

December 19, 2025

TL2025/1219/1A

Mr. Sarfraz Ahmed Bugti
Chief Minister Balochistan
CM House, Quetta

Subject: Complaint Against Serious Allegations of Violation of Balochistan Public Procurement Regulatory Authority Rules in the Award of Contract for Construction of Ghand Dam Baikar Dera Bugti (TSE-252611917113) Worth Rs. 5,166 Million

Dear Sir,

Transparency International Pakistan has received a complaint against allegations of violation of Balochistan Public Procurement Rules, 2014 in award contract of construction of Ghand Dam Baikar Dera Bugti (TSE-252611917113) worth Rs. 5,166 million (**Annex-A**).

The complainant has made the following allegations that;

1. The Executive Engineer Irrigation Division, Dera Bugti invited bids for the Construction of Ghand Dam, Baikar, District Dera Bugti through a Notice Inviting Tender (NIT) dated 03 December 2025, which was subsequently amended through a Corrigendum issued on 11 December 2025.
2. The procuring agency failed to schedule a Pre-Bid meeting and subsequently extended the date to December 15, 2025 after receiving a complaint.
3. The Procuring agency has failed to upload complete documents on BPPRA website, resulting in incomplete information for the prospective bidders such as specifications, price adjustments, drawings etc. Without specific details, bidders cannot estimate project cost or develop competitive rates.
4. The procuring agency has also failed to meet the required response time for international bids as required under BPPRA Rules 2014. The current response time is 20 days against 45 days required under BPPRA Rules.
5. The NIT outlines differing amounts of bid security, including 4% and 2% CDR, violating principles of fairness and transparency.
6. In order to restrict competition, the procuring agency has required very high experience of delivering similar project (96% of the estimated cost of the tender i.e. 5000 million). Such criteria impose discriminatory practice and impose restrictive conditions.
7. The Detect and Liability Period (DLP) after the completion of the project has only been kept at 90 days, against a standard practice of at least 6 months.
8. The project completion period has been kept at June 2028, however, the construction schedule highlights construction activities to be completed by October 2029.
9. Clause 4.09 of the Planning Commission Manual 2024 highlights that an independent Project Director must be hired for Projects costing more than Rs. 3000 million. The current project cost is Rs. 5,166 million, yet Executive Engineer is involved in the tendering process in violation of planning procedures.
10. As per PC-1 of the Project, Consultants were supposed to prepare tender documents, however, the consultant RFP has only finalized on 6th December, whereas the tender was already published on 28th November 2025.

Transparency International Pakistan Comments

Transparency International Pakistan has reviewed the allegations of the complaint. Prima facie, the allegations seem correct.



Following are TI Pakistan's comments:

1. As per BPPRA Rule 16, all international competitive bidding must follow a response time of 45 days. The procuring agency must issue corrigendum to amend the response time in compliance with Rule 16, quoted below:

16. Response Time.— (1) *The Procuring Agency shall give due consideration to the scope, magnitude and nature of procurement, while deciding the response time which shall not be less than fifteen calendar days from the date of publication of Notice Inviting Tender in the newspapers or uploading on the website, as the case may be, in case of National Competitive Bidding, and shall not be less than forty five (45) days from the date of publication of Notice Inviting Tender in the newspapers or uploading on the website, in case of International Competitive Bidding:*

2. The procuring agency has required varying bid security at 2% and 4% which is in complete contravention of BPPRA Rule 2014, quoted below

29. Bid Security.— (1) *The Procuring Agency may require the bidders to furnish bid security of two per cent in case of procurement of all bids in the form of bank guarantee or Deposit at Call from a scheduled Bank. (2) In cases, where procurement is of complex nature, bid security up to five percent (5%) can be applied but not less than two percent (2%).*

3. The requirement of very high experience 96% of the estimated cost of the tender i.e. 5000 will exclude many competitive bidders, resulting in overall contract award cost and loss to the exchequer and must be changed to allow for wider competition in line with BPPRA Rules 2014.
4. Given the scale and nature of the project, it is crucial that the liability period shall not be less than the standard practice and is clearly stated in the bidding document. This will increase the quality of work and transparency in the award of contract.

