

MINISTRY OF DEFENCE
(ACQUISITION WING)

Subject: Amendments to Defence Procurement Procedure (DPP)-2013.

The following amendments/additions have been approved for inclusion in the DPP-2013:-

(i) Addition of New Paras:

- (a) The following new paras are added to Schedule I (Draft RFP Format) to Chapter-I:-

New Para	Page No./ Document	Text/Formulation
4(a)	Page-80, Schedule I to Chapter I	Once the contract is concluded and the delivery schedule is established, the supplier shall adhere to it and ensure continuity of supply of items and their components under the contract
13(a)	Page-81, Schedule I to Chapter I	It may further be confirmed that all national and international obligations relevant to transfer of conventional arms of the country of the supplier or countries from which parts and components are being procured, have been taken into account for the duration of the contract. Accordingly, thereafter, there would be no review, revocation or suspension of Defence export licenses and other related clearances issued to the supplier for the contract that could impinge on the continuity of supply of items and their parts or components under the contract.

- (a) The following new paras are added to Standard Clauses in Contract and Standard Contract Document:-

New Para	Page No./ Document	Text/Formulation
6.3	Page-120, Appendix 'H' to Schedule I to Chapter I	Provided that acts of The Government or any State parties of the seller which may affect the discharge of the Seller's obligations under the contract shall not be treated as Force Majeure.
24.4	Page-318, Article 24 of Standard Contract Document (Chapter-V)	Provided that acts of The Government or any State parties of the seller which may affect the discharge of the Seller's obligations under the contract shall not be treated as Force Majeure.

- (ii) Amendment to existing paras:** The following existing paras of DPP are amended to the extent indicated below:-

New Para	Page No./ Document	<u>For</u>	<u>Read</u>
6.2	Page-120, Appendix 'H' to Schedule I to Chapter I	Force Majeure shall mean fires, floods, natural disasters or other acts such as war, turmoil, strikes, sabotage, explosions, quarantine restriction beyond the control of either party.	Force Majeure shall mean fires, floods, natural disasters or other acts such as war, turmoil, strikes, sabotage, explosions, beyond the control of either party.

Contd..2/-

24.2	Page-318, Article 24 of Standard Contract Document (Chapter-V)	Force Majeure shall mean fires, floods, natural disasters or other acts, that are unanticipated or unforeseeable and not brought about at the instance of, the party claiming to be affected by the such event, or which, if anticipated or foreseeable, could not be avoided or provided for, and which has caused the non performance or delay in performance, such as war, turmoil, strikes, sabotage, explosions, quarantine restriction beyond the control of either party.	Force Majeure shall mean fires, floods, natural disasters or other acts, that are unanticipated or unforeseeable and not brought about at the instance of, the party claiming to be affected by the such event, or which, if anticipated or foreseeable, could not be avoided or provided for, and which has caused the non performance or delay in performance, such as war, turmoil, strikes, sabotage, explosions, beyond the control of either party.
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2. The above amendments shall come into force with immediate effect and are notified for information and compliance by all concerned.

(Praveen Kumar)
Director(Acq)
Telefax: 23792865

To

CISC VCOAS VCNS VCAS DGCG

All Joint Secretaries/Additional FAs /Finance Managers/Technical Managers/
DGWE/ ACAS(Plans)/ACNS(P&P)/Directors/Deputy Secretaries.

Copy for information to:

PS to RM, PS to RRM, SO to Defence Secretary;

PPS to Secretary(DP), SO to SA to RM, PPS to FA(DS), Sr.PPS to DG(Acq), PPS to AS(R), PPS to AS(DP), PPS to FA(Acq) & AS, CGDA, Principal IFAs

MoD ID No. 4(27)/D(Acq)/10 dated 02.09.2014.

Copy also to: (i) Director (NIC), Room No. 305-B, Sena Bhavan- with request to upload this ID on MoD website immediately for information of all concerned under intimation to this Secretariat.
(ii) F. No. 1(6)/D(Acq)/13
(iii) F.No.5(3)/D(Acq)/14