



2nd January, 2024

TL2024/0201/2A

District & Sessions Judge/ Chairman Procurement Committee,
Office of the District & Sessions Judge,
Dera Ghazi Khan, Punjab.

**Subject: Violation of Punjab Procurement Rules 2014, District & Sessions Judge/ Chairman
Procurement Committee, Office of the District & Sessions Judge, Dera Ghazi Khan's Tender
Notice for Miscellaneous Works.**

Dear Sir,

This is with reference to your tender notice appeared in daily 'Nawaiwaqt' newspaper on 23rd December' 2023. The said advertisement is in violation of Punjab Procurement Rules 2014, Rule 35 'Rejection of bids'.

In the said notice, it is stated under S.R. no. 13, that; *"The Chairman Purchase Committee, i.e District & Sessions Judge, Dera Ghazi Khan is authorized to reject all tenders without mentioning any reason and the matter shall not 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.*

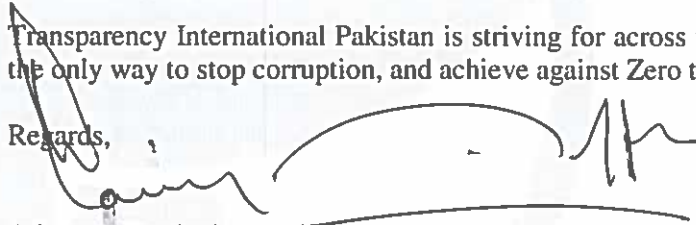
(2) *The procuring agency shall upon request communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify those grounds.*

(4) *The bidders shall be promptly informed about the rejection of the bids, if any.*

District & Sessions Judge/ Chairman Procurement Committee, Dera Ghazi Khan is requested to rectify the violation and issue corrigendum in accordance with Punjab Procurement Rules 2014 to avoid misprocurement 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.

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, Government of Punjab, Lahore.
2. Chief Secretary, Government of Punjab, Lahore.
3. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
4. Managing Director, Punjab Procurement Regulatory Authority, Lahore.

A NON-PARTISAN, NON-PROFIT COALITION AGAINST CORRUPTION

Donations exempted from tax U/S 2 (36) (c) of I. Tax Ordinance 2001

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”

OFFICE OF THE DISTRICT & SESSIONS JUDGE, DERA GHAZI KHAN

NOTICE INVITING TENDERS

Items / percentage rate tenders for the following Work under the Access to Justice Development Fund are hereby invited from the approved contractors / firms of Buildings Department, who have got their names renewed / enlisted for the Financial Year (2023-24) and have paid their renewal / enlistment fee with the Department. Tender shall be issued from office of the undersigned up till 02-01-2024 before closing of office hours i.e. 04:00 pm and will be received on 10-01-2024 at 01:00 PM. The tenders will be opened on 10-01-2024 at 01:30 PM in the presence of Committee and Intending bidders or their authorized agents with following terms and conditions.

1. The contractors / firms are required to produce the Registration Certificate issued by the Pakistan Engineering Council, PEC Islamabad for financial year 2023-24.
2. Tenders received telegraphically or by post will not be accepted.
3. No Tender will be issued after 09-01-2024.
4. No conditional tender shall be accepted/ entertained.
5. The intending tenders must submit written application for issuance of Tender Documents accompanying the PEC and FBR registration certificate and paid copy of Tender Form No.100/-through challan form No.32-A through Accountant to this office. Only persons who submit and produce all required documents will be issued Tender Documents only. The Tender Documents fee is not refundable.
6. The Earnest money equal to 5% of Estimated Cost will be deposited by each intending bidder in shape of CDR.
7. Details/ particulars of the work can be seen in the office of the undersigned on any working day during office hours.
8. No tender will be issued to the contractors whose progress on the works already in hand is below the schedule.
9. The lowest bidder whose bid will be below 5% the estimated cost of the work shall have to deposit the difference between the estimated cost and the cost as per rates quoted by the bidder as additional performance security, which will be returned on successful completion of the contract. Failure to deposit the difference within seven days after receiving the tenders will result into forfeiture of the earnest money without any further notice.
10. The intending bidders shall have to show original enlistment/ renewal letter/ receipt of enlistment renewal fee deposit and legal power of attorney issued by the firm duly signed by the Bid Registrar. Tender rate must be quoted in figure as well as in words.
11. No cutting and over writing is allowed.
12. The successful bidders will be bound to complete all the work within 30 days after issuance of work orders.
13. The Chairman Purchase Committee i.e. District & Sessions Judge, Dera Ghazi Khan is authorized to reject all the tenders without mentioning any reason and the matter shall not be challenged in any Court of law.

Sr.	Description of Works (Access to Justice Development Fund)	Estimated Cost.	Earnest Money in shape of CDR
1	Provision of Golda-matic Pump with boring in Judicial Complex at Dera Ghazi Khan. (02 Nos)	Rs.132,044/-	Rs.66022/-
2	Construction of Toilet Block in Judicial Complex, Dera Ghazi Khan. (One Set)	Rs.484,524/-	Rs.242262/-
	Total	Rs.616,592/-	Rs.308304/-

KHALID MAHMOOD BHATTI
District & Sessions Judge/
Chairman Procurement Committee
Dera Ghazi Khan