



02nd March 2012

Mr. Farkhand Iqbal,
Chairman,
Capital Development Authority,
Islamabad.

3rd REMINDER

Sub: Park Enclave Project, Pre-Qualification of Contractors- CDA Letter dated 15th December 2011, TIP Letters dated 29th December 2011, 18th January 2012, 07th February 2012 & 15th February 2012 and PPRA Letter dated 23rd February 2012.

Dear Sir,

This is with reference to TI-Pakistan's letter dated 29th December 2011 sent in response to Park Enclave Project's Letter No. CDA/PD-PE/10/170 dated 15th December 2011 on the above subject. However no reply has been received by TI-P even after a lapse of 02 months.

TI-Pakistan had been requesting CDA, under Rule 47, to provide copies of the Contract Agreement and Evaluation Report of the assigned award to Disaster Management and Reconstruction Division of NESPAK.

TI-P had also pointed out that Consultant M/S NESPAK's appointment on this work seems to be illegal, as the evaluation report, procurement contract and procurement report on PPRA website have no information on this consultancy award through process of Public Procurement Rules 2004.

Transparency International Pakistan would again like to remind CDA that the act of non-provision of the documents may also be termed as "corrupt and fraudulent practices" under Rule 2(f), whereas such violations may also be gross misconduct on the part of CDA and such procurements maybe deemed as mis-procurement under Rule 50.

TI-Pakistan also refers to Lahore High Court's Justice Mansoor Ali Shah's landmark judgment given in "Ataullah Malik vs Federation of Pakistan" case (PLD 2010 Lahore 605) where the Honorable Judge stated that "Article 19-A empowers the civil society of this country to seek information from public institutions and hold them answerable".

TI-P is striving to have **Rule of Law** in Pakistan.

Regards,

Syed Adil Gilani
Adviser

Copies forwarded for the information of:

1. Chairman, Public Accounts Committee, Islamabad.
2. Chairman, NAB, Islamabad – with a request to take notice of violations of the Public Procurement Rules 2004 by CDA. The particular act of CDA is collusion between the procuring agency, contractor and the consultant and therefore comes under the scope of Rule 2(f) "corrupt and fraudulent practices".
3. Registrar, Supreme Court of Pakistan, Islamabad.
4. Auditor General, Islamabad.
5. Project Director, Park Enclave, Islamabad.
6. Managing Director, PPRA, Islamabad.