

The Gazette



of Pakistan

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

ISLAMABAD, SATURDAY, DECEMBER 31, 2022

PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

**PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY
(PEMRA)**

NOTIFICATION

Islamabad, the 12th December, 2022

S.R.O.2400(I)/2022.—In pursuance of Section 19 of Pakistan Electronic Media Regulatory Authority (Ordinance No. XIII of 2022) read with Section 18 and 13 with other enabling sections, the Authority is pleased to make the Bidding Procedure for the Award of Cable TV Distribution Licences in respect of unserved and underserved cities (Urban Areas) (as set out in **Schedule-A**).

2. This notification shall come into force with effect from 12th December, 2022.

5481(1—4)

Price : Rs. 6.00

[14165(2022)/Ex. Gaz.]

SCHEDULE – A**[Bidding Procedure for Cable TV Licences in Unserved & Underserved Cities (Urban Areas)]****1. General:**

- 1.1 The bidding process shall be conducted by the bidding committee duly constituted by the Authority in the respective Regional Offices of PEMRA.
- 1.2 The bidding shall consist of following two rounds:

First round:	Through sealed bids.
Second round:	Through open outcry (second round shall start immediately after first round).
- 1.3 The bidding committee shall open sealed bids in presence of authorized representatives of the bidders. The bidding committee shall announce:
 - a. Offered/quoted price of each bidder.
 - b. Highest bid.
 - c. Qualified bidders for the next round.
- 1.4 Authorized persons/directors of the eligible applicant companies shall be allowed to participate in the bidding process on provision of authorization letter.
- 1.5 The bids shall be offered in Pak Rupees.
- 1.6 The conditional bids, having 'ifs' and 'buts', shall out-rightly be rejected.
- 1.7 **First Round: Sealed Bids:**
 - a. The Authority shall invite the eligible bidders to submit the sealed bids for the respective area.
 - b. The sealed bids shall be dropped in a box reserved for this purpose along with 15% (as earnest money) of the bid amount in form of Bank Draft/Pay Order in favour of "PEMRA", in presence of the bidding committee.
 - c. No addition, alteration and omission in the sealed bid shall be acceptable.

1.8 Second Round-Open Outcry:

- a. The qualified bidders of the first round shall be eligible to participate in the second round (open outcry).
- b. The highest bid amount concluded for a particular area in the first round shall be considered as base price for open bidding in the second round.
- c. To make a bid, the minimum incremental value for next higher bid shall be in multiple of Rs. 20,000/-.
- d. Each eligible bidder shall raise hand before offering the bid.
- e. Each bidder shall cry-out his bid, which shall be duly recorded by the bidding committee.
- f. The bidding committee shall continue the open outcry session till the time it is not further contested.
- g. Each highest bid will get a maximum time of one minute comprising three announcements each of 20 seconds duration.
- h. The bidding committee has the right to change the above time duration before start of bidding process with prior announcement.
- i. When there are no further bids, the bidding committee shall announce the name of the company who offered highest bid and respective bid amount.
- j. The highest bidder shall be considered successful bidder and the amount quoted shall be deemed as 'Applicable Licence Fee'.
- k. The successful bidder shall deposit balance 15% earnest money of the applicable licence fee within 07 working days failing which his bid shall stand cancelled, amounts already deposited shall be forfeited; Bank Guarantee or Demand draft/ Pay order shall be encashed and the company and its Directors shall be black listed for future licensing.
- l. In case, the successful bidder fails to deposit the balance earnest money under clause (k) the Authority may provide an opportunity to the next highest bidder to match the bid.
- m. The successful bidder shall be obliged to deposit the balance 'Applicable Licence Fee' along with security deposit equivalent to three percent of 'Applicable Licence Fee' within 15 days as notified by the Authority.

- n. In case the successful bidder fails to meet the requirement of clause (m), he shall be considered in-eligible and the deposited earnest money and all other sums paid in this regard shall be forfeited.
- o. The Cable TV licence shall be awarded to successful bidder after completion of all the legal requirements and approval of the Authority.
- p. In case where more than one licence is to be granted in a particular area, the second highest bidder shall be given an opportunity to match the highest bid concluded for that area.
- q. Earnest money deposited by the unsuccessful bidders will be refunded.
- r. In case of any dispute during the bidding process, decision of the bidding committee shall be final.

1.9 Reservation of Rights

- a. The Authority reserves the right to reject any or all the bids without assigning any reason whatsoever.
- b. The Authority reserves the right, in its sole discretion, to take any action, which it deems necessary to ensure that the Bid process occur 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.
- c. No suit, prosecution or other legal proceeding shall lie against the Authority or any member or employee of the Authority in respect of anything done or intended to be done by the Authority in good faith in connection with bidding process.

[F.No. PEMRA-1(09)/Secy./Gazette/2023/06]

SARDAR ARFAN ASHRAF KHAN,
SDG/Secretary to the Authority.