

(TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY PART-I (SECTION-I))

Directorate General of Foreign Trade
Department of Commerce, Government of India
Vanijya Bhawan, New Delhi

Public Notice No. 39 / 2025-26
New Delhi, dated 17th December, 2025

Subject: Procedure for Allocation of TRQ under tariff head 7108 under India-UAE CEPA for FY 2025-26-reg.

In exercise of the powers conferred under Paragraph 1.03 and 2.04 of the Foreign Trade Policy, 2023, as amended from time to time and in continuation of the Public Notice no. 31/2025-26 and Trade Notice no. 16/2025-26 dated 29.10.2025, wherein it was decided that the allocation of TRQ for Gold under India-UAE CEPA will be undertaken based on the competitive bidding/tender process. Accordingly, the Directorate General of Foreign Trade hereby invites bids/tenders for the first round of allocation of Gold TRQ under tariff head 7108 under India-UAE Comprehensive Economic Partnership Agreement (CEPA) for FY 2025-26 as under:

- i. The Process for inviting bids from the Trade and Industry is clearly laid out in the Tender Document given at Annexure – I. The same may be accessed at the MSTC website at (<https://www.mstcecommerce.com/eprocn/dgft>).
- ii. The Total Quantity of Allocation in the current Tender process is restricted to 30 MT in the current round of Allocations.
- iii. The Hon'ble High Court of Delhi vide order dated 26.09.2025 signed on 08.10.2025 has disposed of the petitions directing the respondents to expeditiously review the TRQ Allocation for the FY 2025-26. The operative part of the Hon'ble High Court order is reproduced below

“18. Necessarily, given that six months out of the current financial year have already elapsed, the respondents would be required to undertake a review of the TRQ allocation so as to utilize the quota for the current financial year.

19. Considering the facts and circumstances of the case, it would be apposite for the respondents to conduct the aforesaid review as expeditiously as possible and preferably within a period of four weeks from today.


20. While conducting the review, the concerned authorities shall duly take into account the grievances / apprehensions highlighted by the petitioners in the present petitions, particularly the aspect that the allocation policy must veer towards making the same broad-based and extending it to those applicants who do not have a track record of substantial turnover over the preceding few years (even though they have significant network) as well as those seeking TRQ allocation for the first time.

21. In the event the respondents are inclined to accept the request of the petitioners, the DGFT may introduce additional conditions / criteria to allocate the TRQ accordingly.

22. With the aforesaid directions, the petitions (along with pending applications) are disposed of."

- iv. In compliance with the court order, to broaden the allocations, the eligible participants for the current round are restricted to Micro and Small Enterprises only, who comply with the eligibility conditions given in the Annexure – IV of the Appendix – 2A and the maximum eligible quantity for allocation to bidders of Micro and Small units is limited to 10 kg and 25 KG, respectively.
- v. The Exim Facilitation Committee (EFC) reserves the right to extend the total Quantity for allocation under this bid by 50 %, i.e. additional 15 MT, in case of cumulative bids received beyond the Total quantity given at Sl. No. ii above.
- vi. Only one registered user (on the MSTC Website) is allowed to participate in the Bidding process for a given IEC. Furthermore,
 - a. In case the details of the registered user are figuring in the IEC (as Proprietor, Partner, Director, etc.), a copy of the IEC is to be submitted on the MSTC portal during the technical bid.
 - b. In case the name of the registered user does not figure in the IEC details of the Bidder, an Authority letter duly signed by the Proprietor/Partner/Karta/Director whose name is appearing in the IEC, is to be submitted on the MSTC portal during the technical bid.
- vii. The tentative schedule of the Tender process is given in **Annexure – II**.
- viii. The schedule for the next round of Allocations will be intimated after the conclusion of the current round of Allocations.
- ix. Any false information, suppression of facts, or misrepresentation shall result in *ab initio* cancellation of the bid and may invite penal proceedings under the relevant provisions of the FTDR Act, read with the applicable Rules, the Foreign Trade Policy (FTP), the Handbook of Procedures (HBP), and the provisions of the Tender Document.

