



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21) 35390408, 35311897-8,
Fax: (92-21) 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk

21st March, 2018

TL18/1502/2B

Medical Superintendent,
King Abdullah Teaching Hospital,
Mansehra,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Medical Superintendent, King Abdullah Teaching Hospital, Mansehra's Short Tender Notice for Purchase of Anti- Rabies Vaccination.

Dear Sir,

This is with reference to your reply dated 15th March, 2018 received in the office on 19th March, 2018 on TI- Pakistan's letter No TL18/1502/2A on the cited subject.

In case of emergency, the definition of emergency is as follows;

2 (f)- "emergency" shall refer to situation that poses an immediate risk of loss, or has caused loss, or has high probability of escalating to cause immediate danger to health, life, property or environment as covered under the National Disaster Management Act, 2010 (Act No. XXIV of 2010) and shall include natural calamities, disasters, accidents, war and breakdown of operational equipment, plant, machinery or engineering infrastructures, which may give rise to abnormal situation requiring prompt and immediate action to limit or avoid damage to health, life, property or the environment;

For procurement under Emergency situations KPPRA Rules 2014, Chapter 1, 'General Provisions', is to be followed, i.e, 'Applicability of these rules' in case of procurements of emergent nature, such procurements has to be recorded by the procuring officer and approved by the technical head of the procuring entity under intimation to the Principal Accounting Officer, Secretary at Provincial or Deputy Commissioner at District level. Rule No. 3(2) (a) is stated as under;

*3. Applicability of these rules.— (1) These rules shall be applicable to all public procurements.
(2) Under following circumstances deviation from the requirements of advertisement and response time under these rules is permissible:
(a) in cases of emergency as provided in the National Disaster Management Act, 2010 (Act No. XXIV of 2010), subject to the condition,--*



- (i) that all such procurements along with its emergent nature has to be recorded by the Procuring Officer and approved by the technical head of the procuring entity under intimation to the Principal Accounting Officer, Secretary at Provincial or Deputy Commissioner at District level;*
- (ii) that these have to be immediately intimated to the Accountant General Office or District Accounts Office, as the case may be;*
- (iii) that quantities in all such procurements shall be limited to the assessed requirement of emergency only; and*
- (iv) that these shall be used only for procurements upto maximum for three months, which may be extended for such a period that Government may deem fit, depending on the nature of emergency;*

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Zia Perwez
Former Judge of Supreme Court of Pakistan
Trustee- TI-Pakistan

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

1. Chief Minister, Khyber Pakhtunkhwa.
2. Director General, NAB, Khyber Pakhtunkhwa.
3. Chief Secretary, Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court.
5. Managing Director, KPPRA, Peshawar.
6. Procurement Officer- II, Procurement Cell, Directorate General Health Services, KPPRA, Peshawar.