

25th April, 2024

TL2024/0425/2A

Divisional forest officer Buner
Forest Division Daggar,
Khyber Pakhtunkhwa.

**Subject: Violation of KPPRA Rules 2014, Divisional Forest Officer Buner Forest Division Daggar
Tender Notice for Purchase items under project, "Strengthening Forest Conservation Through
Improved Forest Services Delivery system in Malakand Forest Region-III, Swat" of Khyber
Pakhtunkhwa Forest Department**

Dear Sir,

This is with reference to your tender notice appeared in daily 'Express' newspaper on 20 April, 2024. The said advertisement is in violation of The KPPRA Rules 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 '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'.

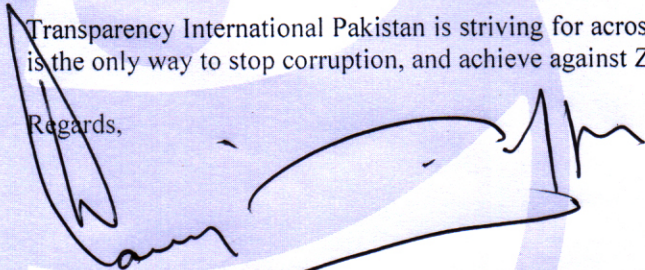
The Rule is quoted below for your reference;

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.

Divisional forest officer Buner Forest Division Daggar, KPK 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. Chief Secretary, Govt of Khyber Pakhtunkhwa, Peshawar
2. Secretary Forest, Govt of Khyber Pakhtunkhwa, Peshawar
3. MD, 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

Divisional Forest Officer Buner Forest Division invites sealed tenders (single stage, two envelopes procedure) where each envelope shall contain separately the financial proposal and technical proposal) from NTN/ GST registered firms (active tax payers) for purchase of following items under project, "Strengthening Forest Conservation Through Improved Forest Services Delivery system in Malakand Forest Region-III, Swat" of Khyber Pakhtunkhwa Forest Department.

S NO.	LOT#	DESCRIPTION/ ITEMS	QUANTITY
01	01	Water Tanker and Pump with 1200 feet pipe	1
01	02	Fire Beater	100
02		Gas Mask half face ordinary	100
03		Goggles	100
04		Fire Safety Gloves	100
05		Torch	40
06		Helmets	80
07		Fire Extinguisher	25
08		Fire Suits	10
09		First Aid Box (Empty)	04
10		Water Bottle (Travel)	100
11		Fireman Axe	20
12		Bush Cutter Manual	30
13		Fire Safety Shoes	60
14		Fire Rake	100
15		Binocular	10
16		Fire Jackets	60
17		Inspection Lamp	20

TERMS AND CONDITIONS

- 1) The sealed bids (both Technical and Financial) should reach the office of the undersigned on 07/05/2024 up to 10:30 AM which will be opened on the same date at 11:30 AM in the presence of the interested bidder or their representative. Bids will be evaluated under single Stage, two Envelopes Procedure (KPPRA Rules 2014).
- 2) A CDR equal to 2% of the total bid amount (refundable), must be attached with tender in favor of Divisional Forest Officer Buner Forest Division Dagggar.
- 3) The Tender Documents / Specifications can be obtained from the office of the undersigned on the payment of Rs. 1000/- per tender documents/ for lot wise (non-refundable), on any working day during office hours.
- 4) The financial proposal/bid must include all the applicable taxes of Govt. of Pakistan.
- 5) The bidders may apply for a complete single lot or more lots. The bidders are not allowed to submit a bid for single item in a lot.
- 6) The competent authority has the right to increase or decrease the quantity of items as per provision of funds.
- 7) Proposal of bidders not fulfilling the mandatory criteria mentioned in the bidding documents will be rejected straight away.
- 8) Incomplete bid shall not be entertained

DIVISIONAL FOREST OFFICER

Buner Forest Division Dagggar

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