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20th June, 2023

Chief Secretary,
Government of Balochistan.

Ouetta.

Subject: <u>Violation of BPPRA Rules 2014</u>, <u>Executive Engineer</u>, <u>Public Health Engineering (PHE)</u>
<u>Division</u>, <u>District Loralai's Tender Notice for Miscellaneous Works</u>.

Dear Sir.

This is with reference to your Tender notice appeared in daily 'Jang' newspaper on 15<sup>th</sup> June, 2023. The said advertisement is in violation of 'The Balochistan Public Procurement Rules, 2014' Rule 16 (Response Time).

In the said tender notice, 15 days of response time is not given as the submission/ opening of bids is on 26<sup>th</sup> June'23, which is three (3) days less and does not fulfill the fifteen days of response time as per BPPRA Rules 2014. Hence, it is a violation BPPRA Rules 2014, Rule No. 16.

The Rule is quoted below for your reference;

16. Response Time.— (1) Response time which shall not be less than fifteen (15) calendar days from the date of publication of Notice Inviting Tender in the newspapers or uploading on the website, as the case may be, in case of National Competitive Bidding; and and shall not be less than thirty (30) days from the date of publication of Notice Inviting Tender in the newspapers or uploading on the website, in case of International Competitive Bidding:

Provided that Notice Inviting Tenders (NIT) shall be hoisted on Authority' website in case of procurement up to rupees two million (Rs.2,000,000/-) and published in newspapers in case of over two million on or before the date of issuance of bidding documents

Chief Secretary, Quetta is requested to issue directives to the Executive Engineer, PHE division to rectify the given mistake and issue corrigendum in accordance with BPPRA Rules 2014 to avoid misprocurement.

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

Regards,

Advocate Daniyal Muzaffar,

Trustee/Legal Advisor

Transparency International Pakistan

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

1. Chief Minister, Government of Balochistant, Quetta

2. MD, BPPRA Balochistan, Quetta.

3. Executive Engineer, Office of the Executive Engineer, PHE Division,

TI Pakistan act as whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, Justice Syed Mansoor Ali Shah in his landmark judgment in case of Ataullah Malik v. Federation of Pakistan includes following order;

Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-A empowers the civil society of this country to seek information from public institutions and hold them answerable. PLD 2010 Lahore 605.

