



6th September, 2018

TL18/0609/3A

Forest Officer,
Forest Department,
District Mirpur,
Azad Jammu and Kashmir.

**Sub: Violation of the AJ&K Public Procurement Rules 2017, Forest Officer,
Forest Department, Mirpur Division's Tender Notice for Purchase of Items.**

This is with reference to Forest Department, Mirpur division's Tender Notice, published in daily "Khabrain" on 5th September, 2018. It is observed, the advertisement is in violation of the AJK PPRA Rules 2017.

1. As per advertisement, 15 days of response time is not given and the last date for submission/opening of tenders is on 12-09-2017, which is 7 days short. It is violation of AJK PPRA Rules 2017, Rule No.13 (1). Stated as under;

***13. Response time.** - (1) The procuring agency may decide the response time for receipt of bids or proposals (including proposals for pre-qualification) from the date of publication of an advertisement or notice, keeping in view the individual procurement's complexity, availability and urgency. However, under no circumstances the response time shall be less than fifteen days for national competitive bidding and thirty days for international competitive bidding from the date of publication of advertisement or notice. All advertisements or notices shall expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents which shall be issued till a given date, allowing sufficient time to complete and submit the bid by the closing date:*

Provided that no time limit shall be applicable in case of emergency.

2. Also, "the quantity of item can be increase or decrease". Any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However according to AJK PPRA Rules 2017, Rule No. 42 (c) (iv), repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

***42. Alternative methods of procurements.**- A procuring agency may utilize the following alternative methods of procurement of goods, services and works, namely:-*

(c) direct contracting: a procuring agency shall only engage in direct contracting if any of the following conditions exist:

(iv) repeat orders not exceeding fifteen per cent of the original procurement;



The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 50, and with request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee- TI-Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Prime Minister, Azad State of Jammu & Kashmir.
2. Chief Secretary, Azad State of Jammu & Kashmir.
3. Director General, NAB, Rawalpindi.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, AJK PPRA, Azad Kashmir.