

## **BENEFICIAL OWNERSHIP DECLARATION**

Name of the Entity / Seller / Service Provider: .....

1. I hereby declare that I have read and understood clause 26 of GeM GTC regarding Compliance of Restrictions under Rule 144 (xi) of GFR 2017 which places restrictions on procurement from a bidder of a country which shares a land border with India. I hereby declare that the above-named Entity / Seller / Service Provider is not required to have any registration with the competent authority as per provisions of clause 26 of GeM GTC.

2. It is certified that the above-named Entity / Seller / Service Provider is not:

- a. An entity incorporated, established, or registered in a country sharing land border with India; or
- b. A subsidiary of an entity incorporated, established, or registered in a country sharing land border with India; or
- c. An entity substantially controlled through entities incorporated, established, or registered in a country sharing land border with India; or
- d. An entity whose beneficial owner\* is situated in a country sharing land border with India; or
- e. An Indian (or other) agent or reseller of such an entity; or
- f. A natural person who is a citizen of a country sharing land border with India; or
- g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above

3. I fully understand that any false declaration and non-compliance of the above would be a ground for immediate termination of any and all contracts and further legal action in accordance with the laws.

4. I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that the Entity / Seller / Service Provider is not from such a country and does not have any specified Transfer of Technology (TOT) from such a country or, if from such a country or if having specified ToT from such a country has been registered with the Competent Authority. I hereby certify that this Entity / Seller / Service Provider fulfils all requirements in this regard and is eligible to be considered for procurement on GeM

Signature.....

(Name :.....)

Signed in the capacity as .....

\*The beneficial owner for the above purpose of will be as under:

*(i) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means. Explanation—*

*a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;*

*b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;*

*(ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;*

*(iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;*

*(iv) Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;*

*(v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.*

Signature.....

(Name :.....)

Signed in the capacity as .....