

Reference 19 Of 2016

Witness Statements

Annexure 1

S.NO	Name	Remarks
1	Azmat Ali (OGDCL)	<ul style="list-style-type: none"> • PW has categorically stated that there is no illegality either in the contract or award of the same by OGDCL to JJVL • He has also stated that the Award of Contract was approved by the OGDCL Board which is the competent body to approve such contracts. • He also stated that an application was filed in Islamabad High Court Challenging the Award of the Contract which was dismissed by the court. • He has not implicated any of the accused
2.	Mahmood Khalid (OGDCL)	<ul style="list-style-type: none"> • He has testified that there is no irregularity in conducting the evaluation of Technical Bids • He also stated that there was no illegality and irregularity regarding Technical Evaluation of the said under PPRA Rules • He has not implicated any of the accused
3.	Hafiz Muhammad Aslam (OGDCL)	<ul style="list-style-type: none"> • It is correct to suggest that at the time of floating the tender, there was no violation of PPRA Rules. • It is correct to suggest that no complaint was received to SCM Department regarding Bidding process. • It is correct to state that after negotiation the quoted price was reduced by JJVL. • It is correct that the contract was approved by the Board of Directors of OGDCL • It is correct that it is not binding on the Board to approve the award of contract proposed by the management. It is the discretion of the Board to approve the contract or not The Board of OGDCL is highest forum for awarding such contract. • The PPRA Rules are silent for acceptance of the single bid but as per SOP of PPRA Rules, there is provision for processing the single bid. • He has not implicated any of the accused
4.	Khalid Saleem Ansari (SSGC)	<ul style="list-style-type: none"> • He has stated that MOUs were Legally correct and approved by the Board of Directors who are the competent Authority. • He has not implicated any of the accused
5.	Imran Sabir (Sindh Environmental Agency)	<ul style="list-style-type: none"> • On 11.02.2016, I along with DG Sindh Environmental Protection Agency, Mr. Munir Ahmed Abbasi, Mr. Imran Abbasi and one another person, whose name is not remembered to me right now, visited the JJVL. • We found that the plant was operational and during visit we observed Pungent smell in the plant and both the flayers were off. • We also inquired about the sludge, on which they replied that they are regularly disposing off the sludge through Waste Contractor namely Waste Management Company (WMC). • On such observation, on 12.02.2016, we issued approval grant for one year to the JJVL subject to the compliance of the observation made by us during the visit

Reference 19 Of 2016

6	Muhammad Taj (SSGCL)	<ul style="list-style-type: none"> • He presented record pertaining to (i) daily joint meter reading for LPG and NGL extracted at JJVL Plant and (ii) month wise summary of Gas Meter Readings and LPG/ NGL Production Summary. • The Meter Reading is done jointly by SSGC representative, and JJVL Representative. • Joint meter reading of LPG / NGL are sent to the Head Office for verification/ inventory control/ record. • All these processes come under the supervision of the Department Head and are never referred to the Management • He has not implicated any of the accused
7.	Muhammad Saeed Rizwan (SSGCL)	<ul style="list-style-type: none"> • He produces original summary of LPG and NGL Meters reading reports. • He has not implicated any of the accused
8.	Dr Shakeel Ahmad (OGDCL)	<ul style="list-style-type: none"> • As member of Technical Evaluation Committee, he has technically qualified JJVL with over 84 points • JJVL is a state of art plant with over 95% recovery rate • It is the only plant within 50 Km of KPD • The contract was approved by OGDCL Board, in its 134 meeting which is the competent authority to approve such Contracts • It is correct to suggest that the rate/price for extraction of LPG and NGL were approved by the Board of Director • It takes 24 to 26 months to set up a new plant • According to his economic analysis US dollar 53 million will be additionally available to the OGDCL for processing period of two years and in the same period approximately US dollar 29 million, processing fee will be payable to JJVL • He has not implicated any accused
9.	Imam-Dino Shahani (SSGC)	<ul style="list-style-type: none"> • He just presented Personnel file of Shoaib Warsi and Zuhair Siddiqui
10	Syed Shabi-ul-Hasan (SSGC)	<ul style="list-style-type: none"> • Business arrangements Between SSGC and JJVL for Gas Extraction has been in operations since 2005 and are based on numerous ROD's, MOU's and MOM's which have been duly approved by Board of Directors of SSGC • SSGC paid JJVL \$237 per MT for LPG • SSGC paid JJVL \$237 per MT for NGL • SSGCL never paid JJVL US\$ 474 per MT for Extraction of LPG. • SSGCL never paid JJVL US\$ 474 per MT for Extraction of NGL • SSGCL made billions of Rupees of profit from LPG and NGL business with JJVL from the year 2012 to June 2020 • It is correct to suggest that the agreement was signed between SSGC and JJVL pursuant to Honorable Supreme Court of Pakistan in its order dated 29th Dec 2018 in relation to the LPG and NGL business have been ratified by Honorable Supreme Court of Pakistan • It is a fact that all net payments have been received from JJVL and there is no outstanding amount is due from JJVL. • He has not implicated any Accused

