



TRANSPARENCY INTERNATIONAL-PAKISTAN

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Defence Housing Authority, Karachi.
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22nd December, 2017

TL17/2212/5A

Chief Secretary,
Government of Sindh,
Karachi.

Sub: Complaint against N.I.T No: TC / G-55 / 1815 / of 2017 Badin, Dated: 11-12-2017, advertised on SPPRA Website on 11/12/2017 by Executive Engineer, Provincial Highway Division, Badin and N.I.T No: TC / G-55 / 2102 / of 2017 Ghotki, Dated: 11-12-2017, advertised on SSPRA Website on 12/12/2017 by Executive Engineer, Highway Division, Ghotki Regarding Non-Issuance of Tender Documents.

Dear Sir,

Transparency International Pakistan has received a complaint against Executive Engineer, Highway Division, Ghotki N.I.T No: TC / G-55 / 2102 / of 2017 Ghotki, dated: 11-12-2017 and Executive Engineer, Provincial Highway Division, Badin against N.I.T No: TC / G-55 / 1815 / of 2017 Badin, dated 11-12-2017 regarding Non-Issuance of Tender Documents. The complaint (annexure) is enclosed for your ready reference.

The Complainant has alleged that the relevant department is habitual of non-issuance of tender documents to the interested contractors and award work to his favorite contractors, violating the SPPRA rules and regulations.

TIP's observation is that it is a violation of Sindh Procurement Rules 2010, by the by Executive Engineer, Provincial Highway Division, Badin and Executive Engineer, Highway Division, Ghotki for not issuing its tender documents to interested bidder, which is violation of Sindh Procurement Rules 2010, Amendments dated 8th October 2013, Rule 21(4) and Rule 24 (2), quoted below:

Sindh Procurement Rules 2010 Amendments made in Rule 21 sub-rule (4):-

"Rule 21(4) All procuring agencies shall hoist the bidding documents on Authority's website as well as on the website of procuring Agency, in case the procuring agency has its own website."

Sindh Procurement Rules 2010 Amendments made in Rule 24 sub-rule (2):-

"Rule 24 (2) the Bidders may submit bids on the bidding documents issued by the procuring agency or downloaded from the Authority's website along with tender fee f any by mail or by hand."


NAB has also directed vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy encl), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. NAB has also declared mis-procurement as liable for cognizance by NAB under relevant section of NAO 1999.



Managing Director, SPPRA is requested to kindly look into the complaint and if found genuine take necessary action against all those officers involved in corrupt practices.

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 Muzaffar
Chairman

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

1. Chief Minister, Government of Sindh, Karachi.
2. Chief Justice, Sindh High Court, Karachi
3. Director General, NAB, Karachi.
4. Managing Director, SPPRA, Karachi.
5. Secretary, Works & Services Department, Karachi.

Forwarded message -----

From: **Savera Enterprises** <saveeraenterprises@hotmail.com>

Date: Tue, Dec 19, 2017 at 11:39 AM

Subject: NON ISSUANCE OF BLANK TENDERS

To: "ti.pakistan@gmail.com" <ti.pakistan@gmail.com>

Subject : **NON ISSUANCE OF BLANK TENDERS.**

R/sir,

The tender for the Scheme of that N.I.T No: TC / G-55 / 2102 / of 2017 Ghotki, Dated: 11-12-2017, is advertised on Website sppra on Dated: 12/12/2017, by Executive Engineer Highway Division Ghotki he is habitual to Non issuance of the tender documents to the interested contractor he award the works only their favorite contractors and do not abide the rules and regulation of sppra sindh.

Sir many times me and other contractor has complaint to sindh public Procurement Regulatory Authority (PPRA SINDH) for Non issuance of tender documents by the concerned Executive Engineer Highway Division Ghotki and many other Departments but unfortunately they are not taking proper interest in this matter and fruitful result will not come yet kindly may investigate the matter and issue the such directions to the Concerned Executive Engineer Highway Division Ghotki to issue the tender documents to the contractors which are interested to participate in the above mentioned NIT.

Regard's

M/S Meesam Construction Company

Syed Zahid Ali Shah

0300-3401898

----- Forwarded message -----

From: **Savera Enterprises** <saveeraenterprises@hotmail.com>
Date: Tue, Dec 19, 2017 at 11:37 AM
Subject: NON ISSUANCE OF BLANK TENDERS (Complain)
To: "ti.pakistan@gmail.com" <ti.pakistan@gmail.com>

Subject : **NON ISSUANCE OF BLANK TENDERS.**

R/sir,

The tender for the Scheme of that N.I.T No: TC / G-55 / 1815 / of 2017 Badin, Dated: 11-12-2017, Dated: 11-12-2017, is advertised on Website sppra on Dated: 11/12/2017, by Executive Engineer Provincial Highway Division Badin he is habitual to Non issuance of the tender documents to the interested contractor he award the works only their favorite contractors and do not abide the rules and regulation of sppra sindh.

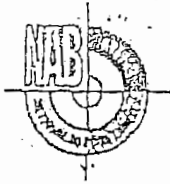
Sir many times me and other contractor has complaint to sindh public Procurement Regulatory Authority (PPRA SINDH) for Non issuance of tender documents by the concerned Executive Engineer Provincial Highway Division Badin and many other Departments but unfortunately they are not taking proper interest in this matter and fruitful result will not come yet kindly may investigate the matter and issue the such directions to the Concerned Executive Engineer Provincial Highway Division Badin to issue the tender documents to the contractors which are interested to participate in the above mentioned NIT.

Regard's

M/S Meesam Construction Company

Syed Zahid Ali Shah

0300-3401898



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pr/A&P/NABHQ/2013

January 08, 2014 /40

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (list attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERITOCRACY


To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules, 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 330 of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9245537
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
c. Addl. Directors Staff, All Regional NABs
d. Director A&P, All Regional NABs
e. MD, Punjab Public Procurement Regulatory Authority, Lahore