



TRANSPARENCY INTERNATIONAL-PAKISTAN

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Defence Housing Authority, Karachi.
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October 15th, 2020
Managing Director,
Public Procurement Regulatory Authority,
FBC Building, 1st Floor,
Sector G-5/2,
Islamabad

Sub: Publication of the Contract Agreements of DHA Peshawar on PPRA Website under Public Procurement Rules, 2004, Rule 47

Dear Sir,

Transparency International Pakistan monitors implementation of PPRA Rule 47 (quoted below) which requires all procuring agencies to upload contract award agreements along with rates/prices quoted/BOQ on the PPRA website.

47. Public access and transparency. - As soon as a contract has been awarded the procuring agency shall make all documents related to the evaluation of the bid and award of contract public:

Rule 47 has been incorporated with a view that the rates, prices and monthly remuneration of consultants/experts are to be known to the public, whereby public can scrutinize any overpriced rate/purchase by comparing prices for similar procurements by different departments. According to PPRA Rule 50, non-compliance of any of PPRA Rules amount to mis-procurement.

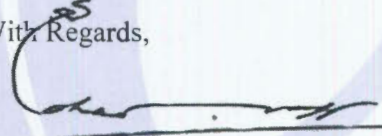
TI Pakistan has noted that the contracts award information along with BOQ rates relating to the contracts awarded by Defence Housing Authority (DHA) Peshawar are not uploaded under the "Procurement Contracts" section on the PPRA website. In total there are only 16 contracts available under procuring agency DHA in "Procurement Contracts" section on the PPRA website. The most recent of these 16 has been uploaded on 15th August 2013 (**Annexure A**). However on accessing these 16 contracts, all show an error and fail to open (**Annexure B**). Moreover, TI Pakistan has also noticed that unlike other procuring agencies, there is no separate section for DHA under "Evaluation Results" and "Tender Notice" sections on the PPRA website.

The PPRA vide its letter dated 11th Nov, 2014 addressed to the Ministry of Defense (**Annexure C**) had informed that Defence Housing Authorities (DHAs) fall under the definition of procuring agency as provided in Section 2(j) of PPRA Ordinance, 2002. The letter further said that "*DHAs being the procuring agencies under the PPRA Ordinance are, therefore, required to comply with Procurement Law, Public Procurement Rules 2004 and Regulations irrespective of the fact that DHA gets budgetary grants from Federal Government or not*".

TI Pakistan requests the MD PPRA to take action on the violation by DHA Peshawar, to ensure compliance of Rule 47 by DHA Peshawar, as such contracts are deemed mis-procurement under PPRA Rule 50.

TI Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption and achieve zero tolerance against Corruption,

With Regards,


Sohail Muzaffar,
Chairman
Transparency International Pakistan

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

1. Registrar Peshawar High Court, Peshawar

Annexure A

Procurement Contracts

Public Contracts of Works, Services & Goods Worth RS.50 Million or More.

Organization Name: Defence Housing Authority (DHA)

Contract No	Contract Title	Download	Uploaded Date
PCN664	Defence Housing Authority (DHA) Civil Work TSE		15/8/2013
PCN663	Defence Housing Authority (DHA) Civil Work TSE		15/8/2013
PCN662	Defence Housing Authority (DHA) Civil Work TSE		15/8/2013
PCN661	Defence Housing Authority (DHA) Civil Work TSE		15/8/2013
	Defence Housing Authority (DHA)		

Annexure B

ppra.org.pk/contract/8/1dha158.pdf

Not Found

The requested document was not found on this server.

Web Server at ppra.org.pk

No. 3 -- 4/Complaint/2014
Government of Pakistan
Public Procurement Regulatory Authority
(Cabinet Division)

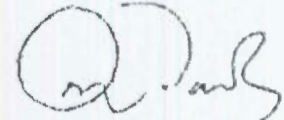


Islamabad, November 11, 2014

Subject: COMPLAINT AGAINST VIOLATION OF PUBLIC PROCUREMENT RULES, 2004 FOR PREQUALIFICATION OF CONSTRUCTORS FOR INSTALLATION OF SOLAR PANEL LED STREET LIGHTS IN DHA KARACHI

Reference Ministry of Defence's u.o Note No.2/92/D-12/2008 dated 2nd October, 2013. Defence Housing Authority Islamabad-Rawalpindi's letter No. DHAI/211/PPRA/Legal dated October 13, 2014 and this Authority's letter No.3-3/Complaint/2014 dated November 06, 2014 (copy enclosed) on the above noted subject.

