



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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Advisory Committee

20th January 2012

Chairman,
Pakistan Railways,
Lahore.

Sub: Allegation of violation of Public Procurement Rules 2004 by Pakistan Railways in the award of business train between Lahore and Karachi-TI Letter dated 21st December, PPRA Letter dated 26th December 2011 and Pakistan Railways letter dated 13th January 2012.

Dear Sir,

This is in response to Mr. M. Aftab Akbar, Director Operations, Pakistan Railways letter No. C-II/5-12/BT/11 dated 13th January 2012 sent in reply to TI-Pakistan's letter dated 21st December 2011 on the above subject.


Director Operations has stated that the bids were invited in January 2011 through press. It is important to note that the bids were to be opened on 08th February 2011 at Pakistan Railways Headquarters office, however no document is available on Public Procurement Regulatory Authority's website to verify the date of contract award which is in violation of Cabinet Division's S.R.O 1170(I)/2009 dated December 31, 2009. As per the normal practice in Pakistan, bids are usually valid for 90 days to 120 days with only one time extension, according to which the contract should have been awarded by October 2011.

It is important to note that Pakistan Railways has not posted the procurement contract, evaluation results and procurement report related to the subject tender on PPRA's website which is a violation of Rule 47 of the Public Procurement Rules 2004. Pakistan Railways can also refer to Cabinet Division's S.R.O 1170(I)/2009 dated December 31, 2009 (enclosed) which makes it mandatory on the procuring agencies to post Contract Awards over fifty million rupees on PPRA's website along with proformas I and II as annexures.

Transparency International Pakistan would also like to point out that under Article 33B of the NAB Ordinance 1999, all ministries, division and attached departments of the Federal, Provincial and local governments shall furnish to NAB a copy of all contracts of over Rs. 50 million awarded by these departments.

TI-Pakistan requests Pakistan Railways under Rule 47 to kindly provide copies of the Contract, Bid Evaluation Report and the Procurement Report for review.

With Regards,


Syed Adil Gilani
Adviser

Copies forwarded for the information of:

1. Chairman, Public Accounts Committee, Islamabad.
2. Chairman, NAB, Islamabad.
3. Registrar, Supreme Court.
4. Auditor General, Islamabad.
5. Managing Director, PPRA, Islamabad.

The Gazette



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ISLAMABAD, THURSDAY, DECEMBER 31, 2009

PART II

Statutory Notification (S.R.O.)

GOVERNMENT OF PAKISTAN

CABINET SECRETARIAT

(Cabinet Division)

NOTIFICATION

Islamabad, the 9th July, 2009

S.R.O.1170(I)/2009.— In exercise of the powers conferred by section 27 of the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002), the Public Procurement Regulatory Authority is pleased to make the following regulations, namely:-

1. Short title and commencement:- (1) The regulations may be called the Public Procurement Regulations, 2009.

(2) They shall come into force at once.

2. Posting of contract awards on PPRA's Website:- All procuring agencies whether within or outside Pakistan shall post Contract Awards over fifty million rupees on PPRA's website on the proformas as set out in Annexure-I and Annexure-II to these regulations.

Provided that where any information is related to the award of a contract is of proprietary nature or where the procuring agency is convinced that such disclosure of information shall be against the public interest, it can withhold only such information from uploading on PPRA's website subject to the prior approval of the Public Procurement Regulatory Authority.

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

Muhammad Farooq
Section Officer (RA-III)