



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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24<sup>th</sup> October, 2009

Deputy General Manager, ( Purchase)  
Heavy Mechanical Complex (Pvt) Ltd  
Taxila, Distt.  
Rawalpindi

Fax 051 9270560

**Sub: Violation of Public Procurement Rules, 2004**  
**Tender Notice for procurement of Air compressor and Jack Hammer**

Dear Sir,

The Tender Notice published in Dawn dated 21 October 2009, for the procurement of for procurement of 16 Nos. Portable Air Compressors and Pneumatic Jack Hammer vide Case # PFH-9031 is lacking Transparency and violating the Ministry of Finance S.R.O.432 (I)/ 2004 on 8th June 2004, notifying "Public Procurement Rules, 2004". The Rules are available on the PPRA website [www.ppra.org.pk](http://www.ppra.org.pk) and [www.transparency.org.pk](http://www.transparency.org.pk).

Public Procurement Rules, 2004 have eliminated all discretions in procurement process and avenues of corrupt practices in tendering.

In this procurement a specific brand "Compare" has been specified, which is not allowed under the following rule.

*10. Specifications.- Specifications shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage. Specifications shall be generic and shall not include references to brand names, model numbers, catalogue numbers or similar classifications. However if the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete an otherwise incomplete specification, such use or reference shall be qualified with the words "or equivalent".*

Transparency International Pakistan recommends HMC ensure that the tender documents are prepared including all the requirements contained in the Public Procurement Rules, 2004 in order to avoid this tender as to be declared as avoid mis-procurement under Rule No. 50.

With regards,



Syed Adil Gilani,  
Chairman,

Copy forwarded for the information of:

1. Chairman Public Accounts Committee, National Assembly, Islamabad.
2. Auditor General Pakistan, Islamabad
3. Chairman, NAB, Islamabad.
4. Managing Director PPRA, Islamabad