## গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

স্থানীয় সরকার প্রকৌশল অধিদপ্তর প্রকিউরমেন্ট ইউনিট আগারগাঁও, শেরেবাংলা নগর ঢাকা-১২০৭

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স্মারক নং-৪৬,০২,০০০০,৩২২,৯৯,০০১,০৯-১৮

णातियः २५/०२/२०२० रे

প্রতি.

- প্রকল্প পরিচালক (সকল)
  স্থানীয় সরকার প্রকৌশল অধিদপ্তর
  সদর দপ্তর, আগারগাঁও, ঢাকা।
- ২। নির্বাহী প্রকৌশলী (সকল) স্থানীয় সরকার প্রকৌশল অধিদপ্তর
- উপজেলা প্রকৌশলী (সকল)
   স্থানীয় সরকার প্রকৌশল অধিদপ্তর

## বিষয়ঃ Value of Existing Commitments of Works এর তথ্যাদি যথাযথভাবে যাচাইকরণ প্রসঞ্জে।

সূত্রঃ মহামান্য সুপ্রীম কোর্টের হাইকোর্ট বিভাগের Writ Petition No 15855 of 2024

উপরোক্ত বিষয় ও সূত্রের প্রেক্ষিতে জানানো যাচ্ছে যে, Writ Petition No 15855 of 2024 এর শুনানী শেষে মহামান্য আদালত নিমোক্ত আদেশ প্রদান করেনঃ

'Pending hearing of the Rule, the respondent Nos.2-4 are hereby directed to direct the Executive engineers of the Local Government Engineering Department of all districts to verify the information submitted by the tenderers in the tender process regarding their Value of Existing Commitments and Works in all Engineering Departments in accordance with the law.'

এমতাবস্থায়, দরপত্রে অংশগ্রহনকারী দরদাতাগণের Tender Capacity নিরূপণের লক্ষ্যে উক্ত দরদাতাগণের Value of Existing Commitments of Works এর স্বপক্ষের দলিলাদি যথাযথভাবে যাচাইপূর্বক মূল্যায়নের জন্য সংশ্লিষ্ট সকল ক্রয়কারীকে অনুরোধ করা হ'ল।

(মোঃ গোলাম ইয়াজদানী)

তত্ত্বাবধায়ক প্রকৌশলী (চ.দা.) (প্রকিউরমেন্ট) ফোনঃ ০২-৪৪৮২৬২১৯

ই-মেইলঃ se.procurement@lged.gov.bd

অনুলিপিঃ

- ১। অতিরিক্ত প্রধান প্রকৌশলী (সকল), এলজিইডি, সদর দপ্তর/বিভাগ।
- ২। তত্ত্বাবধায়ক প্রকৌশলী (সকল), এলজিইডি, সদর দপ্তর/অঞ্চল।
- ৩। নির্বাহী প্রকৌশলী, আইন শাখা, এলজিইডি, সদর দপ্তর, ঢাকা।
- ৩। সিনিয়র সহকারী প্রকৌশলী (সকল), এলজিইডি, সদর দপ্তর/জেলা।
- ৪। সহকারী প্রকৌশলী/উপজেলা সহকারী প্রকৌশলী (সকল), এলজিইডি, সদর দপ্তর/জেলা/উপজেলা।

IN THE SUPREME COURT OF BANGLADESH HIGH COURT DIVISION (SPECIAL ORIGINAL JURISDICTION) WRIT PETITION No. 15855 of 2024 5th Day of December, in the year of two thousand twenty four.

Ms. Justice Mubina Asaf AND IN THE MATTER OF:

Present Ms. Justice Fahmida Quader

And

Sinthia Enterprise Limited, a private limited company, incorporated under the Companies Act, 1994, represented by its Managing Director, having its registered address at Faridpur, Amhati, Natore Sadar, Natore and another .....Petitioners

-VERSUS-

Government of Bangladesh, represented by the Secretary, Ministry of Local Government, Rural Development And Cooperatives, Bangladesh Secretariat, Dhaka and Others

.....Respondents.

