



**T/R A N S P A R E N C Y  
I N T E R N A T I O N A L - P A K I S T A N**

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Defence Housing Authority, Karachi,  
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September 4, 2014

Mr Muhammad Zubair,  
Chairman,  
Privatisation Commission,  
Islamabad

**Subject: Violation of PPRA Rules 2004 Ordinance 2002, in appointment of Financial Advisory Services of all six projects costing approx. over ½ billion each to exchequer and allegations of undue favoring M/s Haldermota BNR & Co – PC letter No 19(1) PPRA/Legal/PC/14 dated 5 August 2014**

Dear Sir,

Please refer Director General's letter No 16(11) P&C/PC/2009 dated 27<sup>th</sup> August 2014.

Transparency International Pakistan Chairman, Mr Sohail Muzaffar is available to meet with the Chairman PC in our office on any afternoon after 2:30pm on his next visit to Karachi. Kindly inform us a day in advance.

Best Regards,

  
Saad Rashid  
Executive Director



Government of Pakistan  
Ministry of Finance, Revenue, Economic Affairs,  
Statistics and Privatisation  
(Privatisation Commission)  
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Director General

No. 16(11) P&C/PC/2009

Islamabad, the 27<sup>th</sup> August, 2014

Mr. Sohail Muzaffar  
Chairman  
Transparency International-Pakistan  
5-C, 2<sup>nd</sup> Floor, Khayaban-e-Ittehad, Phase-VII  
Defence Housing Authority  
Karachi

Subject: Violation of PPRA Rules 2004, PPRA Ordinance 2002, in appointment of Financial Advisory Services of all six projects costing approx. over billion each to exchequer and allegations of undue favoring M/s Haidermota BNR & Co. - PC letter No. 19(1) PPRA/Legal/PC/14 dated 5 August, 2014

Please refer to Transparency International-Pakistan (TI-P) letter dated 15<sup>th</sup> August, 2014, on the subject noted above.

2. The Privatisation Commission (PC) has already conveyed its stance on the issues being raised in the subject letter and has duly cleared its position in the above-mentioned context. It is once again reiterated that PC has always been adhering to all applicable laws of Privatisation and PPRA for the procurement of Financial Advisory Services and is committed to do so in future to ensure absolute transparency during the privatisation process.

3. In view of the above, it would be prudent if TI-P may kindly convey convenient time/date for a meeting with Chairman, PC so that thorough and candid deliberations on compliance of relevant rules/regulations of Privatisation, PPRA and NAB may be undertaken.

Yours sincerely,

  
27/8/14

(Anwar Malik)  
051-9205369

For information please:

1. Secretary to Prime Minister, Islamabad
2. Leader of Opposition & Chairman PAC,
3. Chairman, NAB, Islamabad
4. Registrar, Supreme Court of Pakistan, Islamabad
5. Managing Director, PPRA, Islamabad

# HAIDERMOTABNR

ADVOCATES AND CORPORATE COUNSEL

www.hmcobnr.com

In your reply please  
refer to our ref.

August 27, 2014

Mr. Sohail Muzaffar  
Chairman  
Transparency International Pakistan  
5-C, 2<sup>nd</sup> Floor, Khayaban-e-Ittehad  
Phase-VII, Defence Housing Authority  
Karachi

Dear Mr. Muzaffar,

Transparency International Pakistan (TIP) had made allegations against our firm in a letter dated 1 August 2014 addressed to the Privatisation Commission. Those allegations were widely reported in the media.

It appears now, based on your recent letter of August 15, 2014, which responds to the Privatisation Commission's letter of August 5, 2014, that TIP is not alleging any wrongdoing on the part of our firm.

Nonetheless, as a matter of record, we would like TIP to note the following facts:

- HaidermotaBNR & Co., has never bid for, nor has it been awarded, a single privatisation mandate by the Privatisation Commission.
- HaidermotaBNR & Co., is not a member or partner of any JV consortium that has bid for or that has been awarded, a privatisation mandate.
- HaidermotaBNR & Co., has been selected and appointed by the Financial Advisers to the Privatisation Commission as sub-contractors to the Financial Advisers. The Privatisation Commission has no role whatsoever in our selection or appointment by the Financial Advisers.
- There is no contract between HaidermotaBNR & Co., and the Privatisation Commission. Our mandate is only with Financial Advisers, who are our clients.
- As subcontractors to Financial Advisers, no provisions of the PPRA Laws apply to us or indeed, to any of the subcontractors that render services to Financial Advisers. There is, therefore, no question of HaidermotaBNR & Co., having breached the PPRA Laws or any law.

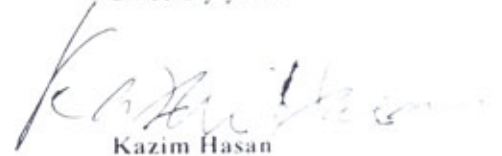
The news reports, quoting TIP, published in daily DAWN and Pakistan Today on August 2<sup>nd</sup> 2014 and in daily Express Tribune on August 3, 2014, caused immense harm to our reputation and has also caused partners and lawyers of our firm tremendous stress and anxiety.

