



5th December, 2023

TL2023/1205/2A

Divisional Superintendent,
Office of the Divisional Superintendent,
Pakistan Railways,
Government of Pakistan,
Quetta.

**Subject: Violation of PPRA Rules 2004, DME for Divisional Superintendent, Office of the
Divisional Superintendent, Pakistan Railways, Quetta's Short Tender Notice for Procurement
of Coal.**

Dear Sir,

This is with reference to your tender notice appeared in daily 'Express' 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 stated hat; "*Quantity may be increase or decrease.*"

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.

Divisional Superintendent, Pakistan Railways 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. Principal Secretary to Caretaker PM, PM House, Islamabad
2. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
3. 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”

S/ No	Description	QTY
1	Coal For Comfort Fire Specification of Coal:- 1. The coal should be of reasonable size 2. It will be free of shale 3. Its fixed carbon will not be less than 30.07% 4. Its ash content shall not exceeds 21% 5. Its sulphur content shall not exceeds 5.8% 6. Its moisture content will not be more than 9.1% 7. The coal shall be supplied on F.O.R basis.	200 Tons

Tender Documents can be obtained from the office of the Divisional superintendent, Pakistan railways Quetta (Rolling Stock Branch) on any working day during office working hours upto 20-12-2023 on payment of Rs 5000/- tender fee (non refundable)

Tenders will be received/ dropped upto 14:00 hrs on 21-12-2023 in the tender box placed in the office of the Divisional Accounts Officer Quetta, duly supported by a security bid bond @ 2% (minimum) of the total estimated value of the tender in the shape of call deposit or pay order of any scheduled bank to be drawn in favor of Divisional Accounts Officer, P.R Quetta. Tenders will be opened on the same day at 14:30 Hrs in the presence of bidders or their authorized representative who may wish to be present.

The successful bidder (Lowest evaluated) will have to ensure that goods offered shall be the brand new according to P.R standard /specification/requirement. Procuring agency may reject all the bids at any stage prior to acceptance of a bid and quantity may be increase or decrease.

Note:
Bring coal sample at the time of issuance of tender forms.

(MUHAMMAD IMRAN MENGAL) PID(Q)186/23
DME
For Divisional Superintendent
PAK Railways, Quetta

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