Bidding Procedure for DTH Licence

1. Shortlisted companies that participate in the bidding shall provide a separate Power of Attorney, on stamp paper and executed, notarized, witnessed, stamped and authenticated as required by law, for the person representing the company in the bidding process (Schedule-G of DTH Regulations 2016 amended in 2025). The company shall be bound by the decisions of that person so authorized or having power of attorney in matters connected to the bidding.

2. The attorneys of the companies shortlisted for participation in the bidding process for DTH licences shall be required to sign the attendance sheet. A maximum of two representatives per company shall be allowed to participate in the bidding.

3. If only one shortlisted bidders appears on the bidding date, the matter shall be referred to the Authority for decision, and the Authority shall decide the same as soon as possible (preferably within thirty (30) calendar days) whether to declare the bidder provisionally successful or not. The decision of the Authority shall be final.

4. The Bidding Committee, duly constituted by the Authority, shall conduct the bidding process. In case of any dispute during the bidding process, the decision of the Bidding Committee shall be final.

5. The bidding shall consist of the following two rounds:

   First Round through sealed bids.

   Second Round through open outcry. The second round shall start immediately after the first round.

6. Only authorized persons of the shortlisted applicant companies shall be allowed to participate in the bidding process on provision of the authorization letter.

7. The bids shall be offered in Pak Rupees. The conditional bids, having 'ifs' and 'buts,' shall out-rightly be rejected.

8. **First Round: Sealed Bids:**

   i. The Authority shall invite the shortlisted bidders to submit the sealed bids for the DTH licence.

   ii. Eligible bidders shall submit bid security deposit equal to 15% of the Offered Bid (valid for a minimum period of one hundred & twenty days) along with the Sealed Bids in favour of PEMRA in the form of demand draft or pay order.

   iii. The base price for a DTH licence shall be. Rs.4,898 million (four thousand eight hundred and ninety eight million rupees or as determined by the Authority from time to time. Bids offered less than the base price shall not be accepted.

   iv. The sealed bids shall be dropped in the box reserved for this purpose, along with the bid security deposit, in the presence of the Bidding Committee.

   v. No addition, alteration or omission in the sealed bid, after bids have been opened, shall be acceptable.

9. The Bidding Committee shall open sealed bids in the presence of authorized representatives of the bidders. The bidders whose sealed bids equal or exceed the base price set for a DTH licence shall be eligible to participate in the second round (open outcry). The Bidding Committee shall announce.

   i The Offered price of each bidder

   ii The price of the highest bid

   iii The names of Qualified Bidders

10. If there are two or less than two short-listed applicants only, the Authority may declare the short listed applicants to have won the licence with Applicable Licence Fee (ALF) equal to the base price or it may decide to re-advertise the DTH licenses. However, licences for DTH will be awarded only after completion of all legal requirements, approval of Authority, payment of license fee etc.

11. Second (open outcry) Round: If there are more than two shortlisted applicants, the second round shall be held with open outcry bidding process.

    i. The highest bid amount concluded in the first round shall be the starting bid price for the open outcry bidding in the second round. The bidding Committee shall announce the amount of the highest bid.

    ii. The amount of new bids shall be strictly higher than the highest bid. All bids shall be amounts that are multiples of PKR 2 million.

    iii. Each eligible bidder shall raise hand before offering the bid.

    iv. Each bidder shall cry-out his bid, write it on a prescribed form (Schedule-H of DTH Regulations 2016 amended in 2025) duly signed by the authorized representative, and hand it over to the Bidding Committee.

    v. The Authorized Representative of a Bidder shall not be allowed to participate in any activity on behalf of any other Bidder during the bidding process.

    vi. After every bid, the bidding Committee shall announce the amounts corresponding to the highest bid.

    vii. The Bidding Committee shall continue the open outcry session until the highest bid is not further contested.

