



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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8<sup>th</sup> January, 2016

TL16/0801/4A

Vice Chancellor,  
Mehran University of Engineering Technology,  
Jamshoro.

Sub: Violation of Sindh Public Procurement Rules 2010, Deputy Director (Procurement),  
Mehran University of Engineering Technology Jamshoro's Tender Notice for Purchase of  
Items for Sports Week.

Dear Sir,

This is with reference to Mehran UET Jamshoro's Tender Notice, published in daily "Jang" on 6<sup>th</sup> January, 2016. It is observed that the advertisement is in violation Sindh Procurement Rules 2010.

1. As per advertisement, the tender forms are issued from 11-01-16. It is violation of Sindh Procurement Rules 2010, Rule No. 18(3). The Rule is stated as under;

*18. Response Time (3), Procuring Agency shall ensure that bidding documents are available to the interested bidders from the first day of publication of Notice Inviting Tender in the newspapers or hoisting on the website, as the case may be.*

2. As per TI-Pakistan's observation this advertisement appears to be in violation of Sindh Procurement Rules 2010, by the procuring agency for not hoisting its tender documents on SPPRA website.

According to Sindh Procurement Rules 2010 Amendments made in Rule 21 sub-rule (4) & Rule 24 sub-rule (2):-

*"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."*

*"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."*

Also as per NAB instructions vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8<sup>th</sup> January (Copy enclosed), 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.

The above information is forwarded for the purpose of avoiding the 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 Muzzafer  
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.





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)Pre/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

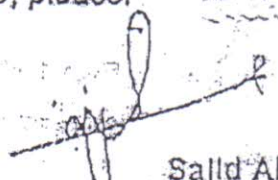
To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions,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