



SECURITIES AND EXCHANGE COMMISSION OF PAKISTAN

No.EMD/233/293/02-504

December 16, 2011


Mr. Syed Adil Gilani
Adviser
Transparency International Pakistan
5-C, 2ND Floor, Khayaban-e- Ittehad,
Phase VII, Defense Housing Authority,
Karachi
Fax#021-35390410

Re: Violation of Public Procurement Rules 2004 by OGDCL under assumed exception from public Procurement Regulatory Authority Ordinance 2002 and Public Procurement Rules 2004 under Companies Ordinance 1984

Dear Sir,

This is with reference to your letter dated 12.11.2011 on the captioned subject.

2. In this connection, we are of the opinion that Sections 252 and 253 of the Companies Ordinance, 1984 (Ordinance) deal specifically and specially with appointment of auditors and ancillary matter relating to company's auditors. Rule 21 of Public Procurement Rules, 2004 (PPRA Rules) on the other hand is subsidiary legislation and is of general application on the subject matter and it cannot override the specific provisions of the Ordinance.


Haris Bin Tipoo
Deputy Director (Enforcement)

Cc:
Mr. Naeem Ahmed
Deputy Director - II
Public Procurement Regulatory Authority (PPRA)
Cabinet Division
Government of Pakistan
Islamabad