Transparency International Pakistan Recommendations

Transparency International Pakistan requests the Chief Minister Balochistan to look into the serious allegations of the complaint, and if found correct, issue directives to the Irrigation Department to address all irregularities and re-invite tender in compliance with Balochistan Public Procurement Rules, 2014, to avoid Mis-procurement.

Transparency International Pakistan is striving for across-the-board application of the Rule of Law, which is the only way to stop illegal practices and achieve Zero tolerance against corruption.

Regards,


Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

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

1. Chief Secretary, Govt of Balochista, Quetta
2. Secretary Irrigation, Govt of Balochistan, Quetta
3. Managing Director, Balochistan Public Procurement Regulatory Authority (BPPRA), Quetta
4. Registrar, Balohistan High Court, Quetta.

Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, and a three member bench in case of Mukhtar



Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

“What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution”

MN CONSTRUCTION COMPANY

Mega Trade Centre, Office No.1, 1st Floor, Shahrah-e-Iqbal Near Manan Chowk , Quetta.
TEL: 081-4128343 Mob: 0321-5757413 Email: mncc.ravian@gmail.com



MN/GDDB/03/25,
16-12-2025,

To,

1. The Chairman,
Grievance Redressal Committee,
/ Chief Engineer North,
Irrigation Department Balochistan.
2. The Managing Director,
B-PPRA, Balochistan.
3. The Procurement Specialist (Works),
B-PPRA, Balochistan.

Project: Construction of Ghand Dam Baikar Dera Bugti (TSE-252611917113) Rs. 5,166 Million.

Subject: Grievances/ clarifications / Deviations and Misrepresentation of PEC standard form of bidding, PPRA rules and BPPRA rules in criteria of Ghand Dam tender documents.

Reference:

1. MN/EE-DB/GD/GRC/01/25, dated: 03-12-2025.
2. Corrigendum # PRQ No. 2753/10-12-2025, Advertised dated: 11-12-2025 in national newspapers
3. Our Email to nisarahmedmugheri650@gmail.com, Dated: 12-12-2025 (Friday) [NO REPOSEN RECEIVED till Date 16-12-2025]
4. DB(80)/9087-92, Dated: 12-12-25 (GRC meeting)
5. MN/BPPRA/GD-DB/01/25, dated: 02-12-2025.
6. MN/BPPRA/GD-DB/02/25, Dated: 15-12-25, (Pre-Bid Meeting Grievances)

Dear Sir,

With reference to the letter mentioned at Serial No. 4, the GRC meeting is scheduled for December 16, 2025, at 02:00 PM to address the grievances received by the GRC Chairman via the letter mentioned at Serial No. 1.

Please note there have been significant developments in this matter. The Executive Engineer, Dera Bugti, via a corrigendum mentioned at Serial No. 2, called a Pre-Bid meeting for December 15, 2025. Our representative, Mr. Rana Naeem, arrived at the Executive Engineer's Irrigation Division office in Dera Bugti at 09:00 AM, but surprisingly found no one present for the meeting. He inquired about the meeting's status with the senior clerk, Javed, who informed him that the Executive Engineer was not in the office and was in Quetta. Our representative submitted the letter referred to at Serial No. 6



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to the head clerk and waited until 12:00 PM, but no one appeared for the meeting.

This is a clear violation of BPPRA, PPRA, PEC, and ECNEC rules. First, there was no initial scheduled Pre-Bid Meeting; subsequently, after receiving a complaint, a corrigendum was issued fixing the date as December 15, 2025. The failure of any personnel to attend the scheduled meeting demonstrates a lack of seriousness on the part of the concerned officer in charge for such a large-scale project. We formally submitted further written grievances for the Pre-Bid Meeting via the letter referred to at Serial No. 6. These points, along with all others submitted via Serial Nos. 1, 3, and 5, are still pending a response from the Executive Engineer."

Furthermore, please note, your urgent intervention into the matter is required as there have been several violations and deviations from PEC standard bidding documents as directed by ECNEC in its decision taken in meeting held on 12th November 2007 and implementation of the said decision was notified by Planning Commission vide notification dated: 12th February, 2008 and dated: 24th December 2009, PPRA rules and BPPRA rules and of law.

