



6th December, 2023

TL2023/1206/1A

Election Commissioner,
Office of the District Election Commissioner,
Election Commission of Pakistan,
District Chakwal, Punjab.

Subject: Violation of PPRA Rules 2004, Election Commissioner, Office of the District Election Commissioner, Election Commission of Pakistan, Chakwal, Punjab's Tender Notice for Procurement of Stationery and Refreshment Items for Training of Polling Staff.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Nawaiwaqt' newspaper on 1st December, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rules 2004, Rule 31(1) 'Clarification of bids'.

In the said tender notice, it is mentioned under p (13) that; *"The procuring agency reserves the right to increase or decrease the number of Tender items being supplied/ purchased at any stage as per requirement."*

As per PPRA 2004, Rule No. 31(1), "Clarification of bids" it clearly mentioned that the bidder shall not be allowed to alter or modify his bid after the submission of bids. In case the procuring agency makes alterations or changes to the bid it will impact the bidder's bid. Hence, it is a violation PPRA Rule No 31(1). The Rule is quoted below for your reference;

31. Clarification of bids.- (1) No bidder shall be allowed to alter or modify his bid after the bids have been opened. However the procuring agency may seek and accept clarifications to the bid that do not change the substance of the bid.

District Election Commissioner, district Chakwal is requested to rectify the violation and issue corrigendum in accordance with PPRA 2004 to avoid mis-procurement under Rule 50.

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. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
2. Managing Director, PPRA, Islamabad.



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”

RE-TENDER NOTICE			
<u>Sealed tenders / rates are invited from the reputed Firms / Dealers duly registered with Sales / Income Tax Collectorates, for the supply of Stationery items and refreshment / meal to polling staff during their training in connection with General Election in respect of District Chakwal & Talagang.</u>			
Lot No.	Description	Bid Submission Date & Time	Bid Opening Date & Time
1.	Refreshment (Lunch Boxes)	4.12.2023 To 22.12.2023 10.30AM	22.12.2023 11.30AM
Terms & Conditions.			
<ol style="list-style-type: none"> 1. Tendering will be conducted, in single <u>stage</u> envelope containing one envelope in bold and legible letters for each Lot separately to avoid confusion. 2. The detail of <u>tender items, specifications and other terms and conditions</u> are mentioned in Tender Form which can be obtained from this office against payment of Rs. 1000/- (Non-Refundable). 3. Firms should submit a <u>"certificate"</u> that the Firm/company has never been declared blacklisted or defaulter by any Government office of Pakistan. 4. The Firm shall quote rate for all items in particular lot i.e. 1. 5. Price should be quoted in Pak Rupees both in words <u>and</u> figures. 6. The Price quoted should be final and clearly <u>written / typed</u> out without any ambiguity. 7. The price should be inclusive of all the <u>governments taxes, duties and delivery charges</u> etc in different venues of all tehsils in the district. 8. Tenders should be submitted accompanied with 5% CDR of total value of quoted items in favour of DDO, District Election Commissioner, Chakwal & Talagang. 9. Payment will be made upon <u>successful</u> procurement and complete supply / delivery of relevant Tender items. 10. Separate Sealed Tenders for each Lot complete in all respects should be delivered / dropped in the Tender Box placed in the Room of Election Officer of this office on or before Tenders opening date i.e. <u>22.12.2023</u> and the Tenders will be opened on the same date at <u>11:30AM</u> in the presence of Committee Members and participants as may be present. <u>No open, e-mailed or faxed Tenders will be accepted.</u> Any rate received by the Office, after the date and time of Tender opening will be returned un-opened to such Firm. 11. Each successful Firm will furnish a Performance Guarantee in the shape of CDR or Bank draft of 5% of the contract amount on award of contract. 12. The successful firm has to provide refreshment and stationery items or as the case may be at all the training venues, established at each Tehsil Level. 13. The procuring agency reserves the rights to increase or decrease the number of Tender items being purchased / supplied at any stage as per requirement. 14. The Procuring Agency / Authority has the right to cancel the procurement procedure at any stage without giving reasons according to the PPRA Rules-2004. 			
District Election Commissioner, Chakwal/Talagang MCB-3/502, Ahmedal House, Near Superior College, Pindi Road, Chakwal. Contact No 0543-541520, 0543-550881			PID(L)1744