



24th December, 2019.

**Jam Mir Kamal Khan**  
**Chief Minister,**  
**Balochistan Province**  
**CM House,**  
**Quetta**

**Sub: Another Complaint on the the Procurement of 24 Track Type Tractors Bulldozers.**  
**by the Director General, Agricultural Engineering Department, Balochistan, Quetta.**

Dear Sir,

Further to Transparency International Pakistan letter dated 13 December 2019, has received a another complaint on the violation of Balochistsn Procurement Rules 2014, in Tender for the procurement of 22 Nos. of bulldozers Agriculture Department Balochistan .

The complainant has made following allegations;  
That,

1. The estimated cost of the Bulldozer 125-140 HP in PC I has been exaggerated about Rs 50 Million each, which be almost double than the estimated cost of Bulldozer of similar specifications Rs 25 Million each, in Sindh.
2. Tender for the procurement of 24 Nos. of bulldozers is tailor made for one particular brand. The requirement of Balochistan Agriculture Department with regard to justification of having bulldozer and engine of same manufacturer, is against the normal practice of Trade, , which is not allowed in Pakistan nor anywhere in wor,ld.
3. Furthermore while going through the record it has been observed that the bidding documents which have been used by Agriculture Department in last procurement of Bulldozers, previously this criteria was not specified..
4. This particular criteria is being used only to benefit certain bidder, as Balochistan Agriculture Department in the last 3 procurements shortlisted only one bidder which is Allied Engineering ( Caterpillar Agents) , there was not any competition and all the major international manufacturers like KOMATSU, NEW HOLLAND, DRESSTA & SHANTUI were declared disqualified and were not considered in the competition.

TI Pakistan has examined the Complaint and following are its observations;

A. This procurement as reported to be violative of BPPRA 2014 Rules, may attract application of Rule 2 (n) (ii)—**Collusive Practicell** means any arrangement between two or more parties to the procurement process or contract execution, designed to achieve with or without the knowledge of the Procuring Agency to establish prices at artificial, non- competitive levels for any wrongful gain;



B. This procurement also appears to be contradictory to Rule 4. Principles of procurements. — While procuring goods, works or services, Procuring Agencies shall ensure that **procurements are conducted in a fair and transparent manner and the object of procurement brings value for money to the agency and the procurement process is efficient and economical,**

C. This procurement is also against Rule 37. **Discriminatory and difficult conditions.**— Save as otherwise provided, **no Procuring Agency shall introduce any condition which discriminates amongst bidders.** In ascertaining the discriminatory nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related.

Chief Minister, Balochistan, is requested to kindly examine this letter along with previous letter dated 13 .12.2019, and TI Pakistan observations. If the allegations are found correct, to avoid Mis Procurement and expected loss to exchequer, take action and order to cancel the process of tender, and invite fresh renders in compliance of above comments and Baluchistan Procurement Rules 2014 . Also action. against those responsible for these violations may also be taken,

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Justice Zia Pervez  
Former Judge of Supreme Court of Pakistan  
Trustee TI-Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Secretary, Government of Balochistan Quetta.
2. Director General NAB, Balochistan, Quetta,
3. Registrar, Balochistan High Court, Quetta,.
4. Managing Director, BPPRA , Quetta.