We respectfully request that the Chairman GRC and others to grant an extension of time and instruct the Executive Engineer to halt the bidding process until all our concerns are fully addressed. Our specific grievances are detailed again below:

1. Please note, critical documents (**Tender Drawings, Price Adjustment Table, Specifications, complete Part-1 General Conditions of the Contract are missing containing clauses from 01 to 49.4 only whereas there are more than 70 clauses in Part-1**) have not yet been uploaded to the BPPRA portal, we formally request a **Time Extension** for the submission of the subject noted project. This extension is necessary to facilitate timely site visits and thorough document review once the requested information / documents are provided to the BPPRA portal. The bidding documents uploaded on BPPRA portal are incomplete as acknowledged in corrigendum referred at serial no.2. The same is very important for analyzing rates and preparing competitive rates. The same has been highlighted by the Executive Engineer in corrigendum referred at serial.2 above but fact of the matter is there is online e-bidding the same documents pointed need to be available on BPPRA portal for transparency of the bid so the same could be available for all the interested bidders.



- a. **Violation of Transparency (BPPRA Rules):** E-bidding requires absolute transparency. All critical documents must be universally accessible on the BPPRA portal. Relying on offline

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access or incomplete online data goes against the core principle of open and fair competition.

- b. **Impossibility of Due Diligence:** Without the Tender Drawings, Price Adjustment Table, and Specifications, complete Part-1 General Conditions of the Contract are missing containing clauses from 01 to 49.4 only whereas there are more than 70 clauses in Part-1, bidders cannot accurately analyze project costs, conduct necessary site assessments, or develop competitive rates.
 - c. **Acknowledgment of Flaw:** The Executive Engineer's own corrigendum confirms that the bidding documents, as currently available in his office in hard form, are incomplete. This administrative acknowledgment validates our need for complete information.
 - d. **Ensuring Competitive Bidding:** A time extension is essential to allow sufficient time for all interested parties to review the full scope of work, ensuring a robust and competitive tender process that serves the public interest.
2. Response time: the tender uploaded is categorized as international furthermore, as per BPPRA rules 24(2)(a)(ii) the international method would be chosen by default if the project cost is above \$ 10 million (which the current project is) therefore the response time as per rule 16 should be 45 days but the current project advertised on 28th November 2025 with deadline of 18th December 2025 the response time comes to only 20 days. The same deadline given by the Executive Engineer is against the PPR, BPPRA and Pakistan Engineer Council rules.
 3. The Bid Security demanded by the Executive Engineer are quite ambiguous as in different section of the NIT advertised. The concerned Executive Engineer demanded 4% in the top right column while in the same NIT in Para.2 Eligibility of Bidders Section sub para reproduced as

"Bidder must submit 2% CDR of the estimated cost as earnest Money."

Whereas clarification is sought regarding the matter and proper corrigendum need to be published in newspapers and rectification be made on BPPRA online portal. The ambiguity in the Notice Inviting Tender (NIT) regarding the required bid security amount is a serious issue that violates the principles of clarity, transparency, and fairness required by the BPPRA Rules.

4. Please clarify if one has to download complete bidding documents from BPPRA portal online does the bidder need to deposit green challan? as



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in recent practice if complete bidding documents downloaded from BPPRA portal online then there is no need for Green Challan. Please clarify with a request to waive off the green challan.

5. Project is worth Rs. 5,166 Million and completed project worth is Rs 5,000 Million, an excessively high percentage of 96 percent has been asked as the requirement of similar completed project. Such a criteria is discriminatory and difficult and invokes Rule 37 of BPPRA. The industry practice is way below this threshold normally ranging at 40% or 50%. The demanded requirement is inconsistent with the procuring agency's own established norms in previous bids significantly strengthens the claim of **discriminatory practice** under BPPRA rules and against the PEC standard bidding documents. Furthermore the said requirement is against the Judgement of Honourable High Court of Balochistan (C.P No. 269/2022) which calls upon Procuring Agencies to adopt a fair and competitive criteria.
6. Turnover is kept very high it is requested to kindly review and revise the turnover amount so potential bidders could participate and healthy completion could be made possible. Furthermore, the turnover figure demanded in the eligibility criteria are all different from the one demanded in the Evaluation criteria. The same is against the BPPRA rules, PPRA rules and PEC rules and as well as against the ECNEC decisions for procurement.
7. As a standard practice in online system of BPPRA, the Evaluation Criteria is based on marking but for this specific project the Executive Engineer has changed the criteria to Knock Down basis where any bidder not fulfilling even a minor requirement would be knocked down. We fear that the said criteria has been tailor made to procure the desired results for blue eyed bidder.
8. The collusion with certain quarter can also be deduced from the fact that defect and liability period DLP (the period after completion where contractor is responsible for repair in this particular period) has been kept at only 90 days as per Appendix A. Such a small period of DLP is against standard practice of at least 6 months.
9. Some other discrepancies can also be highlighted such as completion period has been kept at June 2028 although the construction schedule prepared by the same office states that construction activities would complete in October 2029.
10. Clause 4.09 of Planning Commission Manual 2024 (copy of extract enclosed) states that an independent Project Director must be hired for Projects costing more than Rs. 3,000 Million. The above



