



20th November, 2018

TL18/2011/1A

Executive Engineer,
Construction Department,
Public Health Engineering (PHE) Division,
Rawalakot, District Poonch,
Azad Jammu and Kashmir.

Sub: Violation of the AJ&K Public Procurement Rules 2017, Public Health Engineering (PHE) Division, Rawalakot's Tender Notice for Purchase of Miscellaneous Items.

This is with reference PHE Division, Rawalakot's Tender Notice, published in daily "Khabrain" on 18th Nov, 2018. It is observed, the advertisement is in violation of the AJK PPRA Rules 2017.

1. As per advertisement, "PHE Division, Rawalakot reserves the right to accept or reject any or all tenders without assigning any reason", which is violation of AJK PPRA Rules 2017, Rule 33 (1). Stated as under;

33. Rejection of Bids.-(1) The Procuring Agency may reject all Bids or proposals at any time prior to the acceptance of a Bid or proposal. The Procuring Agency shall upon request communicate to any Supplier or Contractor who submitted a Bid or proposal, the grounds for its rejection of all Bids or proposals, but is not required to justify those grounds.

2. Also, the quantity of tender can be increase/ 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 quotation 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. Secretary to Prime Minister, Islamabad.
2. Chairman, Ehtesab Bureau of Azad, AJ&K, Muzaffarabad.
3. Chairman, Prime Minister's Inspection Commission, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, AJK PPRA, Azad Kashmir.

