other than detailed above or for such material that has not been covered under the rate contract can be made at the discretion of the Secretary after recording reasons thereof in the MC Minutes.

Category C₂ proposal - Purchase Methodology:

To economize on costs the MC may decide to engage skilled and unskilled labor directly under the supervision of the manager for R&M works such as masonry works, painting and whitewashing works, plumbing works, non-routine cleaning works etc. Some of these works may be repetitive in nature and their cumulative value may exceed Rs. 10,000.00 over time.

The MC will list out various categories of skilled and unskilled labor that is required and will also firm up Daily Wages to be paid to such labor. Such labor can be engaged at the discretion of the Secretary on a "as and when" required basis with proper accounting for engagement and payments and quantum of work performed. The manager will be responsible for maintaining proper records of such engagements. Such engagements should be recorded in the MC minutes.

General Provision 1

In any of the committees or sub-committees formed by the MC for the purpose of any kind of Procurement, the MC may include one or more members based on their domain expertise. However, only residents of society or members of society can be cooped for such purposes. Such coopted members will have equal status to any other member of the committee or sub-committee.

General Provision 2

While sending any Purchase Proposal to the PC the MC should clearly lay down a reasonable timeline for processing the PR by PC. The PC should expeditiously carry out selection of vendors once a Purchase Proposal has been received by it. If for any reason the PC is unable to process the Purchase Proposal within the timelines indicated by the MC in writing to the PC, the MC may process the Purchase Proposal by an alternative mechanism after recording the reasons thereof in the MC minutes. This will not constitute violation of mandate of the PC.