



**MOST IMMEDIATE**

No. Dir (A&F)/SPPRA/37-1(CDGK)/08-09 / 575  
GOVERNMENT OF SINDH  
SINDH PUBLIC PROCUREMENT  
REGULATORY AUTHORITY  
SERVICES, GENERAL ADMINISTRATION &  
COORDINATION DEPARTMENT  
Karachi, dated the 15<sup>th</sup> September, 2009

Executive District Officer,  
Municipal Services Group of Offices,  
City District Government,  
Karachi.

**SUBJECT: UN-JUSTIFIED PLACEMENT OF ORDER – TENDER #: MS/MPD/07/03  
DATED: 20.11.2008 & 18.12.2008. FOR SUPPLY OF FIRE TENDER OF  
2000 US GALLONS QTY: 12 NOS.**

I am directed to refer to this Authority's letter of even number dated 29<sup>th</sup> August, 2009 and your letter No. DO(CM)/MS/CDGK/254/09 dated 8<sup>th</sup> September, 2009 on the subject noted above.

2. This Authority has examined all relevant documents received from your office relating to the subject procurement. Prima facie Public Procurement Rules, 2004 have been violated, as all technically acceptable offers are to be financially evaluated at par with each other. The issue of comparing apples with apples does not arise, as the Rules and evaluation criteria do not give such discretion to the Purchase Committee. Therefore, not considering the lowest offer of Nissan and taking in to account the offers of Hino chassis only, is not justified under the provisions of Rule-10 of the PPRA Rules, 2004 which states that;

**Rule-10: Specifications** - *Specifications shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage. Specifications shall be generic and shall not include references to brand names, model numbers, catalogue numbers or similar classifications. However if the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete an otherwise incomplete specification, such use or reference shall be qualified with the words "or equivalent".*

3. Foregoing in view, your comments are required on priority basis, why the said process may not be declared "Mis-procurement" under Rule-50 of Public Procurement

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Rules, 2004. Your comments must reach this office at the earliest but not later than 25<sup>th</sup> September, 2009. Moreover, final order shall be kept in abeyance till decision by Authority.

4. Please be advised, if we do not receive your comments within the stipulated time period, we would be constrained to take further action on the basis of available record.

  
(KHAQAN MURTAZA)  
Director (CB)

Copy forwarded for information to:

1. Secretary, Local Government Department, Government of Sindh, Karachi.
2. District Coordination Officer, City District Government, Karachi.
3. Chairman, Transparency International – Pakistan, Karachi with reference to his letter dated 8<sup>th</sup> August, 2009.