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28th November, 2023

TL2023/1128/1A

Medical Social Officer/ Secretary Health Welfare Committee, Allama Iqbal Memorial Teaching Hospital, District Sialkot, Punjab.

Subject: Violation of Punjab Procurement Rules 2014, Medical Superintendent/ Conveyor

Health Welfare Committee, Allama Iqbal Memorial Teaching Hospital, Sialkot's Tender Notice

for Purchase of Surgical Items & Medicines.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Express' newspaper on 21st November, 2023. The said advertisement is in violation of Punjab Procurement Rules 2014, Rule 35 'Rejection of bids'.

In the said notice, it is stated that; "The purchase committee reserves the right to reject all quotations/ tenders without assigning any reason which cannot be challenged in any Court of Law."

As per the Punjab Procurement Rules 2014, the procuring agency shall upon request communicate to any bidder who submitted a bid or proposal, the grounds for its rejection although it is not required to justify those grounds. Hence, it is a violation of Rule No. 35 of the Punjab Procurement Rules 2014.

The Rule is quoted below for your reference;

- 35. Rejection of bids.— (1) The procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal.
- (2) The procuring agency shall upon request communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify those grounds.
- (4) The bidders shall be promptly informed about the rejection of the bids, if any.

Medical Superintendent/ Conveyor Health Welfare Committee is requested to issue directives to Medical Superintendent/ Conveyor Health Welfare Committee, Allama Iqbal Memorial Teaching Hospital to rectify the violation and issue corrigendum in accordance with Punjab Procurement Rules 2014 to avoid mis-procurement under Rule 69.

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.

Repards.

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, Government of Punjab, Lahore.
- 2. Chief Secretary, Government of Punjab, Lahore.
- 3. Managing Director, Punjab Procurement Regulatory Authority, Lahore.



## 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"

## علامها قبال میموریل بینیگ فی سر کش به بین کوارش بینال سیا کوف دوران بالی سال 2-2023 میلتر و بینیتر کینی (زکونونیز) بالده اقبال میوریل نیپک بهتال سیا کوث کوفری و در که دوران بالی سال ۱۹ و 2023 میلتر و بینیتر کینی (زکونونیز) بالده اقبال میوریل نیپک بهتال سیا کوث کوفری و در کاشنس به ولار دوگرا او دیا ت مخریات کی فریدات کی فیتر کر افزار در افزار کی بین سیات و افزار کی بین سیات و بین کے جو ای دوران میرویل کی جو این موجود و کاسی در افزار کی در افزار در افزار کار در افزار کی در افزار در افزار کی در افزار کی در افزار در افزار کی در