Effect of this Public Notice: The procedure is prescribed for the first round of Allocation of TRQ for imports of Gold under tariff head 7108 under India-UAE CEPA for FY 2025-26.


(Ajay Bhadoo)

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Directorate General of Foreign Trade

GOVERNMENT OF INDIA

Tender Document

for

Gold Tariff Rate Quota under India – UAE CEPA

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1. Important Information

1.1. This Tender Document has been issued pursuant to the Public Notice No. 31/2025-26 dated 29.10.2025 read along with Trade Notice No. 16/2025-26 dated 29.10.2025 with the intent to carry out e-auction for allocation of Tariff Rate Quota for Gold under India – UAE CEPA (hereafter referred to as “TRQ”). All information provided in this Tender Document should be read together with the Foreign Trade Policy, 2023 (hereafter referred to as “FTP”), Handbook of Procedures, 2023 (hereafter referred to as “HBP”), Public Notices, and the Trade Notices issued by Directorate General of Foreign Trade (hereafter referred to as “DGFT”) there under. In the event of a conflict between this Tender Document and the provisions of FTP or HBP, the provisions FTP or the HPB (as amended from time to time), as the case may be, shall prevail.

1.2. It is hereby clarified that for the purposes hereof, till the declaration of final allocations of TRQ, only DGFT is authorized to issue any communication hereunder and only written communication from the DGFT, uploaded on the DGFT Website (www.dgft.gov.in), shall be considered as an official communication. For facilitation of the trade, the said written communication will also be uploaded (till the declaration of TRQ allocations by DGFT) on the e-auction website of MSTC Limited (hereafter referred to as “MSTC”).

1.3. This Tender Document is neither an agreement nor an offer by the DGFT to the prospective Bidders or any other person. The purpose of this Tender Document is to provide interested parties with information that may be useful to them in making their bids pursuant to this Tender Document. Each Bidder should conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the information contained in this Tender Document and obtain independent advice from appropriate sources.

1.4. Information provided in this Tender Document to the Bidder(s) has been collated from several sources some of which may depend upon interpretation of Applicable Law. The information given is not intended to be an exhaustive

account of statutory requirements and should not be regarded as complete. The DGFT accepts no responsibility for the accuracy or otherwise for any statement contained in this Tender Document.

1.5. The DGFT accepts no liability of any nature howsoever caused arising from reliance of any Bidder upon the statements contained in this Tender Document.

1.6. The DGFT may, in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this Tender Document.

1.7. The issue of this Tender Document does not imply that the DGFT is bound to select Bidders or to appoint the Preferred Bidders as Successful Bidders for the allocation of TRQ and the DGFT reserves the right to reject all or any of the Bidders or bids without assigning any reason whatsoever.

1.8. Each Bidder shall bear all its costs associated with or relating to the preparation and submission of its bid including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the DGFT/MSTC or any other costs incurred in connection with or relating to its bid.

1.9. In case the day of completion of any requirement is falling due, on a public holiday, the day of completion shall be deemed to be due on the next successive working day. The expression "public holiday" includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government, as the case may be.

1.10. Each Bidder shall be responsible for any problem at the Bidder's end like failure of electricity, loss of internet connection, any trouble with Bidder's computer etc. which may cause inconvenience or prevent the Bidder from bidding in e-auction.

2. Definitions

The words and expressions used herein but not defined herein shall have the same meaning as assigned to them in the Act or the Rules made there under. The following definitions apply to this Tender Document, unless the context otherwise requires:

2.1. "**Act**" means the Foreign Trade (Development and Regulation) Act, 1992 as amended from time to time.

2.2. "**Applicable Law**" shall mean all applicable statutes, laws, by-laws, rules, regulations, orders, ordinances, protocols, codes, guidelines, notices, directions, judgments, decrees or other requirements or official directive of any governmental authority or court or other law, rule or regulation approval from the

relevant governmental authority, government resolution, directive, or other government restriction or any similar form of decision of, or determination by, or any interpretation or adjudication having the force of law in India at the relevant point in time.

2.3. "**Bidder**" means a person who is registered on the MSTC Website (URL: <https://www.mstcecommerce.com/eprocn/dgft>) for the purpose of participating in the Gold TRQ Auction, and the expression Bidders shall include all such persons.

2.4. "**Bid Due Date**" shall mean the date on or before which the Technical Bid and the price bid is required to be submitted in accordance with.

2.5. "**Bid Security**" shall have the meaning given to such expression in Clause 11 of this document.

2.6. "**DGFT website**" shall mean <https://www.dgft.gov.in>.

2.7. "**Exim Facilitation Committee**" shall mean Exim Facilitation Committee (EFC) as defined in the Foreign Trade Policy read along with Handbook of Procedures.

2.8. "**Financial Bid/ Price Bid**" shall mean the consolidated form in which the required quantities are specified against each Price Bucket.

2.9. "**Preferred Bidders**" shall mean a Bidder to whom the EFC has allocated any quantity of TRQ, and "Total Allocated TRQ" for such Preferred Bidder means the aggregate quantity of TRQ allocated by the EFC to that Bidder across all Price Buckets.

2.10. "**Price Bucket**" shall mean the specific price per KG of Gold that Bidder is willing to pay to DGFT for the allocated quantity of TRQ. For sake of ease, the Tender consists of 101 Price buckets ranging from 100000 to 0 in steps of 1000 each.

2.11. "**Section**" means Section of the Act.

2.12. "**Successful Bidders**" shall mean those preferred bidders who satisfy the conditions in Clause 8 of this document.

2.13. "**Technical Bid**" shall have the meaning given to such expression in Clause 7.2 of this document.

2.14. "**Technically Qualified Bidders**" shall have the meaning given to such expression in Clause 7.2

2.15. "**Tender Document**" means this tender document together with the schedules and documents referred to herein, including the Information Memorandum and any addenda to this Tender Document.

3. Introduction

3.1. The Public Notice no. 31/2025-26 dated 29.10.2025 stipulates for allocation of TRQ through competitive bidding/tender process in respect of Gold under India – UAE CEPA

3.2. In exercise of powers conferred by Section 5 of the Act, the DGFT has notified the eligibility criteria for filing an application for TRQ vide Public Notice no. 31/2025-26 dated 29.10.2025 and other relevant provisions of FTP, 2023 and the procedures notified there under. The Bidders are encouraged to acquaint themselves with the same.

3.3. The e-auction would be conducted in accordance with the above-mentioned provisions of FTP and HBP and this Tender Document.

3.4. The Bidders are expected to conduct due diligence regarding the prevailing prices of Gold in the international market and familiarize themselves with all applicable Laws relating to import of Gold, its physical delivery etc.

4. The Tariff Rate Quota of Gold under India – UAE CEPA

4.1. The India–UAE Comprehensive Economic Partnership Agreement (CEPA), which came into force on 01 May 2022, provides preferential tariff access for specified quantities of gold imported from the United Arab Emirates under the Tariff Rate Quota (TRQ) mechanism. The TRQ aims to promote trade facilitation, ensure predictable import flows, and strengthen bilateral economic engagement.

4.2. Under the CEPA commitments, India has extended concessional Basic Customs Duty (BCD) on a notified quantity of gold imported annually from the UAE as given under Appendix 2A.

4.3. The annual TRQ quantity for gold is allocated as per guidelines notified by DGFT under Annexure-IV of Appendix-2A. The TRQ Authorisation issued under DGFT enable importers to avail concessional duty rates at the time of customs clearance.

5. Eligibility

5.1. Pursuant to the Annexure IV to the Appendix 2A amended vide Public Notice No. 31/2025-26 dated 29.10.2025, the eligibility for participating in the e-auction shall be as follows:

5.1.1. The eligible applicant must be registered with the Bureau of Indian standards (BIS) for hallmarking.

5.1.2. The applicant shall be a person registered under the applicable Goods and Services Tax (GST) enactments in India and shall hold a valid GST Identification Number (GSTIN).

