



TRANSPARENCY
INTERNATIONAL-PAKISTAN

5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21)-35390408, 35390409, Fax: 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk

20th January, 2016

TL16/2001/1A

Section Officer (Management),
Finance Department,
Civil Secretariat,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Section Officer (Management), Finance Department, Peshawar's Tender Notices for Supply of Coal.

Dear Sir,

This is with reference to Finance Department, Peshawar's Tender Notice published in daily "Express" on 12th January, 2016. It is observed that the advertisement is in violation of the KPPPRA Rules 2014.

1. As per the advertisement, no information regarding issuance of bidding documents is given for the bidders. However, according to KPPPRA Rules 2014, Rule No. 33 (5). 'Bid solicitation documents' clause, a set of tender document should be provided to the bidders. Stated as under;

33. Bid solicitation documents. (5) Solicitation documents shall be made available to the bidders from the date of their issuance to the closing date on submission of required fee by the prospective bidder whether in person or, if so requested through an authorized request in writing. In case the request is made through courier, it shall accompany a bank draft in favor of the procuring entity including the cost of return delivery.

2. Also, only the date and time of the submission of tender is mentioned in the advertisement, whereas it should also include the date and time of opening of tender that shall be on the same day. Therefore the advertisement is in a violation of KPPPRA Rules 2014, Rule No.37 (6). Stated as under;

37. Submission of bids and bid opening: — (6) All announcements pertaining to public procurement shall specify the last date for submission of bids as well as the public bid opening which shall be the same.

3. Also, "Undersigned reserves the right to reject any or all tenders without assigning any reason". However, according to KPPPRA Rules 2014, Rule No.47 (1), the 'Rejection of bids' Clause does not allow rejecting bids without assigning any reason and the reason of rejection should be communicated to the bidders. Stated as under;

47. Rejection of bids.---(1) The procuring entity may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring entity shall upon request communicate to any contractor or consultant who submitted a bid or proposal, the grounds for rejection of all bids or proposals.



The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 54, 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.

With Regards,

Sohail Muzaffar
Chairman

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

1. Chief Minister, Khyber Pakhtunkhwa.
2. Director General, NAB, Khyber Pakhtunkhwa.
3. Chief Secretary, Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court.
5. Managing Director, KPPPRA, Peshawar.



ٹینڈر نوٹس

محکمہ خزانہ خیبر پختونخوا پشاور کورواں مالی سال 2015-16 کے موسم سرما کے لئے کوئلہ سپلائی کے لئے سربمہر ٹینڈر مطلوب ہیں۔ شرائط مندرجہ ذیل ہیں:

- 1۔ کوئلہ محکمہ خزانہ تک پہنچانا ہوگا۔
- 2۔ کوئلہ اچھی کوالٹی کا اور چوراگھاس کے بغیر ہونا چاہیے۔
- 3۔ نرخ کلوگرام کی شرح سے ہونا چاہیے۔
- 4۔ ٹینڈر اس اشتہار کے پندرہ دن کے اندر اندر وصول ہونا چاہیے۔
- 5۔ سیلز ٹیکس اور انکم ٹیکس مرہجہ قانون کے تحت فرم کے ذمے ہوگا۔
- 6۔ زبردستی کو اختیار ہوگا کہ وہ کسی ایک یا تمام ٹینڈر بغیر وجہ بتائے مسترد کر دے۔

“SAY NO TO
CORRUPTION”



INF(P)187

سیکشن آفیسر (انتظامیہ)
محکمہ خزانہ سول سیکرٹریٹ پشاور
091-9210074