

KARNATAKA ACT NO. 13 OF 2007
THE KARNATAKA TRANSPARENCY IN PUBLIC PROCUREMENTS
(AMENDMENT) ACT, 2007

Arrangement of Sections

Sections:

1. Short title and commencement
2. Amendment of Section 2
3. Insertion of new Chapter IIA
4. Repeal and Savings

STATEMENT OF OBJECTS AND REASONS

Amending Act 13 of 2007:-It is considered necessary to introduce e-procurement and e-procurement platform to bring in best practices in public procurement. E-procurement helps in demand aggregation, reduced inventory cost, consistent procurement procedures and transparency.

Hence the Bill.

[L.A.Bill No 12 of 2007]

[Entry 35 of List II and entries 7 and 12 of List III of the Seventh Schedule to the Constitution of India.]

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KARNATAKA ACT NO. 13 OF 2007

(First published in the Karnataka Gazette Extra-ordinary on the
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**THE KARNATAKA TRANSPARENCY IN PUBLIC PROCUREMENTS
(AMENDMENT) ACT, 2007**

(Received the assent of the Governor on the twenty seventh day of April, 2007)

An Act further to amend the Karnataka Transparency in Public Procurements Act, 1999.

Whereas it is expedient to amend the Karnataka Transparency in Public Procurements Act, 1999 (Karnataka Act 29 of 2000) for the purposes hereinafter appearing.

Be it enacted by the Karnataka State Legislature in the fifty eighth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Transparency in Public Procurements (Amendment) Act, 2007.

(2) It shall be deemed to have come into force with effect from the 27th day of November, 2006.

2. Amendment of Section 2.- In the Karnataka Transparency in Public Procurements Act, 1999 (Karnataka Act 29 of 2000) (hereinafter referred to as the principal Act) in section 2,-

(i) after clause (a), the following shall be inserted, namely:-

"(aa) 'e-Procurement' means purchase of goods, obtaining of services or undertaking of construction work by the procurement entity through e-Procurement platform;

(aaa) 'e-Procurement Platform' means a procurement platform of electronic media comprising of procurement process set up and managed by the State Government through integrated internet enabled procurement tools incorporated by customisation."

(ii) after clause (1), the following proviso shall be inserted, namely:-

"Provided that for the purpose of e-Procurement, the 'tender papers' means set of documents in electronic form."

3. Insertion of new Chapter IIA.- After Chapter II of the principal Act, the following shall be inserted, namely:-

"Chapter IIA

E-Procurement

18A. E-Procurement.- (1) There shall be a single unified e-procurement platform for all procurement entity which may be notified under sub-section (2).

(2) With effect from such date, as may be specified by the Government, by notification, a procurement entity in respect of a class of procurement if any, as may be notified shall procure its procurements through the e-procurement platform.

(3) Notwithstanding anything contained in this Act, the Government may make rules, for specifying a separate procedure to be followed by procurement entities notified under sub-section (2) for e-procurement through e-procurement platform; and for non-application of other procedure of procurement to e-procurement."

4. Repeal and Savings.- (1) The Karnataka Transparency in Public Procurements (Amendment) Ordinance, 2006 (Karnataka Ordinance 2 of 2006) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Principal Act, as amended by the said ordinance shall be deemed to have been done or taken under the Principal Act, as amended by this Act.

The above translation of the ಕರ್ನಾಟಕ ಸಾರ್ವಜನಿಕ ಸಂಗ್ರಹಣೆಗಳಲ್ಲಿ ಪಾರದರ್ಶಕತೆ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2007 (2007ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 13) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

T.N. CHATURVEDI

GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

G.K. BOREGOWDA

Secretary to Government,

Department of Parliamentary Affairs and Legislation.