Reference 19 Of 2016

11	<p>Shoib Ahmad Company Secretary (SSGC)</p>	<ul style="list-style-type: none"> • SSGC is a public limited company registered in Pakistan Stock Exchange and has independent Board of Directors. • Board comprises of government officials, industrialist, lawyers, and businessmen. Private share holders also elect directors to the board of directors of SSGCL. • Board of Directors of SSGCL is competent and final authority to approve budget, procurement contracts beyond certain financial limit, promotions of grade 08 and above • Recommendation of management is not binding upon board of directors of SSGCL and Board can reject or accept partially or totally recommendations of management. • Board of directors before coming to a decision, deliberate on the agenda items placed before it. In case of disagreement, any member of the board may opt to record dissenting note. • SSGCL and OGDCL are two separate and distinct legal entities and companies. It is a fact that DMD of one company cannot and does not have any role or authority over another company's affairs. It is a fact that MD of one company cannot and does not play any role or authority over another company's affairs • Extraction of LPG by JJVL from Bobi field was approved in the 417 Emergent Board of Director meeting unanimously on the same terms and conditions as OGDCL agreement with JJVL for KPD Field • Extraction of LPG by JJVL from KPD, Naimat Basa and Sinjhor field was approved in the 455 Board of Director meeting unanimously on the same terms and conditions as Bobi field previously approved by Board of Directors. • SSGC internal Legal officer Khalid Saleem and external Lawyer both opined that negotiated agreement with the single source is in compliant with PPRA rule 42 (D) • Chairman SSGC in 417 Board Meeting presented a note recommending Extraction of LPG be approved as it is beneficial for the Company. • Board in this various meeting approved extraction of LPG without changing the terms and conditions. • The Extraction of JJVL was discussed in 460, 464 and 474 Board meeting and the extraction of LPG by JJVL continued on the same terms as originally approved till the filing of the reference. • In addition, the matter was discussed on 24.10 2014 and an ROD was signed which was subsequently approved by the Board. • Further a meeting was held with JJVL On 10.6.2015 with SSGC Chairman and MD which further decided to continue Extraction of LPG/NGL by JJVL. This MOM was presented in 474 Board meeting. • In pursuance of Hon'ble Supreme Court order dated 4 Dec 2018 Board in 518 meeting a unanimous decision was taken in respect of agenda item No.3 of the. said meeting. agreement
----	--	---

Reference 19 Of 2016

		<p>between SSGCL and JJVL was approved by the Board on the directions of the Hon'ble Supreme Court of Pakistan.</p> <ul style="list-style-type: none"> • The financial statements depict that SSGCL gained profit from its arrangement with JJVL for LPG/NGL extraction from 2012 to 2019. • He has not implicated any accused
12	Allah Nawaz Yusafani (OGDCL)	<ul style="list-style-type: none"> • It is a fact that I was member of technical evaluation committee. • It is a fact that five companies purchased bid documents for this project. • It is a fact that none of party, who purchased the bid document, raised any objection on the tender document. • It is a fact that there was no irregularity in evaluation of JJVL bid and it was as per OGDCL standard procedure. • It is a fact that the technical evaluation committee visited JJVL facilities and found the plant to be state of art with 95-98% LPG recovery, well maintained and operated by highly trained staff. • It is a fact that the technical evaluation committee stated that the bidder is technically responsive and have secured 84.5 marks. • It is a fact that the recovery yield of OGDCL's own plants for LPG & NGL during 2011-12 was between 30-45% on average. • It is a fact that JJVL quoted a processing fee of \$299 per MT and \$31 per Barrel of NGL and after negotiation the rates were reduced to \$230 per MT of LPG and \$230 per MT of NGL. • It is a fact that the award of the contract was challenged by a party in Islamabad High Court which was dismissed in favour of OGDCL. • It is a fact that the term sheet and the contract with JJVL was signed after approval of the BOD and decision of Islamabad High Court. • It is a fact that none of the accused have been implicated.
13	Shakeel Bukhari (SSGC)	<ul style="list-style-type: none"> • He appeared in the NAB court for his statement on 15 October 2022. However he refused to Accept the wrong and incorrect facts given by IO in 161 Statement • He further stated that the 161 statement was not shown to him or was read out by IO. • NAB prosecutor in a written statement to the Court has stated that they want to drop Shakeel Bukhari as he is not willing to support Prosecution
14	Syed Mahmood Jeelani (SSGC)	<ul style="list-style-type: none"> • In his Deposition he has stated that he did not give any formal 161 Statement. • 161 statements attributed to him was not shown to him by I/O • He has stated that only 3 to 5 MMCFD gas is used for extraction and the remaining Gas is injected back into SSGC system. • It is company policy Meters are installed on Customer Premises like KE, Fauji fertilizer etc. • It is correct that the entry to meter skid is locked and key is with SSGC