



Tel. 042-99205593
Tel. 042-92204572
Tel. 042-36284773
Tel. 042-36284774
Fax: 042-36284776

**GOVERNMENT OF THE PUNJAB
PUNJAB PROCUREMENT REGULATORY
AUTHORITY, S&GAD
3rd Floor, Al-Falah Building, The Mall Lahore.**

Dated Lahore, 07th July , 2023

CIRCULAR

000697

No. MD(PPRA)48-BOM/2023. Under Section-17A(1) of PPRA Act-2009 read with rule 21(1) of PPR-14 and schedule providing blacklisting mechanism or process appended to Punjab Procurement Rules, 2014 (PPR-14), a procuring agency may debar a bidder or contractor from participating in any public procurement of that procuring agency. The consequential effect of such debarment by the procuring agency is limited only to the extent of that procuring agency. However, as per general practice in vogue all other procuring agencies do not allow such bidder or contractor for participating in their public procurement processes as well. Such provisions were also included in the standard bidding documents notified by PPRA.

2. PPRA was being frequently approached that these provisions of SBDs are ultra-varies to Section-17A of PPRA Act-2009 read with rule 21 of PPR-14. Furthermore, the matter was also challenged before the Honorable Lahore High Court Lahore and the Honorable Court vide order dated 24.03.2023 in W.P. No. 19746/2023 titled as "M/s. Next Pharmaceutical v/s. Govt. of the Punjab etc." passed by Mr. Justice Muhammad Sajid Mehmood Sethi referred this issue to PPRA with the direction to decide the issue as per law/rules.

3. The matter was placed before the PPRA Board of Management in its 48th meeting held on 15.06.2023, Board of Management unanimously approved that the act of blacklisting the bidder or contractor by a procuring agency shall be limited to the extent of

that procuring agency only. Furthermore, if a procuring agency intends to debar a bidder or contractor from participating in all the procuring agencies of the Punjab it shall refer the matter to MD, PPRA under Section-17A(2) of PPRA Act-2009 read with rule 21(2)(b) of PPR-14.

4. In order to bring the provision of SBDs in conformity with Section-17A read with rule 21 of PPR-14 Board of Management of PPRA also approved all the relevant clauses available in the Standard Bidding Documents/Regulations notified by PPRA vide Notification No. MD(PPRA)46-BOM/2022 dated 27.10.2022 which prohibit a bidder or contractor (blacklisted by a specific procuring agency) to participate in the public procurement of other procuring agencies shall be amended immediately. Therefore, all the relevant clauses of SBDs have been amended vide notification No. MD(PPRA)48-BOM/2023 dated 07.07.2023 **(copy enclosed)**, the amended version of Standard Bidding Documents are available on PPRA website <https://ppra.punjab.gov.pk>.

5. All Procuring Agencies are, therefore, advised to use the amended version of the notified SBDs with immediate effect in order to avoid any legal complication/misprocurement for the further procurement transactions.

-sd-
(WAQAR AZIM)
Managing Director
PPRA S&GAD

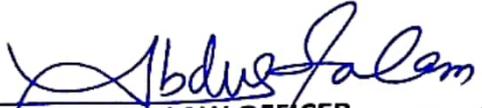
No. & Date even.

A copy is forwarded for information and necessary action to:-

1. The Senior Member, Board of Revenue, Punjab.
2. The Chairman, Planning & Development Board.
3. The Secretary to Chief Minister, Punjab.
4. The Secretary to Governor, Punjab.
5. The Inspector General of Police, Punjab.
6. The Accountant General, Punjab.
7. All the Administrative Secretaries, Govt. of the Punjab.
8. The Secretary, I&C, S&GAD, Lahore.
9. All the Divisional Commissioners in Punjab.



10. The Head SMU, Chief Minister Office.
11. All the Heads of Attached Departments, Punjab.
12. All the Heads of Autonomous Bodies, Punjab.
13. The Director General Anti-Corruption Punjab.
14. The Additional Secretary (Welfare), S&GAD, Lahore.
15. All the Deputy Commissioners in Punjab.
16. PSO to the Chairman PPRA/Chief Secretary, Punjab.
17. PSO to the Additional Chief Secretary, Punjab.
18. Web-Developer/Data Administrator, PPRA with the direction to immediately upload the same on the website of the PPRA.
19. PS to MD, PPRA.


SENIOR LAW OFFICER
PPRA S&GAD

7/7/2023

CC:

1. The Registrar, Lahore High Court Lahore.
2. The Director General NAB, Lahore.
3. The Ombudsman, Punjab.