



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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8 March 2011

Chairman,
Port Qasim Authority,
Port Qasim,
Karachi.

Sub: Complaint on Award of Another Oil Terminal to FOTCO

Dear Sir,

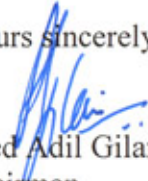
Transparency International Pakistan has received complaint that PQA is awarding 2nd Oil Terminal to FOTCO.

It is reported that the Implementation Agreement signed between PQA and FOTCO on 8 December 1992, does have a clause No 3.13.3 which gives the first right of refusal to FOTCO in case PQA intends to decide to expand oil handling facilities in the Port but when the tenders were issued by PQA in October 1991, Guidelines for preparation of proposals did not contain the condition of Right of First Refusal of the BOT Operators, for all bidders to know.

And that BOT period is 30 years, and this is 19th year of the BOT period. After 11 years PQA has to negotiate new terms financial of FOTCO Implementation Agreement Extension for another period. Was there any limit on PQA not to establish another Oil Terminal independently for next 30 years from 1992?

PQA is requested to examine the complaint, and address the issues according to the terms and conditions of the PQA Guidelines in 1991 and the Implementation Agreement, as no one is above law, and fair treatment shall be given to all.

Yours sincerely,


Syed Adil Gilani
Chairman

Copy forwarded to the DG P&D, PQA for information please.