



6th January, 2016

TL16/0601/5A

Secretary,
Law, Parliamentary Affairs & Human Rights Department,
Civil Secretariat,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Section Officer (General), Law, Parliamentary Affairs & Human Rights Department, Peshawar's Tender Notices for Supply of Coal.

Dear Sir,

This is with reference to Law, Parliamentary Affairs & Human Rights Department, Peshawar's Tender Notice published in daily "Aaj" on 4th January, 2016. It is observed that the advertisement is in violation of the KPPRA Rules 2014.

1. As per the advertisement, no information regarding issuance of bidding documents is given for the bidders. However, according to KPPRA Rules 2014, Page 17, 'Bid solicitation documents' clause, a set of tender document should be provided to the bidders. Stated as under;

***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, 15 days of response time is not given and the last date for submission of tender is given on 15-01-2016, which is 3 days short", and is violation of KPPRA Rules 2014, Page 18, the 'Response time' Clause. Stated as under:

***Response time.**---(1) The procuring entity 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 contract's complexity, 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 in the national newspaper.*

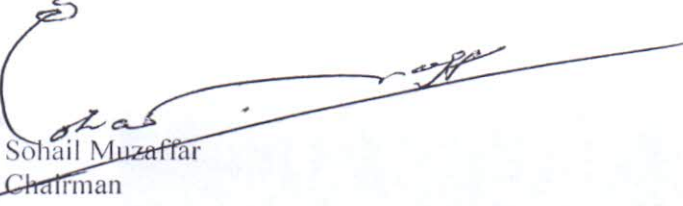
The above information is forwarded for the purpose of avoiding mis-procurement, mentioned KPPRA Rules 2014, page 22 stated as under; and with request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

***Mis-procurement.**— Any breach of these rules shall amount to mis-procurement and the person responsible for such breach shall be liable to be proceeded under the relevant law.*



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, KPPRA, Peshawar.



سینڈر برائے سپلائی کوئلہ موسم سرما 2015-16ء

محکمہ قانون پارلیمانی امور و انسانی حقوق سول سیکرٹریٹ صوبہ خیبر پختونخوا پشاور کو درجہ چہارم ملازمین کے لئے کوئلہ کی فراہمی کیلئے سینڈر مطلوب ہیں جو کہ زیر دستخطی کو مورخہ 2016-01-15 کو 11:00 بجے تک پیش کرنا چاہئے جو اسی دن اور وقت بمقام دفتر زیر دستخطی کھولے جائیں گے۔ نوٹ: 1: کوئلہ کی سپلائی محکمہ ہذا (محکمہ قانون پارلیمانی امور و انسانی حقوق سول سیکرٹریٹ صوبہ خیبر پختونخوا پشاور) میں کرنی ہوگی۔ 2: اچھی کوالٹی اور گھاس کے بغیر ہونا چاہئے۔ 3: نرخی فی کلوگرام کی شرح تیار کرنا چاہئے۔ 4: سیلز ٹیکس اور انکم ٹیکس کے حامل فرم ہی سینڈر دے سکتے ہیں۔ 5: سیلز ٹیکس اور انکم ٹیکس مروجہ قوانین کے تحت فرم کے ذمہ ہوگا۔

INF(P) 08

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