



**GOVERNMENT OF THE PUNJAB,
PUNJAB PROCUREMENT REGULATORY
AUTHORITY, S&GAD**

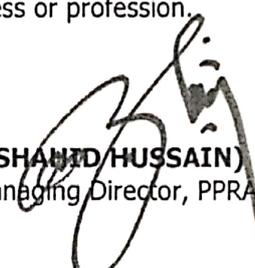
3rd Floor Alfalah Building The Mall Road, Lahore

Dated Lahore, the 13th July, 2020

CIRCULAR

No. L&M(PPRA)10-1/2011. Punjab Procurement Regulatory Authority (PPRA) has been frequently approached for seeking advice as to whether in case some bidders at the time of opening of bids does not turn up and attend the bid opening proceedings would its bid be opened or not and would the bidding process in the absence of such bidders will continue or may be postponed till all the bidders who have submitted their bids are in attendance either themselves or through their representatives. Rule 30 of Punjab Procurement Rules 2014 amended to date (PPR-14) clearly stipulates that all the bids received in response to the call from the procuring agency shall be opened at the time specified in the bidding documents which shall not be less than thirty minutes after the closing time for the submission of the bids. Sub-rule-2 of rule ibid explicitly provides that all bids shall be opened publicly in the presence of the bidders or their representatives who may choose to be present. Connotation of rule ibid taken up by some of the bidders is that the words in the rule ibid **who may choose to be present** pertain to the discretion of the bidders whether they themselves attend the bid opening procedures or attend through their representative and in any case bids in their absence cannot be opened this connotation being exodus from the true connotation and lex causae to the spirit of the rule ibid cannot be taken a true interpretation. The rule ibid does not make it compulsory and binding on the procuring agency to open the bid only when all bidders or their representatives are present, for clear understanding of the aforementioned interpretation Rule 30 Sub-Rule-1 is required to be read with Sub-

Rule-2 of rule ibid. Sub-rule-1 of rule ibid clearly stipulates "the date for opening of the bids and the last date for the submission of bids shall be the same" which means that the bids received shall be opened on the same day whether any bidder attends the bid opening or not. Any deferment for opening of bid due to absence of any bidder or its representative will tantamount to encroaching upon the rights of other bidders who are in attendance and shall be in conflict with Article 4 and 18 of the Constitution of Pakistan 1973 which restrict all to do any act of discrimination and restraining their freedom of trade, business or profession.


(SHAUQ HUSSAIN)
Managing Director, PPRA

C.C:-

1. The Chairman, Planning & Development Board.
2. The Senior Member, Board of Revenue, Punjab.
3. The Inspector General of Police, Punjab.
4. The Accountant General, Punjab.
5. All the Administrative Secretaries, Government of the Punjab.
6. All the Divisional Commissioners, Government of the Punjab.
7. All the Head of Attached Departments.
8. All the head of Autonomous Bodies Punjab.
9. Director General NAB Lahore.
10. Director General Anti-Corruption, Punjab.
11. The Registrar, Lahore High Court Lahore.
12. All the Deputy Commissioner, Punjab.
13. Web Developer/Data Administrator, with the direction to immediately upload the same on the website of PPRA.
14. PA to MD, PPRA.


Director (Legal & Monitoring)
PPRA S&GAD

13/7/XX