

**Correction slip No.005**

**Correction slip to the "SECR General Tender Condition-2019"**

<b>Para No.</b>	<p><b>Public Procurement (Preference to Make in India) Order,2017</b> as per Railway Board's letter no.2020/RS(G)/779/2/Pt.1, dtd.25.09.2020 and DPIIT letter dtd.16.09.2020</p> <p><b>Following provision will be applicable for items to be procured under Public Procurement (Preference to Make in India) order, 2017.</b></p>
<b>6.4 (i) of Section-I</b>	<p><b>Applicability in tenders where contract is to be awarded to multiple bidders:-</b> In tenders where contract is awarded to multiple bidders subject to matching of L1 rates or otherwise, the "Class-I local supplier" shall get purchase preference over "Class-II local supplier" as well as "Non-local supplier" as per following procedure.</p> <p><b>(a)</b> In case there is sufficient local capacity and competition for the item to be procured, as notified by the Railway, only 'Class-I local suppliers' shall be eligible to bid. As such, the multiple suppliers, who would be awarded the contract, should be all and only "Class -I local suppliers".</p> <p><b>(b)</b> In other cases, "Class-II local suppliers" and " Non-local suppliers" may also participate in the bidding process along with "Class-I Local suppliers" as per provision of this Order.</p> <p><b>(c)</b> If "Class-I local suppliers" qualify for award of contract for at least 50% of the tendered quantity in any tender, the contract may be awarded to all the qualified bidders as per award criteria stipulated in the bid documents. However, in case "Class-I Local suppliers" do not qualify for award of contract for at least 50% of the tendered quantity, purchase preference should be given to the "Class-I local supplier" over "Class-II local supplier"/"Non-local suppliers" provided that their quoted rate falls within 20% margin of purchase preference of the highest quoted bidder considered for award of contract so as to ensure that the "Class-I local suppliers" taken in totality are considered for award of contract for at least 50% of the tendered quantity.</p> <p><b>(d)</b> First purchase preference has to be given to the lowest quoting Class-I local supplier', whose quoted rates fall within 20% margin of purchase preference, subject to its meeting the prescribed criteria for award of contract as also the constraint of maximum quantity that can be sourced from any single supplier. If the lowest quoting 'Class-I local supplier' does not qualify for purchase preference because of aforesaid constraints or does not accept the offered quantity, an opportunity may be given to next higher "Class-I local supplier', falling within 20% margin of purchase preference, and so on.</p> <p><b>(e)</b> To avoid any ambiguity during bid evaluation process, the procuring entities may stipulate its own tender specific criteria for award of contract amongst different bidders including the procedure for purchase preference to "Class-I local supplier' within the broad policy guidelines stipulated in sub-paras above.</p>
<b>6.9 of Section-I</b>	<p><b>Specification in Tenders and other procurement solicitations:</b></p> <p>(i) When Railways identifies that Indian suppliers of an item are not allowed to participate and/or compete in procurement by any foreign government, due to restrictive tender conditions which have direct or indirect effect of barring Indian companies such as registration in the procuring country, execution of projects of specific value in the procuring country etc., it shall provide such details to all its procuring entities for</p>

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MANISH DUTTA  
Date: 2021.06.16  
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Reason: IREPS-CRIS  
Location: New Delhi

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appropriate reciprocal action.

(ii) Entities of countries which have been identified by the nodal Ministry/Department as not allowing Indian companies to participate in their Government procurement for any item related to that nodal Ministry shall not be allowed to participate in Government procurement in India for all items related to that nodal Ministry/Department, except for the list of items published by the Ministry/Department permitting their participation.

(iii) The stipulation in (ii) above shall be part of all tenders invited by the Central Government procuring entities stated in (i) above. All purchases on GeM shall also necessarily have the above provisions for items identified by nodal Ministry/Department.

(iv) The term 'entity' of a country shall have the same meaning as under the FDI Policy of DPIIT as amended from time to time.

  
Dy.CMM(S&T)  
SECR/BSP

