

Date : 14.12.2022.

SUBJECT SUBMITTED FOR CIRCULATION BEFORE AD-HOC COMMITTEE, SHREE SAIBABA SANSTHAN TRUST SHIRDI

Subject : Submission of report to the Law and Judiciary Department, Government of Maharashtra with response to it's letter dated 18.11.2022 vide no. सासंवि1022/प्र.क्र.231/का-16, in respect of the ad-hoc Committee's decision –resolution no. 533 dated 18.10.2022 for not accepting the pure cow ghee procurement tender acceptance proposal.

1. Vide letter bearing no. सासंवि1022/प्र.क्र.231/का-16, dated 18.11.2022, the Committee has been informed that the Chief Executive Officer expressed her concerns about rejection of the proposal for acceptance of the pure cow ghee procurement. Accordingly, the Committee has been asked to consider her letter and give its opinion. Therefore, this proposal is being placed before the ad-hoc Committee for circulation for immediately sending it to the Mantralaya.
2. In the resolution no. 533 dated 18.10.2022, the ad-hoc Committee observed that the standards of the pure cow ghee to be procured were not mentioned in the tender. Said e-tender process was not in conformity with "Manual for procurement of goods and services in Government department". The guidelines given in GR dated 1.12.2016 were not followed.
3. In her letter dated 12.11.2022 to the Principal Secretary, Law and Judiciary, the Chief Executive Officer mentioned that in the e-

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tender for procurement of pure cow ghee FSSI/Agmark norms were mentioned. However, they provided only registration for the food and agricultural products. They do not make distinction between different qualities of pure cow ghee.

4. As per the information the Committee received from the BIS, IS:16326:2015 specified three grades of pure cow ghee. Obviously, pure cow ghee available in the market is of different grades. Grade-III quality pure cow ghee can be supplied by a tenderer at the price of Grade-I quality. As this kind of standards like Grade-I, II, III as per IS:16326:2015 should have been mentioned in the e-tender, the reason that since FSSI/Agmark norms were mentioned in the tender, was not sufficient, the tender acceptance proposal cannot be accepted by any management of a temple whose aim is to use the top grade quality cow ghee in the Laddoo and Prasad provided by Shirdi Sansthan to its devotees.

5. In GR dated 01.12.2016 itself the Government of Maharashtra recommended for adopting Swiss Challenge Method for procurement of products which are supplied by limited producers. There will be very limited producers in the market who can supply monthly around 750 quintal pure cow ghee to the Sansthan. In subsequent ad-hoc committee meeting dated 21.11.2022, the Chairman and the Member –District Collector had directly talked to some of the major producers by putting the phone on speaker mode. They expressed their willingness to serve Saibaba by providing Grade-I quality pure cow ghee and these aspects have been mentioned in the minutes dated 21.11.2022 (resolution no. 601) of the ad-hoc committee. Now after

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getting guidance from all available resources and experienced persons from BIS, BMC etc. the tender process is in progress.

6. Even fixation of the base price was also erroneous. Because, the prices from 5 retail suppliers were called. The prices from wholesale suppliers who had the capacity to supply the quantity for which the tender was to be floated, were not called. The quality standards were not mentioned even in those quotations on the basis of which the base price was fixed.

7. Moreover, when only six months remained in the financial year 2022-23, acceptance of proposal for purchasing 8500 quintal ghee which was estimated for the whole year, was not possible. Out of the total 33 crores allocated in the budget for its procurement, around 10 crore amount has been already spent for purchasing the pure cow ghee by short tender notice etc. till October, 2022. Thus, quantity-wise also no modified proposal was placed before the ad-hoc committee.

8. Regarding the directions given by the Hon'ble High Court in its order dated 09.11.2022 in Writ Petition No. 9421/2022, that was not in existence at the time of resolution dated 18.10.2022. Even otherwise also, if any leave of the Hon'ble High Court ought to be obtained, the Chief Executive Officer would definitely apply for such leave by filing necessary application before the Hon'ble High Court. Therefore, it is respectfully submitted that the said resolution did not breach the said order dated 09.11.2022.

ms. chris


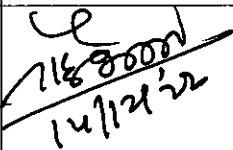
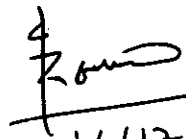
9. **Therefore, it is resolved by this resolution as follows :-**

(A)

(A) The above proposal is accepted and resolved accordingly that the cancellation of the procurement process of pure cow ghee vide resolution no. 533 dated 18.10.2022 is proper and justified.

(B) The resolution is not proper and not justified.

(C) Any other opinion and resolution as mentioned specifically below.

Name of Chairman/Member of Ad-hoc Committee	Decision taken	Signature
Sudhakar V. Yarlagadda, Chairman, Ad-hoc Committee, Shri Saibaba Sansthan Trust Shirdi and Principal District and Sessions Judge, Ahmednagar,	"A" is approved.	 14.12.2022
Dr. Rajendra Bhosale, Member, Ad-hoc Committee, Shri Saibaba Sansthan Trust Shirdi and District Collector, Ahmednagar	(A) is approved	 14/12/22
Rahul Jadhav, In-charge Member Secretary, Ad-hoc Committee, Shri Saibaba Sansthan Trust Shirdi and In-charge Chief Executive Officer, Shri Saibaba Sansthan Trust Shirdi.	"A" is approved	 14/12/22

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