



1st December 2011

Syed Naveed Qamar,
Minister of Water & Power and
Chairman,
Private Power Infrastructure Board,
Government of Pakistan,
50 Nazimuddin Road, F 7/4,
Islamabad.

Fax; 051-9100131

Subject: PPIB Violating PPRA Ordinance 2002 and Public Procurement Rules, 2004 in
Privatising 9 Power Stations generating 4679 MW-MOW&P Reply dated 1 December 2011

Dear Sir,

Transparency International Pakistan refer to Joint Secretary MOW&P M. Zargham Eshad Khan letter dated 1/12/2011, (copy enclosed), stating that the cost of bidding documents demanded \$ 1500 (Rs, 130,000 for the prequalification documents plus \$ 200 (Rs 17,000) as registration fee, which has been approved by Government of Pakistan under Policy for Power Generation Projects 2002.

This is to inform the Minister that the Ministry is misguiding the Minister by stating that Policy for Power Generation projects 2002 is over and above the law of Pakistan.

PPRA under the PPRA Ordinance 2002 is the only authority to make rules for procurements, and Public Procurement Rules 2004 notified on 9 June 2004 have superseded even Policy for Power Generation Projects 2002.

3. Scope and applicability.-

Save as otherwise provided, these rules shall apply to all procurements made by all procuring agencies of the Federal Government whether within or outside Pakistan.

51. Overriding effect.-

The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any other rules concerning public procurements:



Transparency International Pakistan request the Minister to pleased **direct PPIB to follow Public Procurement Rules 2004** so that no procurement made by PBIB under your tenure is declared mis-procurement under Rule No. 50.

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

Yours sincerely,


Syed Adil Gilani
Adviser

Copy forwarded for action as per rules read with Supreme Court of Pakistan's orders dated 28th April 2010 for action under the Rule of Law to save Pakistan from evils of CORRUPTION.

1. Chairman, Public Accounts Committee, Islamabad
2. Federal Minister of Finance, Islamabad
3. Auditor General Pakistan, Islamabad
4. Chairman, WAPDA, Lahore,
5. Chairman, SECP, Islamabad
7. Managing Director PPIB, Islamabad,
8. Registrar, Supreme Court of Pakistan, Islamabad
9. Managing Director, PPRA, Islamabad

D.C.No.PI-1(102)/2011
GOVERNMENT OF PAKISTAN
MINISTRY OF WATER AND POWER

By Fax

12
1/12/2011

JOINT SECRETARY

DATED 01ST DECEMBER, 2011

✓ Syed Adil Gilani

Adviser

Transparency International Pakistan

Islamabad (021-5390410)
KARACHI

Subject: Violation of PPRA Ordinance 2002 and Public Procurement Rules, 2004
in Privatizing 9 Power Stations generating 4679 MW

Dear Sir,

This has reference to your letter to the Federal Minister for Water & Power dated 2nd November 2011 on the subject cited above whereby you have objected on the amount of fees charged for registration and providing of Pre-qualification Documents (PQDsd) to bidders with regards to the outsourcing of Management Operation Maintenance and Rehabilitation of public sector power stations.

2. It is clarified that the cost of PQDs and registration fee has been duly approved by the Government of Pakistan under Policy for Power Generation projects 2002. Keeping in view, the capital intensive requirements of power sector and in order to avoid frivolous parties such charges are not exorbitant.

With best Regards,

Yours Sincerely,

M. Khar

(Muhammad Zargham Eshac Khar)

CC:

1. Chairman, Public Accounts Committee Islamabad
2. Federal Minister of Water & Power Islamabad
3. Federal Minister of Finance, Islamabad
4. Auditor General Pakistan, Islamabad
5. Chairman WAPDA, Lahore
6. Chairman, SECP, Islamabad
7. Registrar, Supreme Court of Pakistan, Islamabad
8. Managing Director, PPRA, Islamabad