



NO.SE(EWCH-II)/B&A/ 402

**SUPERINTENDING ENGINEER
EDUCATION WORKS CIRCLE HYDERABAD-II
@ 1st Floor Block-E Shahbaz Building**

Hyderabad Dated: - 20 / 11 / 2020.

To,

The Assistant Director (Legal-II),
Sindh Public Procurement Regulatory Authority,
Government of Sindh, Karachi

SUBJECT: - COMPLAINT REDRESSAL COMMITTEE.

In response to complaints received by this office by Contractors for N.I.T No:685, dated 21-09-2020 and N.I.T No:750, dated 07-10-2020 of Education Works Division Badin, the meeting of Complaint Redressal Committee was held on 18-11-2020 in the office of Education Works Division Badin.

The Minutes of Meeting/Decision of Complaint Redressal Committee are enclosed herewith for your information and taking further necessary action.


(ENGR. IRSHAD AHMED MEMON)
SUPERINTENDING ENGINEER/
CHAIRMAN
COMPLAINT REDRESAL COMMITTEE
EDUCATION WORKS CIRCLE
HYDERABAD-II

Copy forwarded for information to: -

1. The Chief Engineer, Education Works Hyderabad.
2. The Executive Engineer, Education Works Division Badin.
3. Copy to Procurement Committee Members Badin.
4. All Complaining Contractors.
5. Office file.

SUPERINTENDING ENGINEER
CHAIRMAN
COMPLAINT REDRESAL COMMITTEE
EDUCATION WORKS CIRCLE
HYDERABAD-II

AD(L2)
3/12
Post the decision then pur of
2/12/2020
ABST

SPFRA INWARD DIARY
NO: 1008
DATED 02/12/20

THE MINUTES OF COMPLAINT REDRESSAL COMMITTEE HELD ON 18-11-2020 IN THE OFFICE OF EXECUTIVE ENGINEER EDUCATION WORKS DIVISION BADIN.

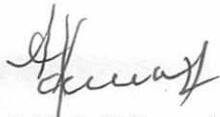
- The meeting started at 12.30 pm
- The meeting started under the Chairmanship of Superintending Engineer Education Works Circle Hyderabad-II with two members Mr. Abdul Sattar Divisional Accounts Officer office of Executive Engineer Education Works Division Badin (Representative of Accountant General Sindh) & Mr. Abdul Fareed Executive Engineer Education Works Division Hyderabad (Representative of Head of Procurement Committee)
- The meeting was held to consider the complaints regarding Tenders invited by Executive Engineer Education Works Division Badin.
- First of all complaints pertaining to NIT No: 685, dated 21-09-2020 & NIT No:750, dated 07-10-2020 pertaining to Executive Engineer Education Works Division Badin were considered.
- The committee reviewed the following complaints.
 - 1) M/S Asif Raza Govt: Contractor.
(complaint regarding NIT No: 685, dated: 21-09-2020)
 - 2) M/S Z.K.B Construction & Developers
(Complaint regarding NIT No: 750, dated: 07-10-2020).

The Companies / Contractors were informed about the meeting but only the contractor at S.No:1 appeared before the committee. The complainant could not produce any record regarding his participation of tenders No any call deposit, tender fee, pay order or completed bid or any other document any evidence was provided, Where as the Executive Engineer Education Works Division Badin produced record of opening of tenders, minutes of meeting duly signed by procurement committee and attendance sheet.

The committee unanimously rejected the complaint of M/S Asif Raza and found un-reasonable complaint without any proof and justification.

The complainant Z.K.B Construction & Developers did not attend the meeting and informed the committee through cell phone that his grievances are resolved. The Executive Engineer Education Works Division Badin and Tender Clerk too informed that grievance of contractor. M/S ZKB Construction & Developers regarding NIT No: 750, dated; 07-10-2020 has been resolved.

Meeting ended at 2.30 pm.



