



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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31st December, 2018

TL18/3112/6B

The President,
National Bank of Pakistan,
Karachi.

Sub: Persistent Violation of Public Procurement Rules, by National Bank of Pakistan since 2016 for Illegally Asking Bidders to Sign Non-Disclosure Agreement (NDA).

Dear Sir,

Please refer Transparency International Pakistan's letter No. TL18/1112/6A dated 11-12-2018.

Transparency International Pakistan has again received a complaint from M/s Pakistan Office Automation (POA) regarding subject tender that NBP issued corrigendum and announced new date for the said tender. However NBP and has once again asked for Non-Disclosure Agreement (NDA) signing before the issuance of tender documents.

TI-Pakistan again reiterates that NDA is in violation of the following PPRA Rules 2004, Rule No 8. Procurement planning:- PPRA Rule No 10. Specifications:- PPRA Rule No. 35. Announcement of Evaluation Reports:- PPRA Rule No. 47. Public Access and Transparency.- etc. under which all the information about the contract are to be provided to bidder as well as to be posted on the PPRA website for public information.

According to PPRA notification No. F.2(21)DD(M&Imp)/PPRA/ Rules Imp./09 2009 dated 06.08.2012, all public sector procuring agencies are required to advertise their tender notice for procurements of goods, services and works above one hundred thousand on PPRA website (Copy Encl).

NAB has also directed vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy Encl), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. NAB has also declared mis-procurement as liable for cognizance by NAB under relevant section of NAO 1999.

The President is requested to investigate the complaint, and if found correct take action under relevant section of NAO 1999 against the officers responsible for these violations.



No.F.2(21)/DD(M&Imp)PPRA/Rules Imp./09
 Government of Pakistan
Public Procurement Regulatory Authority
 (Cabinet Division)
 FBC Building, Sector G-5/2

NAZRAT BASHIR
 Managing Director

Islamabad, the 6th August, 2012

Subject: PUBLICATION OF TENDERS ON PPRA WEBSITE

Dear Secretary,

In terms of Rule 12 of Public Procurement Rules, 2004 the public sector procuring agencies are required to advertise their tender notices for procurements of goods, services and works above rupees one hundred thousand on PPRA website (www.ppra.org.pk). Tenders received from procuring agencies through mail, email, fax or clippings from newspapers are uploaded on PPRA website on daily basis.

2. PPRA has provided the facility to public sector procuring agencies for directly uploading their tenders on the website after getting an ID and password from PPRA to fulfill their mandatory requirement. In most of the cases the tenders are only published in print media ignoring advertisement on PPRA website in violation of Rule 12 of Public Procurement Rules, 2004.

3. Kindly direct the functionaries concerned to meet the stipulated mandatory requirement by utilizing the facility of PPRA website by obtaining ID/ password provided by PPRA.

With best regards,

Yours sincerely,

Sd/-
 (Nazrat Bashir)

All Federal Secretaries

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GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pr/A&P/NABHQ/2013

January 08, 2014 /60

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (list attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERCITOCRACY


To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribes by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules, 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 33C of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
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Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore