



No. Dir (CB)/ SPPRA/ 37-1(CDGK)/ 2009/839
GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT
REGULATORY AUTHORITY
SERVICES GENERAL ADMINISTRATION &
COORDINATION DEPARTMENT
Karachi dated the 19th October, 2009.

MOST IMMEDIATE

Mr. Jawed Hanif Khan,
District Coordination Officer,
City District Government Karachi,
Karachi.

**Subject: VIOLATION OF PUBLIC PROCUREMENT RULES, 2004 IN CDGK
PARKS & HORTICULTURE DEPARTMENT**

I am directed to refer to this Authority's letters of even number dated 15th August, 2009, 31st August, 2009, 9th September, 2009 and 19th September, 2009 addressed to Mr. Liaquat Ali Khan, Executive Director, Parks & Horticulture Department, City District Government, Karachi and copies endorsed to your office as well on the subject noted above.

2. It is with great concern that we bring to your kind notice the continued non-compliance and total disregard of directives issued to above mentioned officer regarding supply of information relating to all procurements made by his office in the last 3 years. In this regard the Transparency International - Pakistan has also taken up the issue, but still the officer has failed to provide the requisite details.

3. It is pertinent to point out that all public procurements are subject to the provisions provided under PPRA Rules, 2004, which were adopted by the Government of Sindh vide SGA&CD notification No. SO(C-I)/ SGA&CD/ 4-80/ 2006 dated 1st November, 2006. These Rules are applicable to all departments/ attached departments, autonomous/ semi-autonomous bodies, all offices and subordinate offices of the Sindh Government, District Governments/ TMA's/ UCs and all establishments associated with Government of Sindh.

4. The provisions of Rule-47 of the Public Procurement Rules, 2004 require that the officer is bound to provide all information relating to procurement. He is also required to announce results of bid evaluation in the form of a report giving justification for acceptance or rejection of bids at least ten days prior to the award of procurement contract and same has to be

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sent to the Authority for posting on its website. In addition, the Authority under Section-5 (2) (f) of the Sindh Public Procurement Act, 2009 is empowered to, "call any *functionary of procuring agencies to provide assistance in its functions and call for any information from such agencies in pursuance of its objectives and functions*".

5. It is germane to mention here that recently the Assistant Director, Local Fund Audit, CDGK vide his letter Audit Requisition No. 1 dated 29th September, 2009 has also categorically pointed to all the officers of CDGK that Sindh Public Procurement Rules are applicable over all procurements made by the CDGK and any contravention of the Rules would be "Mis-procurement" and against the spirit of the said Rules. Copy of the letter is enclosed for ready reference.

6. The above mentioned notification of Government of Sindh clearly mentions that any violation of the Public Procurement Rules by any department/ authority/ officer would result in invalidation/ cancellation of such tender/ bidding process and responsible officer(s) shall be proceeded against under relevant disciplinary laws. Therefore, in view of the foregoing, it is requested that Mr. Liaquat Ali Khan, Executive Director, Parks & Horticulture Department, City District Government, Karachi may be directed to provide all relevant procurement details of the last three years latest by 29th October, 2009 to this Authority.

7. In case officer again fails to comply with the directives, the Authority would have no option but to recommend initiation of legal proceedings against the officer. It is further requested that all payments for the ongoing projects may be released after ensuring that their tendering process comply with Public Procurement Rules.

8. This is issued with the approval of the competent authority.


(KHAQAN MURTAZA)
Director (CB)

Cc to:

1. Secretary to Government of Sindh, Finance Department, Karachi.
2. Secretary to Government of Sindh, Local Government Department, Karachi.
3. Director General, Local Government Audit, Karachi.
4. Director, Local Fund Audit (Sindh), Finance Department, Karachi.
5. Mr. Liaquat Ali Khan, Executive Director, Parks & Horticulture Department, CDGK.
6. Deputy Secretary (Staff) to the Chief Secretary Sindh, Government of Sindh, Karachi.
7. Syed Adil Gilani, Chairman Transparency International – Pakistan, Karachi.