5.1.3. Import of Gold Dore under TRQ shall not be considered.

6. Pre-bid Conference

6.1. Potential bidders may seek clarifications or request further information regarding this Tender Document.

6.2. Any queries or requests for additional information concerning this Tender Document may be raised through a Helpdesk request on the DGFT website.

6.3. The Helpdesk request should clearly bear the following subject line: "Queries/Request for Additional Information: Tender Document for "TRQ for Gold under *India-UAE CEPA*".

6.4. Each query should contain complete details of facts, information and Applicable Law relevant to the query and the particulars of the person posing the query. The DGFT reserves the right to not answer any query, including any query which is incomplete or anonymous.

6.5. The queries should be emailed on or before 3 days prior to the start date of the Bid.

6.6. It is expressly clarified that no queries may be submitted beyond the last date for receipt of queries as indicated above.

6.7. The DGFT shall endeavor to respond to the queries within the period of 3 days. However, the DGFT reserves the right to not respond to any question or provide any clarification, in its sole discretion, and nothing in this Tender Document shall be taken or read as compelling or requiring the DGFT to respond to any question or to provide any clarification.

6.8. Pre-bid conference(s) of the potential bidders shall be convened on the designated date as mentioned in the Trade Notice at a time and place specified by the DGFT. The DGFT may, at its sole discretion, choose to convene the pre-bid conference through virtual mode (or a hybrid of virtual and physical modes) subject to such conditions as may be notified separately by the DGFT.

6.9. A maximum of 1 representative of each potential bidder shall be allowed to participate, on submission of a letter, duly issued authority from the potential bidder and identity documents. The DGFT shall endeavor to provide clarifications and such further information, as it may consider, in its sole discretion, appropriate for facilitating a fair, transparent and competitive tender process.

6.10. The DGFT may also, on its own motion, if deemed necessary, issue interpretations and clarifications to all potential bidders. All clarifications and interpretations issued by the DGFT shall be deemed to be part of the Tender Document.

7. Bidding Process

7.1. Registration:

7.1.1. In order to submit the bids for allocation of TRQ for Gold under India – UAE CEPA, a bidder would be required to register online on MSTC portal. For registration, the Bidder should visit the page dedicated to DGFT on MSTC website URL - "<https://www.mstcecommerce.com/eprocn/dgft>" and click on the button "Registration".

7.1.2. An online Registration Form will appear on screen and Bidder will be required to fill the same. During this process, Bidder would be required to create its "user id" and "password" and keep note of the same. Bidder should ensure that the secrecy of its user id and password is maintained at all time and Bidder shall alone be responsible for any misuse of the user id and password.

7.1.3. On completion of the above stated registration process, a Bidder shall be able to log in to MSTC's website. The bidders shall have a valid Class III Signing and Encryption type Digital Signature Certificate (DSC) for submission of bid in the e-tender.

7.2. Tender Process:

7.2.1. The tender will comprise both "Technical and Financial Bid" components, which must be submitted as per the stipulated terms and conditions.

7.2.2. The Bidders shall be required to submit the bid on or prior to "Bid Due Date".

7.2.3. The tender will contain a single lot with technical bid, document upload for qualification and excel based price bid. The bidder has to submit participation fee of Rs 5000/- plus GST and bid security of Rs. 1,00,000/- before uploading of documents and submission of bid.

7.2.4. The Technical Bid comprises the submission of documents required for technical qualification showing valid GST Registration of the bidder, valid hallmark registration of the bidder, valid Import Export Code (IEC), valid MSME certificate (in case of Micro and Small Enterprises) and submission of remarks against technical terms submitted technical documents, if any. All requisite technical documents must be uploaded by the bidder strictly in accordance with the tender requirements.

7.2.5. Once the documents have been uploaded and technical bid submitted by the bidder, the bidder shall proceed to submit the financial/price bid.