project's cost is Rs.5,166/- Million yet an Executive Engineer of a Division (BPS-18) is tendering the said projects. Such actions are a potential violation of the established planning procedures designed to ensure effective project management and accountability.

11. As per PC-1 of the Project (extract enclosed) Consultants were supposed to prepare the tender documents of the Project but as per the available record the **Project Consultants RFP has been finalized on 6th December 2025 (TSE-252611911534)**, whereas the procurement officer had already finalized and published tender documents on **28th November 2025** on his own, against the laid down provisions.
12. Apart from the above we would like to state that the current procurement is being carried out in such a haphazard manner with incomplete bidding documents and that the Executive Engineer Dera Bugti had violated certain other mandatory requirements of the BPPRA Rules and PEC which will be highlighted and seek further clarification on all grievances if any once all required complete bidding documents are uploaded to the BPPRA portal online, with the hope that all matters will be resolved timely before the final submission deadline.
13. The bidding documents uploaded by the executive engineer are against the PEC standard bidding documents, PPRA rules, BPPRA rules and against the ECNEC decisions. The same falls under the misprocurement. **Mis-procurement** refers to any action or omission during a bidding or procurement process that is not conducted in accordance with the established public procurement laws, rules, regulations, or guidelines. Essentially, it is a failure to follow the laid-down procedures and guidelines designed to ensure fairness, transparency, and value for public money.
14. The issues highlighted as mis-procurement are given as under:
 - a. **Incomplete Bidding Documents:** Failure to provide all necessary information and documents (e.g., drawings, complete contract conditions, specifications, price adjustment table) on the official portal compromises transparency and prevents bidders from preparing accurate bids.
 - b. **Inadequate Response Time:** Providing a response time of only 20 days for a project classified as international (which mandates 45 days) is a direct violation of established rules designed to allow sufficient time for bid preparation and site visits.



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- c. **Ambiguous/Conflicting Criteria:** Demanding different percentages for bid security (4% in one section, 2% in another) creates confusion and violates the need for clear, unambiguous evaluation criteria in the bidding documents.
- d. **Discriminatory or Restrictive Criteria:** Setting excessively high (96%) requirements for similar project experience, or demanding very high turnover figures, can be seen as "tailor-made" to favor a specific bidder, which stifles competition and violates rules against discrimination.
- e. **Deviations from sStandard Practices:** Using a "Knock Down" evaluation basis instead of a standard marking system, or setting an unusually short Defect Liability Period (DLP), suggests deviations intended to produce a desired result rather than a fair competition.
- f. **Procedural Failures:** Tendering a project worth over Rs. 3,000 Million without an independent Project Director, or publishing tender documents before consultants have finalized them, violates established planning procedures and management guidelines.

We urge your worthy office to Extend the procurement process of the said project until a just decision is taken by your office on the said matter.

The above is without prejudice to our legal rights and remedies available to us under the law.

Thanking you in anticipation.

Yours Sincerely

M.N Construction Company



Copy to:

1. The Additional Chief Secretary (Dev), Planning and Development, Govt. of Balochistan.
2. The Secretary, Irrigation Department Balochistan
3. The Executive Engineer Irrigation Division Dera Bugti.
4. The Provincial Coordinator, (Water), Irrigation Dept. Govt. of Balochistan.
5. Transparency International Pakistan.