(Abdul Fareed)

Executive Engineer Education Works
Division Hyderabad
(Representative of Head of Procurement
Agency) (Member)



(Abdul Sattar)

(Divisional Account office)
Education Works Division Badin
(Representative of AG Sindh Karachi)
(Member)



(IRSHAD AHMED MEMON)

Superintending Engineer Education Works
Circle Hyderabad-II
(Chairman Complaint Redressal Committee)



NO.SE(EWCH-II)/B&A/ 356

SUPERINTENDING ENGINEER
EDUCATION WORKS CIRCLE HYDERABAD-II
@ 1st Floor Block-E Shahbaz Building

Hyderabad Dated: - 12 / 11 / 2020.

To,

1. The Divisional Accounts Officer,
Education Works Division.
Badin.
2. Mr. Abdul Fareed
Executive Engineer,
Education Works Division,
Hyderabad representative of
Head of Procurement Agency.
3. Mr. Shafique Ahmed Channar,
Executive Engineer / Procurement Agency
Education Works Division,
Badin.

SUBJECT: - MEETING OF COMPLAINT REDRESSAL COMMITTEE.

This office has received complaints regarding N.I.T NO.TC(EWU)W/685 of 2020, dated 21-09-2020 recently opened by District Badin.

The undersigned in the capacity of Chairman, Complaint Redressal Committee has fixed a date for meeting of Complaint Redressal Committee to consider/ review the complaint of M/S Asif Raza, Government Contractor and any other complaint received before meeting date to take final decision regarding their complaints.

The meeting schedule is as under:

Date: 18-11-2020

Time: 12.00 noon

Venue: Office of Executive Engineer, Education Works Division, Badin.

(Signature)
o/c (ENGR. IRSHAD AHMED MEMON)
SUPERINTENDING ENGINEER/
CHAIRMAN
COMPLAINT REDRESSAL COMMITTEE
EDUCATION WORKS CIRCLE
HYDERABAD-II

Copy forwarded for information to: -

1. The Chief Engineer, Education Works Hyderabad.
2. The Assistant Director (Legal-II), Sindh Public Procurement Regulatory Authority, Government of Sindh, Karachi with reference to his office letter No:AD(L-II)/SPPRA/CMS-1634/2020-21/10712, dated 08-09-2020.
3. The Executive Engineer, Education Works Division, Badin for information. He is also directed to attend the meeting with full preparation along with relevant documents of the Complainants on fixed date and time.
4. M/S Asif Raza, Government Contractor with a request to appear before the Complaint Redressal Committee in person or through your representative to explain your grievances if you desires so.
5. Office file.

(Signature)
o/c SUPERINTENDING ENGINEER
CHAIRMAN
COMPLAINT REDRESSAL COMMITTEE
EDUCATION WORKS CIRCLE
HYDERABAD-II

ARC M/S ASIF RAZA

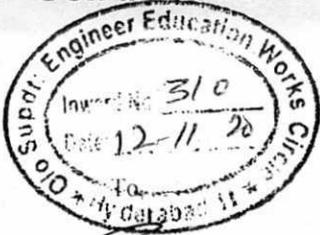
CONTRACTOR

Contractor Consultant Engineer & General Order Supplier

NTN # 4393319

Cell #: 0300-0928252 Ref ARC/318

Date 12-11-2020



12/11/20

The
Managing Director
Sindh Public Procurement
Regulatory Authority Karachi

The
Superintending Engineer (Education Works)
Concerned Circle Education & Literacy Department
Chairman (Complaint Redressal Committee)

SUBJECT: COMPLAINT AGAINST PROCURING AGENCY EDUCATION WORKS DIVISION BADIN REQUEST FOR CANCELLATION OF NIT ID T00711-20-0002 DUE TO MIS-PROCUREMENT BY CHAIRMAN PROCUREMENT COMMITTEE EXECUTIVE ENGINEER EDUCATION WORKS DIVISION BADIN & MEMBERS IN THIS NIT NO : TC/(EWU)W/685 Of 2020 DATED 21.09.2020.

Respected Sir,

I, Asif Raza R/o Lalo Lashari Hyderabad, have I honour to submit

following few lines for your kind consideration and favourable orders:

1. That I am government registered contractor and has taken government contracts since 2015 and registered and I use to visit SPPRA & PPRA website as well as read newspapers in order to see the notice for invitation of tenders for public works.