7.2.6. The Excel-based Price Bid shall comprise 101 price buckets. The bidder is required to indicate the quantity he intends to bid against interested price buckets. Bidders may choose to quote for any number of price buckets, as per

their preference. All quantities must be entered only in whole numbers. The format of the excel based price bid is as follows:

7.2.7. The bidder shall download the Excel sheet available under the Financial Bid section. The bidder must duly fill in the required quantity details against interested price buckets in the Excel sheet and save the file with the same filename before uploading it under the Financial Bid section.

7.2.8. After uploading the Excel sheet, the bidder shall click on "Final Bid Submission" to successfully submit the bid on the MSTC portal.

7.3. The Technically qualified bidders are those who have fulfilled the eligibility conditions and submitted the required documents evidencing the same in the Technical bid.

7.4. The financial bids shall be opened only for those bidders who are technically qualified as per the extant rules notified by DGFT.

7.5. DGFT is not obliged to provide any explanation or clarification on the disqualification to Bidders who fail to qualify as Technically Qualified Bidders.

7.6. The List of the Financial Bids of the technically qualified bidders will be submitted to the Exim Facilitation Committee (EFC). The EFC will further allocate the Quantities, less than or equal to the bid Quantities subject to such limits as deemed fit. Such bidders to whom the EFC has allocated the TRQ are considered as Preferred Bidders.

7.7. The following officials of MSTC may be contacted for any query/clarification:

- Helpdesk Nos: 011-65263075, 011-65263076, 011-65263077
- Shri Keshav Arora, Contact: 9830430434, email: Nroopn15@mstcindia.in
- Mrs. Unneti Saini, Contact: 7471118456, email: nroopn7@mstcindia.in

Further, the following officials of DGFT may be contacted for any query/clarification:

- a. Shri Manish Sirohi, Foreign Trade Development Officer, Tele: 011-23038996
- b. Shri Animesh Chowdhury, Foreign Trade Development Officer, Tele: 011-23038796
- c. Shri Ajay Chaudhary, Foreign Trade Development Officer, Tele: 011-23038833

NOTE:

- i. **Bidder may also refer to the "Bidder's Guide" available online in the above-mentioned website for assistance.**
- ii. The Bidder may note that only one user id will be mapped with a given Class III Signing and Encryption type DSC. It will be the sole responsibility of the Bidder to maintain the secrecy of the password for the Class III Signing and Encryption type Digital Signature Certificate. The Bidder shall be solely responsible for any misuse of the Class III Signing and Encryption type DSC and no complaint / representation in this regard shall be entertained at any stage by MSTC/ DGFT

8. Declaration of Successful Bidders

8.1. The Preferred Bidders will be declared as successful Bidders only on completion of the following actions:

8.1.1. Satisfy the conditions specified in Annexure-IV to the Appendix 2A of the FTP, 2023 and any other conditions subsequently mentioned in the Public Notice/ Trade Notice issued by DGFT.

8.1.2. File a TRQ Application on the DGFT website by following the link below- (<https://dgft.gov.in>) --> Import Management System --> Tariff Rate Quota (TRQ)

8.1.3. Payment of bid amount for the quantity allocated by EFC to DGFT, through TRQ Application filed on DGFT Website, within a period of 15 days from the date of publication of TRQ quantities by DGFT .

8.2. The Successful Bidder is entitled to refund of the Bid Security deposited by him during the Technical Bid process within a period of 4 weeks as detailed at Clause 11 of the Tender document.

8.3. In case the Preferred Bidder fails to submit the bid amount within the period mentioned above, the DGFT shall forfeit the Bid Security of the Preferred Bidder; and disqualify the bidder for further allocations during the current and the subsequent financial year.

9. Timetable

The timetable of the tender process will be given in the Public Notice issued by DGFT. The timetable may be amended by the DGFT through issuance of a subsequent Corrigendum.

10. General Conditions Regarding Tender Process

10.1. Submission of Technical Bid

10.1.1. The Technical component comprises the submission of documents required for technical qualification showing valid GST Registration of the bidder, valid hallmark registration of the bidder, valid IEC Number, valid MSME certificate (in case of Micro and Small Enterprises) and submission of remarks against technical commercial specifications. All requisite technical documents must be uploaded by the bidder strictly in accordance with the tender requirements.

