



5th July 2014

Dr. Abdul Malik Baloch,
Chief Minister,
Government of Balochistan,
Quetta,

Sub: According to Supreme Court Judgment in the case of Islamabad Safe City Project, CP No.91 of 2011.CMA No.2624 of 2011 and CP No.57 of 2012. Dated 23 August 2012, inviting of open bids is a prerequisite for all government bodies

Dear Sir,

Transparency International Pakistan would like to draw your attention to the paragraphs 31 and 32 (quoted below) of the Supreme Court Judgment in the case of US \$ 126 million Islamabad Safe City Project, CP No.91 of 2011.CMA No.2624 of 2011 and CP No.57 of 2012. Dated 23 August 2012,

In this behalf, this Court in a judgment reported as Suo Moto Case No.13 of 2009 (PLD 2011 SC 619), held as follows:

"... The Governmental bodies are invested with powers to dispense and regulate special services by means of leases, licences, contracts, quotas, etc., where they are expected to act fairly, justly and in a transparent manner and such powers cannot be exercised in an arbitrary or irrational manner. Transparency lies at the heart of every transaction entered into by, or on behalf of, a public body. To ensure transparency and fairness in contracts, inviting of open bids is a prerequisite".

It is an established fact that Supreme Court Order remains in force, until and unless its has been revisited and revoked by the Supreme Court.

Many a times, procuring agencies have been trying to award unsolicited procurement contracts to contractors, suppliers and consultants, mostly to FWO, NLC, NESPAK etc.

The Chief Minister is requested not to allow any department in Balochistan, to violate the Supreme Court Orders dated 23-8-2012, to ensure transparency and fairness in contracts, inviting of open bids is a prerequisite, as award of any unsolicited contract even to FWO/NLC/NESPAK etc, will be contempt of court, illegal, and void ab initio.

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

With Regards,


Sohail Muzzafar
Chairman

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

1. Secretary to Prime Minister, Islamabad.
2. Chairman, NAB, Islamabad
3. Registrar, Balochistan, High Court, Quetta