    viii. Each highest bid will get a maximum time of FIVE MINUTES, comprising of three announcements of one minute each. Each bidder shall be granted a timeout of five minutes each, on request, only twice during the entire bidding process.

    ix. The Bidding Committee shall have the right to change the maximum time defined above before the start of the bidding, with prior announcement.

    x. When there are no further bids, the Bidding Committee shall announce the name of the bidder that offered the highest bid and the respective bid amount.

    xi. The highest bidder shall be considered provisional successful bidder, and the highest bid shall become the 'Applicable Licence Fee (ALF)' for the DTH service licence.

xii. The next highest bidder shall be asked to match the highest bid price for the DTH licence. In case of matching the highest bid price, that bidder shall also be declared provisional successful bidder. In case of refusal to match the highest bid price, the same shall be offered to the next highest bidder and so on.

12. After the bidding date, the bid security deposit of the unsuccessful bidders will be reimbursed on request within sixty (60) calendar days, without bearing any liability by the Authority towards interest, indexation, inflation, deflation, etc.

13. The successful bidders, after completion of legal requirements, may choose to pay the licence fee upfront or in instalments as per following options:

    i. Upfront: 100% payment of the balance of the applicable licence fee as a one-time upfront amount.

    ii. Instalments: an upfront payment of the balance towards 50% of the applicable licence fee, and the remaining amount in 10 years in 10 equal annual instalments with a cumulative mark-up rate at the K1BOR rate, applied from the period of the date the upfront payment is due to the payment date. The successful bidders may pay the remaining balance of the Applicable Licence Fee at any time in advance of the scheduled instalment, along with payment of cumulative mark-up up to such date of payment.

    iii. In either of the above payment options, the 15% earnest / bid money already deposited will be adjusted against the upfront payment.

14. Within 30 calendar days of the completion of legal requirements, the successful bidder shall pay the applicable licence fee either as up front (in case of upfront payment) or 50% of the applicable licence fee (in case of payment by instalment), after deduction of the paid earnest /bid security deposit.

15. Within 30 calendar days of the completion of legal requirements, the successful bidders shall provide a bank performance guarantee equal to 3% of the Applicable Licence Fee from a scheduled bank with AAA rating. The Performance Guarantee shall be valid for the entire licence period. PEMRA may encash the performance guarantee if the Licensee does not fulfil its legal obligations regarding payment of balance license fee (in case of 50% option) or annual licence fee etc.

16. The successful bidders shall pay all the taxes applicable as per policy of government of Pakistan while advance taxes if any shall be payable up front.

17. The applicant companies shall bear all their costs associated with the preparation and submission of their application. The Authority shall in no case be responsible for these or any other costs, regardless of the conduct or outcome of the application process.

18. Without prejudice to any other remedy that may be available to it, the Authority reserves the right, on the recommendation of the Bidding Committee, to disqualify any Bidder and forfeit its deposited money for any of the reasons given below:

    i. Inaccuracy or misrepresentation of any facts in any part of the application or bid.

ii. Illegal conduct, disruption during the bidding process, or indulgence in improper attempts to influence the outcome or delay the process.

iii. Any "corrupt practice," such as the offering, giving, receiving or soliciting of anything of value to influence any official of the Authority in relation to the bidding process.

iv. Any fraudulent practice or misrepresentation of facts in order to influence the results of the bidding process.

19. Reservation of Rights:

i. The Authority reserves the right to reject any or all of the bids before acceptance of bids as per relevant law by recording reasons in writing.

ii. The Bid Committee reserves the right, in its sole discretion, to take any action which it deems necessary to ensure that the Bid process occurs in a fair, open and transparent manner, in accordance with law, and discourage collusion and predatory bidding that may block the entry of potential bidders into the bidding process.

iii. No suit, prosecution or other legal proceeding shall lie against the Authority or any member of the Bidding Committee or employee of the Authority in respect of anything done or intended to be done by the Authority in good faith in connection with the bidding process.

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