10.1.2. Once the documents have been uploaded and technical bid submitted by the bidder, the bidder shall proceed to submit the financial/price bid.

10.2. Language

The Bid and all communications in relation to or concerning the Tender Document and the Bid are required to be in the English language.

10.3. Documents and information

The documents including this Tender Document and all attached documents, provided by the DGFT are and shall remain or become the properties of the DGFT and are transmitted to the Bidders solely for the purpose of preparation and the submission of a bid in accordance with applicable laws. Bidders shall not use it for any purpose other than for preparation and submission of their bid. The provisions of this Clause shall also apply to bids and all other documents submitted by the Bidders in relation to the bid, and the DGFT will not return to the Bidders any bid, document or any information provided along therewith.

10.4. Cost of bidding

The Bidders shall be responsible for all the costs associated with the preparation of their bids and their participation in the tender process. The DGFT will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the tender process.

10.5. Verification of information by the Bidders

10.5.1. It shall be deemed that by submitting a bid, the Bidder has:

- (a) Made a complete and careful examination of the Tender Document and unconditionally and irrevocably accepted the terms thereof.
- (b) reviewed all relevant information provided by the DGFT, as maybe relevant to the bid.
- (c) accepted the risk of inadequacy, error or mistake in the information provided in the Tender Document or furnished by or on behalf of the DGFT relating to any of the matters related to the e-auction process.
- (d) satisfied itself about all matters regarding the e-auction process for submitting an informed bid, in accordance with this Tender Document and performance of all its obligations.
- (e) acknowledged and agreed that inadequacy, lack of completeness or in correctness of information provided in the Tender Document or ignorance of any of the matters related to the e-auction process hereinabove shall not be a basis for any claim for compensation, damages, extension of time for performance of its obligations, loss of profits etc. from the DGFT.
- (f)

Agreed to be bound by the undertakings provided by it under and in terms hereof.

10.5.2. The DGFT shall not be liable for any omission, mistake or error in respect of any of the information provided or on account of any matter or thing arising out of or concerning or relating to the Tender Document or the tender process,

including any error or mistake therein or in any information or data given by the DGFT.

10.6. Verification by the DGFT and debarment

The DGFT reserves the right to verify all statements, information and documents submitted by the Bidder in response to the Tender Document and the Bidder shall, when so required by the DGFT, make available all such information, evidence and documents as may be necessary for such verification. Any such verification or lack of such verification by the DGFT shall not relieve the Bidder of its obligations or liabilities hereunder nor will it affect any rights of the DGFT there under.

10.7. Bid Due Date and extension

The DGFT may, in its sole discretion, extend the Bid Due Date by issuing a Trade Notice that is made available to all Bidders on the DGFT website.

10.8. Modifications/substitution/with drawal of bids

The Bidder may modify, substitute or withdraw its Technical Bid after submission, prior to the Bid Due Date. No Technical Bid shall be modified, substituted or withdrawn by the Bidder after the scheduled closing time for Bid submission on the Bid Due Date, unless the same has been expressly sought by the DGFT.

10.9. Rejection of bids

10.9.1. Notwithstanding anything contained in this Tender Document, the DGFT reserves the right to reject any bid and/or annul the tender process at any stage, without any obligation or liability and without assigning any reason.

10.9.2. Incase such cancellation is pursuant to non-compliance by the relevant Bidders vis-à-vis submissions of bid then the DGFT reserves the right to appropriate the relevant Bid Security submitted by such non-compliant Bidders.

10.9.3. The DGFT reserves the right not to proceed with the tender process at any time, without notice or liability, and to reject any bid without assigning any reasons.

10.9.4. Without prejudice to the generality of the foregoing, the DGFT reserves the right to reject any bid on any criteria specified in this Tender Document, including without limitation, such bids that:

- (a) have not been submitted with all the information and details listed in this Tender Document.
- (b) are not conforming to the terms of this Tender Document.
- (c) Bids have been submitted without Bid Security or period of validity.

