

From

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To

1. All Heads of Departments in the State.
2. All Managing Directors/Chief Administrators of the Boards/Corporations/Universities in Haryana.
3. All Deputy Commissioners in the State.

Memo No.DS&D/Admin/CCI/EA-II/2017 9599-9800  
Dated Panchkula :- 13.10.2017

**Subject:-** Competition Act, 2002- Observation of warning signs of Collusion/Bid Rigging by the firms in various tendering processes.

1. The Competition Commission of India, during an "Interactive Meeting towards Institutionalization of the Mechanism for Establishing Competition Culture in Policy Making and Governance" held on 08.09.2017, has mentioned some warning signs of collusion/ bid rigging by the firms in various tendering processes as detailed below:-

- A. The same supplier is often the lowest bidder.
- B. There is a geographic allocation of winning tenders.
- C. Bids from different companies contain similar handwriting of typeface or use identical forms or stationery.
- D. The bid is coming from same IP, in case of online bidding.
- E. Certain companies always submit bids but never win.
- F. Sudden and identical increase in price or price ranges by bidders that cannot be explained by cost increases.
- G. Two or more businesses submit a joint bid even though at least one of them could have bid on its own.

2. It is requested that in case such a scenario is observed, action as provided in the rules i.e forfeiture of EMD/blacklisting of firm etc as provided in the DNIT may be taken against the concerned firm. In case the quantum of collusion of bid rigging is of substantial nature, petition may be filed under Section 19(1)(b) of the Competition Act, 2002 or other relevant sections before Competition Commission of India.

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Additional Director (Admin),  
For Director, Supplies & Disposals Haryana.