

GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE
(Finance Personnel-2 Branch)

04.07.2024

To

- i) All Special Chief Secretaries, Additional Chief Secretaries, Financial Commissioners, Principal Secretaries & Administrative Secretaries to Government of Punjab;
- ii) All Head of Departments of the State;
- iii) All Commissioners of Divisions;
- iv) The Registrar, Punjab and Haryana High Court, Chandigarh;
- v) All Deputy Commissioners and District & Sessions Judges and ;
- vi) Secretary, Punjab Vidhan Sabha.

Subject:- Standard Procedure for exemption under Section 63 of The Punjab Transparency in Public Procurement Act, 2019.

Sir/Madam

1. The Punjab Government has enacted "The Punjab Transparency in Public Procurement Act, 2019" vide notification No.15-Leg/2019 dated 10-09-2019.

Section 63 of the said Act states that:

63 (1) If the State Government is satisfied that it is necessary in public interest so todo, it may, by order published in the Official Gazette and for reasons to be recorded in such order, exempt any procurement or a class or category of procurement or a class or category of procuring entities from the application of all or any of the provisions of this Act.

(2) Every, order made under sub-section (1) shall, as soon as may be after it is made, be laid before the Legislative Assembly.

2. The standard procedure for seeking exemption under Section 63 of the Punjab Transparency in Public Procurement Act, 2019 is as under:

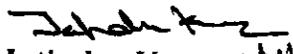
- (i) All Administrative Departments shall receive formal approval from the Cabinet with regard to exemption.
- (ii) The approval with regard to placing the said exemption before the next upcoming Vidhan Sabha, shall also be taken by the Administrative Department in the same memorandum.
- (iii) Therefore, the exemption cases shall be sent to Department of Finance.
- (iv) All exemption cases submitted by the respective Administrative Departments to Finance Department shall receive formal approval from the Cabinet for such exemption alongwith approval for laying down in next upcoming Vidhan Sabha.
- (v) In the Cabinet Memorandum following points must be incorporated:
 - a) The Administrative Department (AD) to specify the necessity for exemption being sought, emphasizing its significance in serving the broader public interest.
 - b) The Administrative Department (AD) to explain the reasons for the urgency in procuring the subject matter of the procurement.
 - c) The Administrative Department (AD) must furnish a comprehensive justification and rationale for exemption.



(vi) After approval from the Cabinet, the Administrative Department shall supply a copy of the Cabinet Memorandum to the concerned Finance Expenditure Branch, Department of Finance, who will issue the exemption order, which will be published in Official Gazette.

3. It shall be mandatory to the above procedure adhered to the above procedure by all ADs/HODs and executing authorities in true letter and spirit and any case which is forwarded to Finance Department without following the above Standard Procedure shall not be entertained by Finance Department.
4. You are requested to sensitize all the Offices under your Administrative Department to follow the above Standard Procedure diligently.
5. These instructions are being issued after the approval of Hon'ble Finance Minister, Punjab.

Sincerely,


(Jatinder Kumar) 4/7/24
Under Secretary
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A copy of the above is forwarded to the following for information and necessary action:-

1. Accountant General (Audit), Punjab.
2. Accountant General (A&E), Punjab, Chandigarh.



Suprintendent
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A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Secretary to Govt. of Punjab, Chandigarh.
2. The Resident commissioner, Punjab Bhawan, New Delhi.



Suprintendent
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Internal Distribution

1. Directorate of Financial Resources and Economis Intelligence;
2. Directorate of Public Enterprises and Disinvestment for information;
3. All branches of Department of Finance.