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19th July, 2023

TL2023/0719/3A

Mr. Akhtar Hayat Khan, Inspector General of Police, Government of Khyber Pakhtunkhwa, Khyber Pakhtunkhwa.

Subject: Violation of KPPRA Rules 2014, District Police Officer, Police Department, District Lower Chitral, Khyber Paktunkhuwa's Tender Notice for Repair Works of Various Cars.

Dear Sir,

The said advertisement is in violation of The Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule 34(1) 'Response Time'. Tender notice appeared in daily 'Aaj' newspaper on 17th July, 2023.

In the said notice, 15 days of response time is not given as the submission/ opening of bids is on 25th July'23, which is 6 days less and does not fulfill the fifteen days of response time as per Rules. Hence, it is a violation of Rule No. 34 of KPPRA Rule 2014.

The Rule is quoted below for your reference;

34. 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.

IGP, Khyber Pakhtunkhwa is requested to kindly notify DPO, Police Department, District Lower Chitral to rectify the given mistake and issue corrigendum in accordance with KPPRA Rules to avoid misprocurement 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. Chief Minister, Peshawar, Khyber Pakhtunkhwa.
- 2. Chief Secretary, Peshawar, Khyber Pakhtunkhwa.
- 3. Managing Director, KPPRA, Peshawar.
- 4. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.



Note

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.

