



22<sup>nd</sup> March, 2018

TL18/2203/2A

Managing Director,  
Sindh Public Procurement Regulatory Authority,  
8 Secretariat 4A Court Road,  
Karachi.

**Sub: Implementation of Sindh Public Procurement Rules, 2010 and Violation by M/s North Karachi Industrial Development & Management Company.**

Dear Sir,

Reference letter TIP letter No. TL18/0103/7A, dated 1 March 2018, sent to CEO by M/s North Karachi Industrial Development & Management Company, in which objections on high prices of tender documents Rs.15,000 was pointed out, and copies were also sent to you and others government agencies, including Chief Justice Sindh for taking action under your procedures.

**Annex-A.**

Such letters are being sent by TIP under the Constitutional provision 19-A, which empowers the right to access of information pertaining to a public authority a fundamental rights, Justice Syed Mansoor Ali Shah in his landmark judgment Ataulah Malik v. Federation of Pakistan laid down the following:

*“Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-a empowers the civil society of this country to seek information from public institutions and hold them answerable. PLD 2010 Lahore605.”*

However, M/s North Karachi Industrial Development & Management Company through their lawyer M/s Siddqui & Raza, on 9 March 2018, **Annex-B**, have sent us their response, stating that M/s North Karachi Industrial Development & Management Company is answerable only to concerned authorities as per statute of law.

It appears that SPPRA did not take action on this violation by M/s North Karachi Industrial Development & Management Company.

Transparency International Pakistan requests MD SPPRA to immediately take up this violation at its level, and also inform M/s North Karachi Industrial Development & Management Company that Transparency International Pakistan is by Statue of SPPRA ACT 2009, a board



member of SPPRA, and is a legal body to monitor compliance of SPPRA Rules by public agencies.

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 Perwez  
Former Judge of Supreme Court of Pakistan and High Court of Sindh  
Trustee- TI-Pakistan

Copy forwarded for information of,

1. Chief Minister, Sindh, Karachi
2. Chief Justice, Sindh High Court Karachi.
3. Chief Secretary, Sindh, Karachi.



1<sup>st</sup> March, 2018

TL18/0103/7A

Chief Executive Officer,  
North Karachi Industrial Development & Management Company,  
Street No 1/1, Sector 12-C  
North Karachi Industrial Area,  
Karachi.

Sub: Violation of Sindh Public Procurement Rules 2010, North Karachi Industrial  
Development & Management Company, Karachi's Tender Notice for  
Miscellaneous Works.

Dear Sir,

This is with reference to NKIDMC, Karachi's Tender Notice, published in daily "Jang" on 27<sup>th</sup> February, 2018. It is observed that the advertisement is in violation of the Sindh Public Procurement Rules 2010.

As per advertisement, the tender document fee is charged as PRs 15,000/-, which appears costly in light of SPPRA Rules 2010, Rule No. 20 (2). Stated as under;

*20. Provision of Bidding Documents (2)- The procuring agency may charge a fee for bidding documents, which shall not exceed the cost of preparation and printing.*

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 32(A), and with request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

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. Chief Secretary, Government of Sindh, Karachi.
5. Managing Director, SPPRA, Karachi.



نارتھ کراچی انڈسٹریل ڈویلپمنٹ اینڈ مینجمنٹ کمپنی

**انفراسٹرکچر کنسرکشن کے کاموں کیلئے ٹینڈرز مطلوب ہیں**

نارتھ کراچی انڈسٹریل ڈویلپمنٹ اینڈ مینجمنٹ کمپنی کراچی کی جانب سے ہائی وے اینڈ پاور سیکشن ذریعہ ایک سٹاپ ایجیڈا سے سات سٹاپ ایجیڈاں کی تعمیر کے لیے ذیل کاموں کے مطابق فراہم کنندہ کیلئے ٹینڈرز مطلوب ہیں۔

Sr.#	Description of work	Tender Issuance Date	Bid Submission Date & Time	Bid Opening Date & Time	Bid Opening Address
1	Rehabilitation of sewerage system and providing wearing coat on road of Sectors 16B & 16C of above scheme	February 27, 2018	Friday March 16, 2018 4:00 pm	Friday March 16, 2018 4:30 pm	ST 1/1 Sector 12/C, North Karachi Industrial Area
2	Construction of Storm Water Drain along road 9000, Rehabilitation of Roads 9000, & 2000	February 28, 2018	Saturday March 17, 2018 3:00 pm	Saturday March 17, 2018 3:30 pm	ST 1/1 Sector 12/C, North Karachi Industrial Area
3	Rehabilitation of Roads 9100, 9200 and Link Roads	March 01, 2018	Monday March 19, 2018 3:00 pm	Monday March 19, 2018 3:30 pm	ST 1/1 Sector 12/C, North Karachi Industrial Area
4	Rehabilitation of Roads in Sectors 6A & 6B of the above scheme	March 02, 2018	Tuesday March 20, 2018 3:00 pm	Tuesday March 20, 2018 3:30 pm	ST 1/1 Sector 12/C, North Karachi Industrial Area