2. Please be informed that Defence Housing Authorities (DHAs) fall under the definition of procuring agency as provided in Section 2(j) of PPRA Ordinance, 2002. Rule 3 of Public Procurement Rules, 2004 defines *scope and applicability* of these rules that these apply to all procurements made by all procuring agencies of the Federal Government whether within or outside Pakistan. DHAs being the procuring agencies under the PPRA Ordinance are, therefore, required to comply with Procurement Law, Public Procurement Rules 2004 and Regulations irrespective of the fact that DHA gets budgetary grants from Federal Government or not.



(Omer Farooq Rana)
Deputy Director (Legal-II)
Ph:- 9204462

Mr. Fakhar Iqbal Chaudhry
Section Officer
Ministry of Defence
Pak. Secretariat No. II
Rawalpindi

CC:

Administrator, Defence Housing Authority (DHA), 2-B, East Street, Phase I,
Karachi

MINISTRY OF DEFENCE
(D-18 SECTION)

Subject - IMPLEMENTATION OF PPRA RULE, 2004

Reference Ministry of Defence u.o. note of even number dated 4th July, 2009 circulating National Assembly Secretariat (PAC Wing) circular No F.1(1)2910-PAC dated 21st June, 2010

Deputy Director General (Defence Service Audit) has observed that Public Procurement Regulatory Authority (PPRA) Rules 2004 are not being observed in different entities of Ministry of Defence in letter and spirit. This has been viewed with concern by the Principal Accounting Officer i.e. Secretary Defence.

The Public Accounts Committee vide their letter No F.1(1) 2910-PAC dated 21-06-2010 made similar observations

It is reiterated that the PPRA Rules must be observed in their true perspective in letter & spirit while making procurements. Violation of those rules will be viewed seriously and Head of Department/Organization will be held responsible for the same

(Signature)
(Zabir-ud-Din Khurshid)
Deputy Secretary (Comd)
Ph: 9271132 & 9271131

- | | |
|--|----------------------------------|
| MAG, Rawalpindi | Director (Admin), JSHQ, Chaklala |
| Surveyor General, Survey of Pakistan, Rwp | DG, ISI, Dir. C/O, Rawalpindi |
| DG, MI & C, Department, Rawalpindi | Gen. C & Branch, COMEC, Rwp |
| DG, P&M, ISI, Department, H-8/2, Islamabad | DCA, NAO, Islamabad |
| DG, PASB, Rawalpindi | DPT, AHO, Peshawar |
| DG, ASE, Karachi | DG, ISI, Islamabad |
| DG, MSA, KDLB Bldg, Karachi | DG, CAA, Karachi |
| Director, EGE (C/O), Dg, Rwp | MD, PIAC, Karachi |

Min of Def. u.o. No. P.1.3/27-18/2009, dated 31st January, 2011

Copy for follow-up action, to:-

DS (Army-A)	DS (Army-B)	DS (Navy)	DS (IS-B)
DS (Flying)	DS (CAA)	DS (Admin)	S/O (D-7)

1. bcd in UD
2. Copy to all PSO.

DSD(A) *(Signature)*

1
RESTD

General Headquarters
AG's Branch (W&R
Dte)
Rawalpindi
Tel : GHQ: 32029
05/Mod/PPRQ/WR-7
15 Feb 2011

To: HQ 4 Corps - Housing Societies Cell
HQ 5 Corps - DHA Cell
Administrator DHA Islamabad

Info: Administrator DHA Karachi
Administrator DHA Lahore

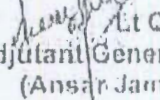
SD-1 (Army Coord) - Wrt note no 6217/1381/SD-1-W98EG of
3 Feb 11.

AG (Coord) - Wrt note no 34/11/GS Br/11/AG (Coord)-
WY00D of 9 Feb 2011.

ID: WR (Coord)

Subj: Implementation of PPRA Rules, 2004

Copy of Mindef U.O No. 2/2/D-10/2009 dated 31 Jan 11 on the subj is encl
for your info / compliance, please.


For Adjutant General
(Ansar Jamil)

Docu ID: XCILQ APPROVED By AAG Lt Col Ansar Jamil on 15 Feb 2011
Note: Computer Generated Documents Do Not Require Signature.

RESTD