



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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15th August, 2015

TL15/158/4B

Secretary,
The Ministry of Water and Power,
Govt. of Pakistan,
Islamabad.

Chief Executive,
PESCO,
Peshawar,
Telephone: 9211990

Sub: Violation of Public Procurement Rules 2004, Manager (Material Management), PESCO
H/Q, Peshawar's Tender Notice for Supply of Miscellaneous Items.

Dear Sirs,

This is with reference to Manager, Material Management-II, PESCO Ltd. Peshawar's reply dated 3rd August, 2015 received in the office on 10th August, 2015 on the cited subject (Copy Encl.).

This is to inform you that PESCO is violating Public Procurement Rules 2004, and the Supreme orders.

After opening of bids change in specifications, quantities and conditions, is not allowed because it amounts to collusion, as a decrease in quantities of an item quoted at less prices, and an increase in quantities of an item, in which contractor has quoted high prices, will benefit the contractor, in quoting a manipulated rates for such items.

Many judgments are available on this issue, eg. Rental Power Project (RPP) case etc.

Therefore you are requested to kindly advise the concerned department not to allow change in quantity of any items after tender opening, and issue a corrigendum in this regard, and to extend date accordingly.

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

With Regards,


Sohail Muzaffar
Chairman

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

1. Secretary to Prime Minister, Islamabad.
2. Chairman, NAB, Islamabad.
3. Chairman, Prime Minister's Inspection Commission, Islamabad.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, PPRA, Islamabad.



PESHAWAR ELECTRIC SUPPLY COMPANY LIMITED

Material Management Directorate

Shami Road, Sakhi Chashma, WAPDA House, Peshawar.

Tel No.091-9211994, Tel No.091-9212041 (Ext-240). Fax No.091-9212956.

Email. Ahmadshahzad980@yahoo.com or Ahmadshahzad980@gmail.com

No. 21339-44 / General

Dated 03/07 /2015

Transparency International
5-C, 2nd Floor, Khayaban-e-Ittehad,
Phase VII, Defence Housing Authority, Karachi.

Subject:- VIOLATION OF PUBLIC PROCUREMENT RULES,2004, MANAGER MATERIAL MANAGEMENT PESCO, PESHAWAR'S TENDER NOTICE FOR SUPPLY OF MISCELLANEOUS ITEMS.

Reference:- Your letter No.Nil dated:02nd June, 2015 & 16th June,2015

In your above referred letters, PESCO tender condition i-e "**PESCO reserves the right to increase or decrease the tendered quantity**" has been mixed with contract Clause i-e "Repeat Order" whereas these are totally different from each other in its application/implication.

- (i). Increase/Decrease condition in tender quantity has no impact on substance of the bid and is only to readjust the tender quantity prior to signing of contract.
- (ii). Where 15% repeat order clause is applicable after signing of contract rule.

PESCO is fully committed to abide by all procurement rules and regulations as prescribed in PPRA Rule 2004 & WAPDA Purchase Procedure.


Manager

Material Management-II
PESCO Ltd; Peshawar

Copy:-

- Secretary to Prime Minister, Islamabad.
- Director General, NAB, Rawalpindi.
- Chairman Prime Minister's Inspection Commission Islamabad.
- Registrar, Supreme Court of Pakistan, Islamabad.
- Managing Director, PPRA, Islamabad.