

Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial, Phase VII, Defence Housing Authority, Karachi

Phone: +92-21-35311898, 35311777
Email: ti.pakistan@gmail.com
Website: www.transparency.org.pk

28th November, 2023

TL2023/1128/3A

Medical Social Officer/ Secretary Health Welfare Committee, Government Sardar Begum Teaching Hospital, District Sialkot, Punjab.

Subject: <u>Violation of Punjab Procurement Rules 2014, Medical Superintendent/ Conveyor</u>
<u>Health Welfare Committee, Government Sardar Begum Teaching Hospital, Sialkot's Tender</u>
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, Government Sardar Begum 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.

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. 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"

گور نمنٹ مردار بیگم بیچیگ جہینال سیالکوٹ روران مال مال 2-2023 اسلتے ویلئی کئی گور منٹ مردار بیگم نیچیگ جہینال سیالکوٹ کو نم ورک کنر یکٹ کے دوران مال مال 2023-2021 اسلتی ویلئی کئی گور منٹ مردار بیگم نیچیگ بہتال سیالکوٹ کے مقامی السنس بورلڈر دوگٹ اینڈ مطابق (زکوۃ فنڈ) ادویات کی قیمتوں پر زیادہ سے زیادہ و کے ماؤٹٹ کی میلار پر ہو گئے میٹوٹر مطلوب ہیں جو کئی بیٹیاد پر ہو گئے۔ اللاث کی قیمتوں پر زیادہ سے زیادہ و کے ماؤٹٹ کی بیٹی بیٹیاد روست کی قیمتوں پر زیادہ سے زیادہ و کے ماؤٹٹ کی میں دصول کے جائیں کے جواسی روز بوقت 10:00 ہے دون اور چیٹس پر چیز کمیٹی ٹینڈر دومیر مگان کی موجود گل میں دومول کے جائیں کی حیواسی روز بوقت 10:00 ہے دون کا دیا تھی بیٹی ٹینڈر دومیر مگان کی موجود گل میں اور کی میٹی ٹینڈر دومیر کی میٹی ٹینڈر دومیر کی کال ڈیپاؤٹٹ کی موجود کی جائے ہیں۔ دیگر جملہ شراکط ویلئیٹر کمیٹی موٹٹ کی موجود گل کی دومیر کی کال ڈیپاؤٹٹ کی کالوار آگا کی موجود کی کالوار آگا کی موجود کی کالوار آگا کی موجود کی موجود