- (d) Bids have otherwise not been submitted in accordance with the Tender Document.

10.10. Validity of bids

The price bid given in the bid is valid till the final allocation of TRQ by the EFC or annulment/cancellation of Tender Process whichever is later.

10.11. Change affecting the Bidder

Upon submission of the Technical Bid, any change affecting the Bidder regarding compliance with the eligibility conditions shall result in disqualification of the Bidder. Any change in any information submitted by the Bidder must be immediately communicated to the DGFT.

10.12. Minor deviations

The DGFT may permit minor deviations from the requirements of this Tender Documents. It is clarified that such minor deviation would not be permitted in matters related to eligibility and shall be permitted only with respect to procedural requirements. The decision of the DGFT regarding what constitutes minor deviation shall be final and binding.

11. Bid Security

11.1. The Bidder shall furnish as part of its Technical Bid, a security of an amount of INR 1,00,000/- on MSTC portal.

11.2. Save and except as provided in this Tender Document, the Bid Security of unsuccessful Bidders will be returned by the DGFT, without any interest, within a period of 4 (four) weeks from the date of declaration of the Preferred Bidder or annulment of the tender process as per the provisions of the Tender Document, whichever is earlier.

11.3. The Preferred Bidder's Bid Security will be returned to the bidder within a period of Four weeks from the successful payment of Bid amount to DGFT for issuance of TRQ Certificate for the allocated Quantity.

11.4. The DGFT shall be entitled to forfeit and appropriate the Bid Security as damages, if the preferred bidder fails to deposit the bid amount, along with the TRQ application to DGFT, within the prescribed time. No relaxation of any kind on Bid Security shall be given to any Bidder.

11.5. The Bid Security shall be forfeited as damages without prejudice to any other right or remedy that may be available to the DGFT under the Tender Document and/, or otherwise, under, *inter alia*, if a Bidder engages in a Fraudulent Practice, Coercive Practice or Restrictive Practice as specified in Clause 12 of this Tender Document.

12. Fraud Practices

12.1. The Bidders and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the tender process. Notwithstanding anything to the contrary contained herein, the DGFT may reject a bid, as the case may be, without being liable in any manner whatsoever to the Bidder, Technically Qualified Bidder, Preferred Bidder, or the Successful Bidder, as the case may be, if the DGFT determines that the Bidder, Technically Qualified Bidder, Preferred Bidder, or Successful Bidder, as the case may be, has, directly or indirectly or through an agent, engaged in Fraudulent Practice, Coercive Practice or Restrictive Practice in the tender process. In such an event, the DGFT shall be entitled to forfeit and appropriate the entire Bid Security, as damages, without prejudice to any other right or remedy that may be available under the Tender Document and/ or otherwise.

12.2. If a Bidder, Technically qualified Bidder, Preferred Bidder or Successful Bidder, as the case maybe, is found by the DGFT to have directly or indirectly or through an agent, engaged or indulged in any Fraudulent Practice, Coercive Practice or Restrictive Practice during the tender process, such Bidder or Successful Bidder shall be put in Denied Entity List (DEL) maintained by DGFT and will not be eligible to participate in any tender issued by the DGFT for a period of 3 (three) years from the date such Bidder or Successful Bidder, as the case maybe, found by the DGFT to have directly or indirectly or through an agent, engaged or indulged in any Fraudulent Practice, Coercive Practice or Restrictive Practices, as the case maybe.

12.3. For the purposes of this Tender Document, the following terms shall have the meaning hereinafter, respectively assigned to them:

12.3.1. "**Fraudulent Practice**" means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the tender process.

12.3.2. "**Coercive Practice**" means impairing or harming, or threatening to impair or harm, directly or indirectly, any person or property to influence any person's participation or action in the tender process; and

12.3.3. **"Restrictive Practice"** means forming a cartel or arriving at any understanding or arrangement among Bidders with the objective of restricting or manipulating a full and fair competition in the tender process.

13. Other Provisions

13.1. Governing law

The Tender process shall be governed by, and construed in accordance with, the laws of India.