To,

প্রথান প্রকৌশ্রমণে ernment of Bangladesh, represented by the Secretary, Ministry of Local Government, Rural Development And Co-operatives, Bangladesh Secretariat, Dhaka এলজিইছি

Chief Engineer, Local Government Engineering Department LGED Bhaban, Sher-e-Bangla Nagar, Agargaon, ....Dhaka-1207

additional Chief Engineer Procurement Unit Rural Infrastructure Development and Management LGED Bhaban, Sher-e-Bangla Nagar, Agargaon, Dhaka-1207

Executive Engineer Procurement Unit Rural Infrastructure Development and Management LGED Bhaban, Sher-e-Bangla Nagar, Agargaon, Dhaka-1207

Project Director Rajshahi Division Upazila & Union Road Widening and Strengthening Project 62, West Agargaon, (Level-6), Sher-e-Bangla Nagar, Dhaka-1207

Yeroject Director Greater Pabna and Bogra District Rural Infrastructure and Development Project (GPBDRID-2) LGED Bhaban (Level-12), Sher-e- Bangla Nagar, Agargaon, Dhaka-1207

7. Project Director Naogaon District Rural Infrastructure Development Project RDEC Bhaban (Level-14) Agargaon Sher-e-Bangla Nagar, Dhaka

Whereas the petition abovementioned has been preferred by the petitioner above named to this Court against, Articles 27, 31, 40 of the Constitution of the People's Republic of Bangladesh AND Public Procurement Act, 2006 read yith Public Procurement Rules, 2008 AND Inaction of the respondent Nos. 2-4 in ensuring the prevention of Fraudulent tivities in the procurement process, as envisaged in section 64 of the Public Procurement Act, 2006 read with rule 127 of the Public Procurement Rules, 2008 AND Direction upon the respondent Nos.2-4 to ensure the prevention of Fraudulent Activities in the procurement process and to take appropriate action against the commission of Fraudulent Aptivities, as envisaged in section 64 of the Public Procurement Act, 2006 read with Rule 127 of the Public Procurement

Now upon hearing, Mr. Shamim Ahmed Mehedi, Advocate For the petitioners. Mr. Mahfuz Bin Yousuf, DAG with Mr. Mohammed Shafiqur Rahman, DAG with Mr. Md. Esa, AAG with Mr. Eakramul Kabir, AAG with Mr. Mohiuddin Md. Hanif, AAG for the Respondents and upon consideration of the said petition this Court doth order and do issue a Rule Nisi calling upon you the aforesaid respondents to show cause on or before the 12th day of January, 2025 as to why they shall not be directed to ensure the prevention of Fraudulent Activities in the procurement process, as envisaged in Section 64 of the Public Procurement Act, 2006 read with Rule 127 of the Public Procurement Rules, 2008 and as to why the respondents shall not be directed to ensure the prevention of Fraudulent Activities in the procurement process and to take appropriate action against the commission of Fraudulent Activities, as envisaged in Section 64 of the Public Procurement Act, 2006 read with Rule 127 of the Public Procurement Rules, 2008 and/or such other or further order or orders passed as to this court may seem fit and proper.

Pending hearing of the Rule, the respondent Nos.2-4 are hereby directed to direct the. Executive Engineers of the Local Government Engineering Department of all districts to verify the information submitted by the tenderers in the ender process regarding their Value of Existing Commitments and Works in all Engineering Departments in accordance

with law. The petitioner is directed to put in requisites for service of notice upon the respondents through registered post and in usual course.

Witnesses Mr. Justice Syed Refaat Ahmed, the Hon'ble Chief Justice of Bangladesh on this the 15th Day of

December, in the year of two thousand Twenty four.

Superintendent

DEC 2024

Typed by: 19.12.2024 Read by: Exam by: Readied by:

DEC 2024