

2nd February, 2024

TL2024/0202/4A

AIG Police Development CPO,
Office of AIG Police Development CPO,
Gilgit- Baltistan.

Subject: Violation of PPRA Rules 2004, AIG Police Development CPO, Office of the AIG Police Development CPO, Gilgit Division's Tender Notice for Supply of Equipment under the Scheme of Automation of GB Police Phase- II.

Dear Sir,

This is with reference to your Letter No. Ref No: (OPS)-5 (16)/ Purchase/ 202-4/ 2023 dated 23rd January, 2024 on TI- Pakistan's letter No. TL2024/1501/1A on the above mentioned subject (ANNEX- A).

Your reply stating that, *"In this regard, the GB Police has not violated the PPRA Rules, 2004. The bidder is not allowed to alter or modify his bid after submission of bids. The wording "the quantity of items is subject to decrease/ increase as the case maybe" means that the procuring agency (GB Police) after receiving lowest bids will decide the quantity of items as per availability of funds. The office has not allowed the prospective bidders to alter their bids after opening of bids.*

It maybe be noted that PPRA Rules 2004 only allow modification in the quantity by not more than 15% which may also be clearly mentioned in the tender notice. Any alterations or changes to the bid will have financial implications on the submitted bids.

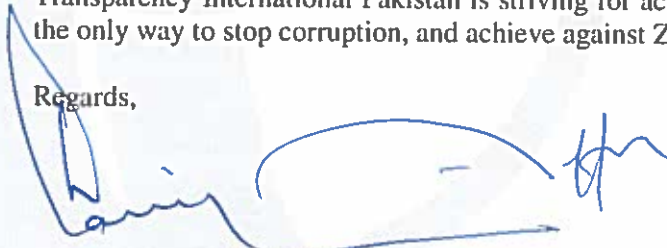
Also under Public Procurement Rules, 2004 – General Provisions 8 'PROCUREMENT PLANNING' regarding Annual Procurement Plan, the Rule clearly states that, A procuring agency shall devise a mechanism for all proposed procurements with the object of realistically determining the requirements of the procuring agency, within its available resources. Hence the questions of availability of funds doesn't arise. The Rule is quoted below for your reference;

8. Procurement planning.- A procuring agency shall, Within one year of commencement of these rules, all procuring agencies shall devise a mechanism, for planning in detail for all proposed procurements with the object of realistically determining the requirements of the procuring agency, within its available resources, delivery time or completion date and benefits that are likely to accrue to the procuring agency in future.

AIG Police Development CPO Gilgit is kindly requested to issue directives to the concerned department to clearly mention in future advertisements/ tenders for changing quantities to be done not more than 15% in accordance with Public Procurement Rules, 2004 to avoid mis-procurement under Rule 50.

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. Caretaker Chief Minister, Gilgit-Baltistan.
2. Chief Secretary, Gilgit-Baltistan.
3. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
4. Managing Director, PPRA, Islamabad.

Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a 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, and a three member bench in case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

“What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution”

<p>OFFICE OF THE INSPECTION GENERAL OF POLICE GILGIT-BALTISTAN NO.IGP-5(16)/Purchase/30/2022</p> <h2 style="text-align: center;">INVITATION TO BID</h2> <h3 style="text-align: center;">“AUTOMATION OF GB POLICE PHASE-II”</h3> <p>1. Gilgit-Baltistan Police Department invite sealed bids from registered firms for supply of equipment's (IT, Electrical) and their installation, configuration and maintenance under the scheme "Automation of GB Police Phase-II" for digitalization of critical functions of Police.</p> <p>2. All bidders must submit their bids under Single Stage-Two-Envelop Procedure as per GB PPRA Rules, 2022 Clause 39 (b).</p> <p>3. All bid must accompany the bid security @ 03% of bid cost in the shape of bank draft/ pay order from any scheduled bank in favor of DIG Police HQs, Gilgit-Baltistan, which will be refundable after signing of the contract with successful bidder(s) & upon furnishing 10% performance guarantee of the contract amount.</p> <p>4. Bidding documents, containing detail specifications, terms & conditions and bid evaluation criteria, may be obtained from the office of AIG Police Development CPO Gilgit during office hours before 24th January, 2024.</p> <p>5. The bids, prepared in accordance with the instructions in the bidding documents, must reach office of the AIG Police Development Office, Gilgit before or on 25th January, 2024 at 11:30 AM. Technical bids will be opened on the same day at 12:00 PM in Conference Hall of Central Police Office Gilgit, in the presence of bidders/their representatives. This advertisement is also available on PPRA web site at http://www.ppra.org.pk.</p> <p>6. The quantity of items is subject to decrease/increase as the case may be.</p> <p>7. The Tender Committee reserves the right to reject or accept technical/financial bids as per terms/conditions laid in the bid documents.</p> <p style="text-align: right;">(Abdul Hanan) AIG DEVELOPMENT CPO GB</p> <p>IDGB-GLT-20-2024</p>

ANNEX-A



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
GILGIT-BALTISTAN
GILGIT



To

✓ Advocate Daniyal Muzaffar, Trustee/Legal Advisor,
Transparency International Pakistan.
(Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial, Phase-VII,
Defense Housing Authority, Karachi).

NO. (OPS)-5(16)/Purchase/ 202-4 /2023 DATED 23rd January, 2024

Subject:- VIOLETION OF PPRA RULES 2004, AIG POLICE DEVELOPMENT CPO, OFFICE OF THE
AIG POLICE DEVELOPMENT CPO, GILGIT DIVISION'S TENDER NOTICE FOR SUPPLY
OF EQUIPMENT UNDER THE SCHEME OF AUTOMATION OF GB POLICE PHASE-II.

Please refer to your letter No. TL2024/1501/1A dated 15th January, 2024 on the subject cited above.

2. In this regard, the GB Police has not violated the PPRA Rules, 2004. The bidder is not allowed to alter or modify his bid after submission of bids. The wording "the quantity of items is subject to decrease/increase as the case maybe" means that the procuring agency (GB Police) after receiving lowest bids will decide the quantity of items as per availability of funds. This office has not allowed the prospective bidders to alter their bids after opening of bids.


(Abdul Hanan)
AIG DEVELOPMENT
CPO GB

Cc:

1. The DIG Police HQ GB.
2. The PA to IGP GB.