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KARACHI PORT TRUST

From: Khalid Mobin Arshad
Secretary

No. S/630

05 MAR 2012

The Managing Director
Pakistan Public Regulatory Authority
C/o Cabinet Division
Government of Pakistan
Islamabad

SUB:- EXPANSION OF CONTAINER TERMINAL AT BERTH 6-9
EAST WHARF, KARACHI PORT TRUST.

Ref:- A. Deputy Director-1 letter No.F.7(14)DD-1/PPRA/09,
dated 22.12.2011.

B. Deputy Director-11 letter No.F.7(46)DD-11/PPRA/2011,
dated 04.01.2012.

With reference to above, I am directed to state that the contents of both the letters at reference are providing different directions for action which needs clarification so that the matter may be dealt accordingly. Kindly clarify. We await your reply.


SECRETARY

F. No.7(14)DD-I/PPRA/09
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
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Islamabad, the 7th March, 2012

From: Jamil Ahmad Rathore
Deputy Director-III
Ph:051-9203314

To: Mr. Khalid Mobin Arshad
Secretary,
Karachi Port Trust (KPT),
KARACHI

Subject: Expansion of Container Terminal At Berth 6-9 East Wharf,
Karachi Port Trust

Reference Karachi Port Trust's letter No.S/630 dated 5th March, 2012 on the above subject.

2. Karachi Port Trust (KPT) referred letter of Deputy Director-II has already been clarified (copy enclosed).

3. The second referred letter was issued by Deputy Director-I. KPT informed that issue was of technical nature and not clear for a reply under Public Procurement Rules, 2004. KPT was requested to clearly state the issue and provide the relevant details for requisite views / advice (copy enclosed). There were no different directions. KPT are required to provide the requisite details accordingly for further advice / clarification in the matter.


(Jamil Ahmad Rathore)

No. F. 1(46)/DD-II/PPRA-2011
GOVERNMENT OF PAKISTAN
PUBLIC PROCUREMENT REGULATORY AUTHORITY
(CABINET DIVISION)
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Islamabad, the January 04, 2012

Subject: **Expansion of Container Terminal at Berths No.6-9 East Wharf, Karachi Port Trust, Ref: KPT S/2974 dated 29/11/11 and TIP Letter dated 30/11/11, 1/12/11, 19/12/11, 21/12/11, 24/12/11 and PPRA letter dated 21/12/11.**

Reference Transparency International letters dated 29th December 2011 and 19th December 2011 on the subject. It is clarified that the PPRA letter No. 1(46)/DD-II/PPRA/2011, dated 21st December 2011 on the subject was inadvertently written as a complaint whereas it was not a complaint rather a clarification sent by TIP to KPT and with a copy to PPRA.

2. Nevertheless, it is stated that PP Rules 2004 are applicable in PPP projects in which Federal Government and the private party have joint equity or ownership through a corporate body and procurements are made by such body. The copy of the Cabinet Division notification is attached.



(Naeem Ahmad)
Deputy Director-II

Chairman
Karachi Port Trust
Karachi

CC: Mr. Saad Rashid, Executive Director, Transparency International Pakistan, Karachi.

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
CABINET DIVISION

No. 2/1/2008PPRA-RA.III

Islamabad, the dated 7th May, 2008

To,

The Managing Director,
Public Procurement Regulatory Authority.

Islamabad

Subject: APPLICABILITY OF PUBLIC PROCUREMENT RULES, 2004
ON PUBLIC PRIVATE PARTNERSHIP (PPP)

I am directed to refer to Public Procurement Regulatory Authority's O.M No. 1(8)/DD-I/PPRA/PSM-II/07 dated 15th March, 2008 on the above subject and to state that the PPRA's Board has taken following decision under Section 5 (2) (C) of the Public Procurement Regulatory Authority Ordinance, 2002 on the Public Private partnership (PPP) projects in its meeting held on 12th February, 2008:-

The Board discussed the proposal and after detailed deliberations, observed that Public Private Partnership (PPP) projects may broadly be of the following two types:-

- a) PPP projects in which the Federal Government does not have any equity of ownership and procurements are made by the private party.
- b) PPP projects in which the Federal Government and the private party have joint equity or ownership through a corporate body and procurement are made by such body.

2. The Board clarified that the PPRA Ordinance, 2002 and Public Procurement Rules, 2004 will not be applicable to the type (a) mentioned at para-1 above, while type (b) will be governed by the PPRA Ordinance and Rules.

Sd/-

(Muhammad Farooq)
Section Officer (RA.III)
Ph # 051-9201444

Copy to:-

The Secretary, Finance Division, Islamabad.