HAIDERMOTABNR

In the circumstances, we would request you to immediately clarify / confirm to us and on your website that our firm was not the target of your allegations and you have not alleged any wrongdoing against our firm. Thank you.

All rights are reserved.

Sincerely yours.

  
Kazim Hasan  
Senior Partner

CC: Privatization Commission  
Govt. of Pakistan  
Islamabad



**TRANSPARENCY  
INTERNATIONAL-PAKISTAN**

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Website: www.transparency.org.pk

Without prejudice

11-09-2014

Mr. Kazim Hassan,  
Director  
Messrs. HaidermotaBNR,,  
Advocates & Corporate Counsel,  
D-79, Block-5, Clifton,  
Karachi

Dear Sir,


This refers your letter dated 27<sup>th</sup> August, 2014 addressed to the undersigned from which it has been gathered that Haidermota BNR is not a part of any Consortium and Privatization Commission appears to have mis-stated such fact.

We feel that the news publication as well as Media Coverage has been misunderstood and mis-interpreted. The concern of Transparency International-Pakistan was with regard to irregularities and violation of PPRA Rules in the process for appointing financial advisors by the Privatization commission. TI-P has nothing against HaidermotaBNR & Co and if any negative inference is drawn because of the News Publication, it is uncalled for.

I hope this clarifies the concern shown by you in your letter under reply.

Regards

Yours truly,

  
**Sohail Muzaffar**  
Chairman TI-P.

**Government of Pakistan**  
**Ministry of Finance, Revenue, Economic Affairs, Statistics and Privatisation**  
**(Privatisation Commission)**  
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**Subject: Evaluation Report for Procurement of Financial Advisory Services for the Privatisation of National Power Construction Corporation (NPCC)**

Privatisation Commission, vide its advertisement dated March 24, 2014, invited Expressions of Interest (EOI) for the appointment of Financial Advisor for the divestment of Government of Pakistan (GOP) shares in NPCC from the Interested Parties (IPs), having demonstrable track record of successfully managing sector related transactions. Meanwhile, due to numerous requests from the interested parties, the same EOI, after seeking requisite approval from the competent authority was re-advertised on April 26, 2014 with the extended date i.e. May 12, 2014. Following seven consortia expressed their interest and submitted Technical and Financial Proposals by the due date of May 12, 2014:

S. No.	Consortium/Interested Parties (IPs)
1.	United Bank Limited (UBL), Muslim Commercial Bank Ltd. (MCB), KPMG Pakistan (KPMG), HaidermotaBNR & Co. (HMCO)
2.	Burj Capital Pakistan Private Limited (Burj), Islamic Corporation for the Development of the Private Sector (ICD), Fieldstone Private Capital Group (FS), South Africa and Mohsin Tayebaly & Co. (MTC).
3.	KASB Bank Ltd. (KASB), HaidermotaBNR & Co. (HMCO), Yousuf Adil Saleem & Co. CA, member of Deloitte Touche Tomatsu Ltd. (Deloitte)
4.	Grant Thornton Consulting (Pvt) Ltd. (GTCPL), Pak Oman Investment Company Ltd. (Pak Oman), HaidermotaBNR & Co. (HMCO) & Elan Partners (Pvt) Ltd. (Elan)
5.	Invest Capital Markets Ltd. (InvestCap), Mirza Associates Engineering Services (Pvt.) Ltd. (MAES) and Rahman Serfaraz Rahim Iqbal Rafiq (RSRIR).
6.	Pak Brunei Investment Company Ltd. (PBIC), Riaz Ahmad & Co. (RACO), Agha Faisal, Barrister at Law, Advocates Supreme Court & High Court & Corporate Counsel (AF)
7.	M/s Al Mal Capital, UAE, M/s Avais Hyder Liaquat Nauman, Accounts & Auditors, RIAA Law, MEConsult, Ultra Frontier, Centurion Holdings

3 Above mentioned IPs were evaluated on the basis of pre-defined and approved technical evaluation criteria and Privatisation Commission (Hiring of Financial Advisors) Regulations 2007. Following IPs obtained 70 points or above in technical evaluation and were deemed pre-qualified:

S. No.	Consortium/ Interested Parties (IPs)
1.	KASB, HMCO and Deloitte
2.	UBL, MCB, KPMG and HMCO
3.	Burj, ICD, FS and MTC.

4 Subsequently, Financial Bids of pre-qualified IPs were opened on July 08, 2014 by the Secretary, Privatisation Commission in the presence of the authorized representatives of IPs. Summary of the cumulative final score based on technical and financial evaluation is tabulated below:

Sr.	Consortium / Interested Party	Final Score	Ranking
1.	KASB, HMCO and Deloitte	95.19	1
2.	UBL, MCB, KPMG and HMCO	93.47	2
3.	Burj, ICD, FS and MTC.	83.77	3

5. Foregoing in view, PC Board in its meeting held on July 22, 2014 approved the appointment of Top Ranked IP i.e. consortium of KASB, HMCO and Deloitte.