13.2. Right of DGFT

13.2.1. The DGFT, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to:

- (a) Suspend and/ or cancel the tender process and/ or amend and/ or supplement the tender process or modify the dates or other terms and conditions relating thereto;
- (b) Consult with any Bidder in order to receive clarification or further information;
- (c) Retain any information and /or evidence submitted to the DGFT by, on behalf of, and/or in relation to any Bidder; and/ or
- (d) Independently verify, disqualify, reject and/ or accept any and all submissions or other information and/or evidence submitted by or on behalf of any Bidder.

13.2.2. It shall be deemed that by submitting the bid, the Bidder agrees and releases the DGFT, its employees, irrevocably, unconditionally, fully and finally from any and all liability for claims, losses, damages, costs, expenses or liabilities in any way related to or arising from the exercise of any rights and/ or performance of any obligations hereunder, pursuant hereto and/ or in connection with the tender process and waives, to the fullest extent permitted by Applicable Law, any and all rights and/or claims it may have in this respect, whether actual or contingent, whether present or in future.

13.3. Proprietary data

All documents and other information supplied by a Bidder to the DGFT/MSTC shall remain with the DGFT/MSTC.

13.4. Digital Signature Certificate

13.4.1. A Bidder shall be required to possess a valid Class III Signing and Encryption Digital Signature Certificate (DSC) of signing and encryption combo

type to be able to submit its Bid and to participate in the electronic auction on MSTC website. For this purpose, Bidders shall be required to procure a class III DSC of signing and encryption type from any Certifying Authority or their authorized agencies in India. The Bidder may note that only one user id will be mapped with a given Class III Signing and Encryption DSC. The Class III Signing and Encryption Digital Signature Certificate will be used to digitally sign the Bids that the Bidder will submit online.

13.4.2. It will be the sole responsibility of the Bidder to maintain the secrecy of the password for the Class III Signing and Encryption Digital Signature Certificate. The Bidder shall be solely responsible for any misuse of the Class III Signing and Encryption DSC and no complaint / representation in this regard shall be entertained at any stage by MSTC/ DGFT.

14. System Settings:

The steps for system settings are as follows:

14.1. Upon visiting the URL at- <https://www.mstcecommerce.com/eprocn/dgft> for the first time, a pop-up will appear, 'Checking System Settings, Press Ok to Proceed'.

14.2. Click on Ok and the pop-up for "System Setting Check status" will appear.

14.3. Please check whether Java is installed in your System. This can be checked by going to Control Panel -> Program -> Program and Feature and look for installed versions of Java in the system. If Java is not installed in your System proceed with Download Java.

14.4. Once Java is installed, based on the Java version installed, please download PKI Application (32 bit or 64 bit).

14.5. Once the PKI application is downloaded, install the same in your PC.

14.6. Once PKI application is installed, proceed or download and install the Certificate.

14.7. Once both Java and PKI Application are downloaded, please update browser settings. If You Are Using Google Chrome or Edge clicks on the following to allow connections: <https://localhost:13591/signservice/getdata>

14.8. Once the message "Success! It is working", appears on the screen, refresh the page and log in using your credentials.

14.9. Alternatively, for system setting and bidding process guide, bidders can download the video through the link "[System Setting and Bidding Video Guide](https://www.mstcecommerce.com/auctionhome/Layouts/biddersguidemlcl.html)"

on the page with URL:
<https://www.mstcecommerce.com/auctionhome/Layouts/biddersguidemlcl.html>

14.10. For any Queries or System Setting Related Technical issues concerns please contact the following Help-Desk numbers:

PhoneNumbers- 07969066600, 01123212357, 01123215163, 01123217850

Availability-9:30AMto5:30PMonallworkingdays

Annexure-II

Tentative schedule of the Tender process:

1.	Bid start date	29.12.2025
2.	Bid due date	02.01.2026
3.	Technical bid opening	05.01.2026
4.	TRQ Allocation and Issuance by DGFT	2 nd week of January, 2026