



17th January, 2024

TL2024/1701/1A

Director General Agriculture Extension (Merged Areas),
Agriculture Extension Department,
District Hayatabad, Peshawar,
Khyber Pakhtunkhwa.

Subject: Violation of KPPRA Rules 2014, Director General Agriculture Extension (Merged Areas), Agriculture Extension Department, Hayatabad, Peshawar's Tender Notice for Purchase of Local Certified Fruit Plants.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Aaj' newspaper on 11th January, 2024. The said advertisement is in violation of The KPPRA Rule 2014, Rule 33(7) 'Bid solicitation documents'.

In the said tender notice, under point No. 7, it is stated that; "The Supply/ demand of fruit plants maybe increased or decreased or altered subject to the availability of funds and other constraints."

However according to KPPRA Rule 2014, Rule 33(7); "Bid solicitation documents" it clearly mentions that the 'In case of modification of solicitation documents by the procuring entity it shall do so by issuing an addendum or corrigendum and intimate the bidders publicly or individually. Hence, it is a violation of Rule No. 33(7) of KPPRA Rule 2014.

The Rule is quoted below for your reference;

33. Bid solicitation documents.--(7) In case of modification of solicitation documents by the procuring entity in accordance with section 23(9) of the Act, it shall do so by issuing an addendum or corrigendum and intimate the bidders publicly or individually, in case it has issued the solicitation documents, 5 days before the closing date. In case, the changes are substantial, the time for submission may be extended proportionately, by issuing timely intimation to all bidders.

Director General Agriculture Extension (Merged Areas), Agriculture Extension Department is requested to kindly rectify the given mistake and issue corrigendum in accordance with KPPRA Rules to avoid mis-procurement under KPPRA Rules 2014 Rule 54.

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, Peshawar, Khyber Pakhtunkhwa.
2. Chief Secretary, Peshawar, Khyber Pakhtunkhwa.
3. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
4. Managing Director, KPPRA, Peshawar.



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”

TENDER NOTICE

Sealed bids are invited for the purchase of local certified fruit plants during the year 2023-24 under developmental schemes as per KPPRA Procurement Rules 2014 at Merged Areas, Peshawar from the interested firms registered with FBR, Federal Seed Certification & Registration Department and other relevant Government authorities; Details of fruits plants are as under;

S.No.	Name of Fruit Plants	S.No.	Name of Fruit Plants
1	Apple Standard, Apple Dwarf	7	Dates (Dhakki Variety Only)
2	Apricot	8	Loquat
3	Peach	9	Guava
4	Plum	10	Persimmon
5	Grapes	11	Pomegranate
6	Citrus (Malta/ Lemon)		

TERMS AND CONDITIONS:

01. Tender/Bids documents can be obtained from the office of the undersigned during working hours @ Rs.3000/- non-refundable.
02. This tender is available on KPPRA website and www.zarat.kp.gov.pk.
03. The tender/bids are solicited through a single-stage two envelop process.
04. The quoted rates shall be inclusive of transportation charges for delivery at all Merged Areas identified by the concerned District Director Agriculture Extension NMAs.
05. The quoted rates shall include all applicable taxes. The applicable taxes will be deducted from the bills at source or as per the sales tax invoice provided by the firms, if applicable.
06. CDR amounting Rs. 1.500 million shall be submitted in the name of Director General Agriculture Extension Merged Areas along with the tenders/bids.
07. Handwritten tenders/bids documents will not be entertained.
08. A pre-Bid meeting will be held on 29.01.2024 at 01:00 P.M.
09. Sealed tenders/bids printed and signed and stamped on the firm's letter head shall reach the office of the undersigned on or before 11:00 am 01.02.2024.
10. The tenders/bids will be opened in the presence of the Procurement Committee and representatives of the participating firms on the same day at 11:30 am at the office of the undersigned. Detailed terms and conditions are given in the tender document.
11. The supply/demand of fruit plants may be increased or decreased or altered subject to the availability of funds and other constraints.
12. Successful bidders/firms will submit 10% performance guarantee as per KPPRA rules.
13. Rates will be applicable up to 30/06/2024.

Director General Agriculture Extension (Merged Areas)
Agricultural Extension Department
Near NADRA office Phase V, Hayatabad Peshawar
Phone No: 091-9217721

INF(P) 50/24