That the Executive Engineer Education Works Division Badin uploaded NIT bearing TC/(EWU)W/685 Of 2020 DATED 21.09.2020. For inviting offers/bids for different works and fixing 12-10-2020 as last date of issuing tenders forms and dropping and opening process was dated: 13-10-2020 and 2nd attempt was opening process was mentioned in NIT as 29.10.2020

That completed downloaded tender documents filled up along with tender fee shape in pay order no 23737728 dated 12.10.2020 and with call deposit i sent to office of the Executive Engineer Education Works Division Badin by M&P Courier service slip no 322000239270 dated 12.10.2020 which was received by despature and i also visited office of the Executive Engineer Education Works Division Badin for opening process but corrigendum issued by office for 2nd attempt which was fixed 29.10.2020

Then my authorized representative visited the office of the Executive Engineer Education Works Division Badin dated 29-10-2020 at 11:30 am to 05:00 pm to see opening process but there was not any arranged programme for opening process and procurement committee was not available. the video recording is also

Address: Chandia House, Near Dr. Lashari Hosue, Nehar Ki Pati, Lalo Lashari Hyderabad.
Email: asifrazacontractors@gmail.com

SE-II
Addressed to
may be fixed on 18-11-2020
in the office of
Exec. Eng. Badin
w/o discussion with
Asif Raza
21/11/2020

ARC M/S ASIF RAZA

CONTRACTOR

Contractor Consultant Engineer & General Order Supplier

NTN # 4393319

Cell #: 0300-0928252

Ref ARC / 318

Date 12-11-2020

available but clerk informed that member of procurement committee has not come office hence dropping and opening process will be at next time notice for postpone and cancellation of dropping process was not pasted in notice board it was only verbally instruction by tender clerk

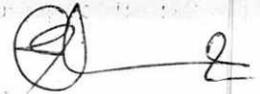
5. That is has been observed that Executive Engineer Education Works Division Badin has also sent bid evaluation report at SPPRA web site and awarded all the works to his favourable contractors which is violation of sppra rules.

It is therefore requested to kindly direct him re-invite above NIT and start dropping and opening process as per SPPRA rules and informing all the contractors and also direct him to follow SPPRA Rules, else the undersigned will make complaint to higher authorities and review committee.

Dated: 12-11-2020

COPY FOR INFORMATION/NECESSARY ACTION:

1. The Managing Director Sindh Public Procurement Regulatory Karachi
2. The Chairman Anti Corruption Enquiry & Establishment Karachi
3. The Director (Enquiries) Karachi
4. The Director (Establishment) Karachi.
5. Provincial Ombudsman Karachi Sindh.
6. In charge Human Right Cell @ Supreme Court Building Islamabad
7. Executive Engineer Education Works Division Badin
8. Assistant Engineer Local Government Public Health Engg: Department
9. Assistant Engineer Education Works Sub Division Badin



Address: Chandia House, Near Dr. Lashari Hosue, Nehar Ki Pati, Laloo Lashari Hyderabad.
Email: asifrazacontractors@gmail.com



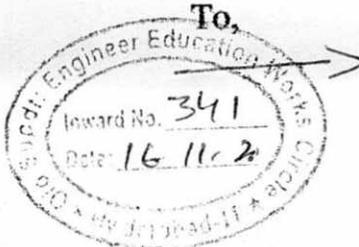
Z.K.B Construction & Developers

GOVERNMENT CONTRACTOR

CELL: 0340-2486132

Ref: NO: 156/2020

Date: 13-11-2020



To,
The Superintending Engineer,
Education Works Circle,
Hyderabad
Chairman CRC.

Sgt
16/11/20

SUBJECT: COMPLAINT AGAINST ENGR: SHAFIQUE AHMED CHANNAR, EXECUTIVE ENGINEER, EDUCATION WORKS DIVISION BADIN REGARDING MISPROCUREMENT, IRRIGULARITIES AND POLICY OF FAVORITISM IN THE PROCUREMENT PROCESS OF TENDERS MADE IN THE TENDER DURING PROCUREMENT PROCESS (NIT # TC/EDU/W/750, DATED: 07-10-2020, SPPRA ID # T00711-20-0004) ON DATED: 09-10-2020.

