



TRANSPARENCY INTERNATIONAL - PAKISTAN

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20 March, 2009

Mr. Ahmed Jawad,
Federal Secretary,
Ministry of Privatisation,
Government of Pakistan
(Privatisation Commission)
5-A, Constitution Avenue,
Islamabad.

National Corruption Perception Survey (NCPS) 2009
Survey of Government Departments/Corporations
on the Implementation of Public Procurement Rules 2004

Dear Sir,

Transparency International Pakistan (TI Pakistan), aims at Building a coherent National Integrity System, to institutionalize efforts to curb corruption, and make our country Zero Tolerance against Corruption.

Rule of Law shall be supreme in Pakistan. The ultimate goal of this procurement system is to make corruption a "high risk" and "low return" undertaking.

According to PPRA Ordinance 2002 and Public Procurement Rules 2004, all Public Private Partnership Projects where Government and Private body has joint equity or joint ownership, the tendering process shall be processes under Public Procurement Rules 2004. Under the Public Procurement Rules 2004, Rule No 51, these procedures overrules even S.R.O. (I)/2001.

TI Pakistan is one of the organizations made responsible by National Anticorruption Strategy GoP, to ensure that all public sector organisations in Pakistan to have a Code of Conduct, Good Governance Corporate policies, including no bribery provisions in conformity with US Foreign Corrupt Practices Act, UNCAC, OECD Convention etc. Monitoring is one of the principles of the government policy which recommends the regular and systematic measuring of the nature, causes and extent of corruption through reliable and verifiable data collection, analysis and co-ordination.

TI Pakistan is conducting the third National Corruption Perception Survey, 2009, and will release the report in June 2009. A Survey on the three and half years performance (July 2005-February 2009) on the implementation of Public Procurement Rules 2004 in all



the Federal Government Procuring Agencies is included in the NCPS 2009. PPRA Rules stipulates that following information on all Privatization Contracts Awarded of above Rs. 10 million shall have been available on the procurement agencies website. KESC privatization is one of the key privatized project. However KESC has changed hands 4 times in 3 years (normally not allowed under any contract in the World), which is unusual, and alarming. We are enclosing various press reports on KESC which needs to be addressed by Privatization Commissions and Government of Pakistan.

**Contract Agreement
Evaluation Reports.**

This information is not available on your website. We request you to either provide it on your website, or send the information to TI Pakistan, to reach us latest by 30th April 2009. Failure to comply would render your organization to be treated as a violator of Public Procurement Rules 2004, under the Rule No. 47.

Rule. 47. Public access and transparency.- As soon as a contract has been awarded the procuring agency shall make all documents related to the evaluation of the bid and award of contract public:

The Freedom of Information Act 2002 Article 7 also declares all Contracts as the public record;

- 7. Declaration of public record.- Subject to the provision of section 8, the following record of all public bodies are hereby declared to be the public record, namely:-*
- (b) transactions involving acquisition and disposal of property and expenditure undertaken by a public body in the performance of its duties;*
 - (c) information regarding grant of licenses, allotments and other benefits and privileges and contract and agreements made by a public body;*

Yours Sincerely,

**Syed Adil Gilani
Chairman**

Copy forwarded for the information and necessary action of;

1. Chairman Public Accounts Committee, National Assembly, Islamabad
2. Syed Naveed Qamar, Federal Minister for Privatization,
3. Mr. Naveed Ismail, Chief Executive Officer, Karachi Electricity Supply Corporation, State Life Building, Abdullah Haroon Road, Karachi