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19/12/2013
No. 62/01/2013-6GS1

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From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments, Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
2. All the Deputy Commissioners of the State of Haryana.
3. The Managing Directors/Chief Administrators of all the Boards/Corporations in Haryana State.
4. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the 18th December, 2013.

Subject: CWP No. 26382 of 2013 (O&M) titled as Rupinder Singh Saini Vs State of Punjab and others

Sir/Madam,

I am directed to invite your attention towards order dated 2.12.2013 passed by the Hon'ble High Court in CWP No. 26382 of 2013 (O&M) titled as Rupinder Singh Saini Vs State of Punjab and others. The Hon'ble High Court has passed the following order:

"However, before we part with the matter, we must note that unnecessarily rounds of litigation occur in tender matters on account of the failure of the concerned authorities to respond to representations which should disclose the rationale for the decision so that an aggrieved party, if so advised, can approach the Court. Instead, what happened is that the first petition is filed only to find out as to what is the cause for award or rejection of a tender and when the reasons are communicated then second round of litigation begins. This results in unnecessary petitions being filed in the Court.

We are, thus of the view that an appropriate circular must be issued both by the State of Punjab and the State of Haryana as well as Union of India and the Union Territory of Chandigarh intimating to all the departments concerned that whenever a representation is received qua a tender as to why a particular party is disqualified or why the tender has been awarded to the successful party against whom the grievance is made, it should be disposed of within one week of receipt thereof giving rationale/reasons."

2. Keeping in view of the above orders of Hon'ble Punjab and Haryana High Court, you are directed to ensure that whenever a representation is received qua a tender as to why a particular party is disqualified or why the tender has been awarded to the successful party against whom the grievance is made, it should be disposed of within one week of receipt thereof giving rationale/reasons.

3. These instructions may please be brought to the notice of all concerned for strict compliance.

Subhash Shrivastava
Under Secretary General Administration,
for Chief Secretary to Government Haryana.

OFFICE OF DIRECTOR, STATE TRANSPORT, HARYANA, CHD.

Endst.No. 5076-5106 SA/E4 Dated: 29-1-2014 (E-mail)
A copy is forwarded to the following for information and strict compliance:-

1. All Officers at Hqr./All Branch Incharges at Hqr.
2. District Attorney at Headquarter.
3. All General Manager, Haryana Roadways.
4. FSO, ISBT, Delhi.
5. SME, GCW, Haryana, Chandigarh.
6. GM, HREC, Gurgaon.
7. DTC (Tech.), CW. Karnal, Hisar & Rohtak.
8. Order file.

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for Director, State Transport,
Haryana, Chandigarh.