



07th July 2011

Mr. Muhammad Shakil Durrani,
Chairman,
Water And Power Development Authority,
701, WAPDA House, Lahore.

Sub: Violation of Public Procurement Rules 2004, WAPDA, Expression of Interest Notice for the Development of 665MW Lower Palas Valley Hydropower Project.

Dear Sir,

The General Manager, Hydro Planning Organization, Water And Power Development Authority, Lahore's Expression of Interest notice for the development of 665MW Lower Palas Valley Hydropower project under Public Private Partnership mode, published in daily "Dawn" on 04th July 2011, is against the Public Procurement Rules 2004. The Public Procurement Rules 2004 are applicable to the subject procurement as the Government of Pakistan has equity in the said Project.

According to the Public procurement Rules 2004, the procuring agency engaging in the pre-qualification process can charge cost of printing and providing the pre-qualification documents only, whereas the amount charged by you is inappropriate and very high. The rule is stated below for your reference;

16. Pre-qualification process.- (2) *The procuring agency shall provide a set of pre-qualification documents to any supplier or contractor, on request and subject to payment of price, if any.*


Explanation: For the purposes of this sub-rule price means the cost of printing and providing the documents only.

Kindly refer to Public Procurement Regulatory Authority's directive (F.2 (9)/ DD-II/PPRA/2009) dated 07th July 2009, which confirms TI-Pakistan's views.

The above information is forwarded for the purpose of avoiding the mis-procurement charge under Rule No 50, and with request to re-invite the tender under the prescribed procedures.

TI Pakistan is striving to have Rule of Law in Pakistan.

With Regards,


Syed Adil Gilani
Chairman

Copies forwarded for the information of:

1. Chairman, Public Accounts Committee, Islamabad.
2. Chairman, NAB, Islamabad.
3. Registrar, Supreme Court.
4. Auditor General, Islamabad.
5. Managing Director, PPRA, Islamabad.