



13<sup>th</sup> July 2015

Muhammad Nawaz Shareef,  
Prime Minister of Pakistan.  
Prime Minister House,  
Islamabad

Sub: Illegal Award of Unsolicited Consultancy Contract by CAA of Allama Iqbal Airport  
Expansion to M/s NESPAK.

Dear Sir,

Transparency International Pakistan refers to the Prime Minister's following orders published in newspapers Annex-A.

*Prime Minister Nawaz Sharif chaired a meeting to review the expansion plan of existing passenger terminal building at Allama Iqbal International Airport, Lahore. Civil Aviation Authority and its consultant M/S NESPAK made a presentation to the Prime Minister delineating details of expansion plans. The Prime Minister directed CAA and NESPAK to come up with variety of designs so that the appropriate choice could be made. The Prime Minister directed CAA to engage firms of high repute for preparing proposed designs.*

Prime Minister is requested not to order or approve any contracts awarded in violation of PPRA Rules.

The Special Assistant to PM on Aviation, Shujaat Azim, Secretary Aviation Division and other senior officers from Civil Aviation Authority have already committed two illegal acts.

One case is for award of unsolicited Contract of expansion of Islamabad Airport, which was initially ordered by Mr. Azim to be awarded to an architect directly, and on resistance from CAA, unsolicited Contract was awarded to M/s NLC, who engaged that very architect on the wishes of M. Azim.

Second case is award of unsolicited consultancy contract to M/s NESPAK for the expansion plan of existing passenger terminal building at Allama Iqbal International Airport, Lahore.

It has been reported in press that "The Prime Minister directed CAA to engage firms of high repute for preparing proposed designs". But nowhere is it mentioned that PM has directed Mr. Shujat Azim, SP to PM on CAA & PIA, to award unsolicited Contracts

The Prime Minister is requested to read and act the following Supreme Court of Pakistan and Islamabad High Court Judgements, due to which two ex PMs, and three Ex Ministers are facing NAB References for committing Corruption charges under NAO 1999, Article 9.

According to Supreme Court of Pakistan Judgment in RPP cases in HRC 7734-G/09 on 30 March 2012, all RPP unsolicited Contracts were declared illegal and void, and NAB was directed to file references against all responsible.

The SC Judgment at S.No. 34 & 35, declared that Rule 42 (c) is not applicable in RPP Contracts awarded in 2006 and 2009 and this Judgment has upheld perpetuity of PPRA Ordinance 2002 and PPR 2004. Quoted below;

*84. Thus, in the light of the above facts and circumstances, we hold as under:*

*(III) The contracts of all the RPPs – solicited and unsolicited, signed off or operational, right from BHIKKI & SHARAQPUR upto PIRANGHAIB, NAUDERO-I & NAUDERO-II were entered into in contravention of law/PPRA Rules, which, besides suffering from other irregularities, violated the principle of transparency and fair and open competition, therefore, the same are declared to be non-transparent, illegal and void ab initio.*

*Consequently, the contracts of RPPs are ordered to be rescinded forthwith and all the persons responsible for the same are liable to be dealt with for civil and criminal action in accordance with law;*

The Supreme Court in the same Judgement has also stated that;

*Suffice it to say, that since the ECC enjoys Constitutional status, one of its functions is to review from time to time the energy requirements, its effects and production and investment. Essentially, ECC is bound to act in accordance with the law of the land and the Rules. Thus, in presence of PPRA Rules, it was incumbent upon the Minister and the Secretary, Water and Power as well as other functionaries not to have put up such a case before the ECC in violation of the PPRA rules. In the summary dated 17.3.2009, it has not been mentioned that without following PPRA rules, unsolicited projects cannot be allowed.*

The Prime Minister is also advised to note that Islamabad High Court's Judgment, Para 29, the award of unsolicited contract under Prime Minister's directive, to NLC worth over Rs. 5 Billion were declared illegal. 'Quoted below is the Para 29';

*29. In view of the above discussion, Writ Petition Nos.3387, 3724/2012 and 582/2013 are allowed. I declare that assigning of work to Respondent No. 5 i.e NLC is illegal, unconstitutional, besides the PPRA Ordinance 2002 and PPRA Rules 2004, dictums laid down by the august Supreme Court, offensive to the universally accepted principle of fairness, honesty, transparency, openness and is result of colourable exercise of authority, irrelevant considerations, a naked corruption, polluted mannerism, offensive to public ex-chequer and an infringement to constitutionally guaranteed fundamental rights. It is also declared that assigning of work to NLC is glaring example of discrimination, favouritism, nepotism, ulterior motives and stinking approach to advance personal agenda*

*The directive No.4218/M/PSPM/2012 dated 02.10.2012 issued by the Principal Secretary to the Prime Minister, Memorandum of Understanding between Secretary, Ministry of Housing & Works and NLC and all subsequent orders passed are hereby*

## Lahore airport: Prime Minister reviews plan for expansion of passenger terminal building

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July 12, 2015



Prime Minister Nawaz Sharif chaired a meeting to review the expansion plan of existing passenger terminal building at Allama Iqbal International Airport, Lahore. Civil Aviation Authority and its consultant M/S NESPAK made a presentation to the Prime Minister delineating details of expansion plans. The Prime Minister directed CAA and NESPAK to come up with variety of designs so that the appropriate choice could be made. The Prime Minister directed CAA to engage firms of high repute for preparing proposed designs.

The Prime Minister asked the concerned officials to complete the arrangements for financial and technical matters in due course time and prepare comprehensive proposals for the next meeting. Special Assistant to PM on Aviation, Shujaat Azim, Secretary Aviation Division and other senior officers from Civil Aviation Authority attended the meeting.

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