پروگرام کیلئے ایک ٹینڈر دہانہ جگہ کی قیمت میں اس میں سے سٹاپ ایجیڈا 15,000 (پندرہ لاکھ) روپے کی قیمت ہے اور اس میں "نارتھ کراچی انڈسٹریل ڈویلپمنٹ اینڈ مینجمنٹ کمپنی" سے پیش کردہ سلیکیوٹیو ہیں۔

نوٹ نمبر 1: ٹینڈر کیلئے ایک مہلے کی رقم ہونی چاہیے اور اس کا احاطہ کیا جائے گا۔

نوٹ نمبر 2: تمام ٹینڈرز، ہنگاموں کی کاپیاں، ہوتے کے کارڈ کے ذریعہ پیش کرنی (مسترد کیے جانے پر) ہوتے ہیں اور 2018ء کے آخر تک (مسترد کیے جانے پر) ہوتے ہیں اور اس کا احاطہ کیا جائے گا۔

نوٹ نمبر 3: ٹینڈر ہنگاموں کی کاپیاں، ہوتے کے کارڈ کے ذریعہ پیش کرنی (مسترد کیے جانے پر) ہوتے ہیں اور 2018ء کے آخر تک (مسترد کیے جانے پر) ہوتے ہیں اور اس کا احاطہ کیا جائے گا۔

**نارتھ کراچی انڈسٹریل ڈویلپمنٹ اینڈ مینجمنٹ کمپنی**  
 مزید نمبر 119، سیکٹر 12/C، نارتھ کراچی انڈسٹریل ڈویلپمنٹ کمپنی  
 فون: 021-36950995, 36951695، ای میل: Info@nkidmc.org



SIDDIQUI & RAZA  
Barristers and Legal Consultants

March 09, 2018

To,  
Sohail Muzaffar,  
Chairman,  
Transparency International Pakistan,  
4-C Mezzanine Floor, Khayaban-e-Ittehad,  
Phase VII, D.H.A, Karachi.

REPLY TO LETTER DATED: 01.03.2018

Dear Sir,

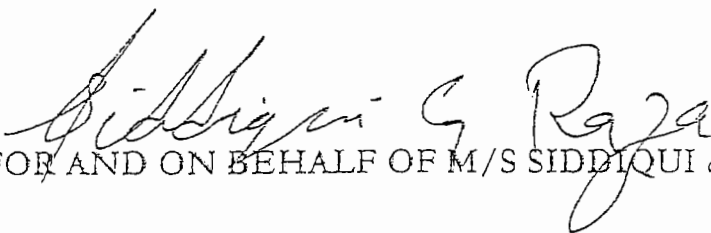
We for and on behalf of our Client namely M/s North Karachi Industrial Development and Management Company ("our Client"), write and address you as under:-

1. That our Client was formed under the Chairmanship of President of Pakistan, on the basis of Private Public Partnership for the rapid industrialization of the industrial zone and sectors of the city of Karachi, to bolster and boost the exports of the city.
2. That on 27.02.2018, our Client published a "Tender Notice" in an Urdu daily called "Jang" titled "Infrastructure Construction Kay Kaamon Kay Liye Tenders Matloob Hain".
3. That within a day of such advertisement you issued our Client a letter dated: 01.03.2018, alleging that the cost of the tender document fee charged for PKR 15,000/- appeared to be "costly".



SIDDIQUI & RAZA  
*Advocates and Legal Consultants*

4. That in your said letter, you have failed to provide any reason, cogent evidence, and computation whatsoever to support your baseless allegation.
5. That as a non-profit, non-partisan NGO, you have no legal sanction, power or authority to issue the said letter and question our Client, in fact the said letter and the allegation thereof tantamount to harassment and defamation.
6. That as per the definitions provided under the law, you do not fall in any category or authority to issue such letters and assuming jurisdiction on the part of the appropriate authority is an offence.
7. That in order to indulge you, it is imperative to state that our Client has incurred exorbitant costs which can be accounted for, and substantiated before the competent authorities.
8. That our Client is answerable only to the concerned authorities as per the statute and law.
9. That you are requested to refrain from sending frivolous letters, such as the one under reply, in the future.

  
FOR AND ON BEHALF OF M/S SIDDIQUI & RAZA