Subject: Public Procurement (Preference to Make in India) Order, 2017

Department of Industrial Policy and Promotion has notified the Public Procurement (Preference to Make in India) Order, 2017 vide Order No.P-45021/2/2017-BE-II dated 15/06/2017 with a view to encourage “Make in India” and promote manufacturing and production of goods and services in India so as to enhance income and employment. The above order was partially modified vide Order No.P-45021/2/2017-PP(BE-II) dated 28/05/2018. Ministry of Finance, Department of Expenditure, vide OM No.F.1/15/2018-PPD dated 24/04/2018 has issued instruction that “There should be no such qualifications for the bidders that would be advantageous to the foreign manufactured goods at the cost of domestically manufactured goods.” Copies of the above order and the OM are enclosed.

Pursuant to the above, the following guidelines have been issued for strict compliance:

(i) All Ministries/Departments may scrupulously implement the process of invocation of Para 10 (d) of “Public Procurement (Preference to Make in India) Order, 2017, based on the scrutiny of requests received to ensure that the domestic industry is not discriminated against.

(ii) All Ministries/Departments may examine in detail the provisions of tenders issued by foreign Governments and Government companies to identify general or specific prohibitions or restrictions on the participation of Indian or foreign companies. Any such bar, whether applicable in general to all foreign companies or specifically to Indian companies, must result in the invocation of the reciprocity clause of Para 10(d) of “Public Procurement (Preference to Make in India) Order, 2017” by Ministries/Departments of Central/State Governments and all other parastatal agencies/ CPSEs etc.

(iii) All Ministries/Departments may consider inserting suitable conditions in their tender documents to restrict the participation of companies belonging to countries which use general clauses to restrict foreign participation in Government procurement.
UIDs have been assigned to the above guidelines and are being monitored by the Committee of Secretaries through E-samiksha. It is requested that the above guidelines may be scrupulously followed while processing/placing indents.

This is issued with the approval of the Competent Authority.

Encl: As above

[Signature]

[Name]
Chief Administrative Officer

SGM/DGMs/OICs of Regional Centres
AO-III/DCA/