R/Sir,

The applicant / bidder respectfully submit as under:-

- 01.** That sir, the Executive Engineer, Education Works Division Badin, invited the tenders / Bids vide NIT No.TC/EDU/W/750, dated: 07/10/2020 Posted at Website of PPMS / SPPRA Serial No.T00711-20-0004 on dated 09.10.2020. Containing Twelve (12) works (**Photo copy of NIT is attached**).
- 02.** That sir, the date of issuance of the receipt and opening of tenders/bids are fixed on dated 12.11.2020 at 12.00 Noon and received back 13-11-2020 2:00 Pm and opening on same day @3:.00 PM Sir, we had applied to participate in the above NIT for the works Serial NO: 03,04,06,08,09 & 12.along with all required documents with Call Deposits , sealed for Further tender process.
- 03.** Moreover, when we approached to the Office of XEN Education Works Division Badin to witness the dropping of tenders. On that occasion, the above XEN / Chairmen of Procurement Committee and their nominated Members was Sitting in office. We dropped tenders in the tender box @ 1:35 PM. When the time is come for opening tender box the XEN said that we can't open the tender box. you look after 3 days, when we uploaded the BER at SPPRA / PPRA Website for the Above NIT, and he closed the door of their room and leave the office, Which shows the negligence of XEN for which the authority may take its notice.

Sgt II

Inform Chairman CRC meeting on 18-11-2020

14/11/2020

Contd: P-2

BUNGALOW # 84 D.H.A PHASE-II CANTT: HYDERABAD





Z.K.B Construction & Developers

GOVERNMENT CONTRACTOR

CELL: 0340-2486132

Ref: NO: 156/2020

Date: 13-11-2020

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04. Further, the policy of the present Procuring Agency /XEN Education Works Division Badin, is not fair with the bidders and also against the principles of procurements. However, procuring goods, works or services and the procurements are not held in a fair and transparent manner in terms of **Rule-4 of Sindh Public Procurement Rules, 2010**, for which the authority may take its notice and dealt in accordance with the rules
05. Moreover, **Engr: Shafique Ahmed Channar (XEN)**, on the basis of favoritism and nepotism issued the tenders/ bidding documents only to its blue eyed persons under the table. Such practices are not only big hurdles in the way of open and fair competition but also are against the terms of **Rule-15(1) of Sindh Public Procurement Rules, 2010 (Amended 2017)**, for which the authority may take its notice and put the responsible in the dock as per rules.
06. Furthermore, the Procuring Agency / XEN Education Works Division Badin, is a black sheep who is involved in the collusive, fraudulent and corrupt practices. He awarded contracts only to specific and his favorite contractors by interchanging of huge bribes and perks. Although he is posted at junior level position and has no legal rights to use power to decide the tender-related matters yet he audaciously violates the rules, regulations, procedures and policies set by the government and the authority. He does all such chicanery with political support.
07. That sir, the action of the Procuring Agency / XEN Education Works Division Badin, regarding clear favoritism with specific persons which is not only against existing rules, regulations and policy of the Government but also against **Article-18 (Freedom of Trade, Business or Profession)** of the Constitution of Islamic Republic of Pakistan 1973, which is re-produced below :-

“ Subject to such qualifications if any, as may be prescribed by law, every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business “

Contd: P-3



BUNGALOW # 84 D.H.A PHASE-II CANTT: HYDERABAD



Z.K.B Construction & Developers

GOVERNMENT CONTRACTOR

CELL: 0340-2486132

Ref: NO: 156/2020

Date: 13-11-2020

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Hence, the PA/XEN has made clear violation of the Constitution and deprived the applicant / bidder from his fundamental rights, for which Department and Authority may take its notice and prosecuted against him as per law.

Keeping in view the position, it is requested to kindly take legal action against the Procuring Agency / XEN Education Works Division Badin, for his criminal negligence during tendering process and violation of the SPPRA rules set by the authority. If any misprocurement found during the procurement process then all the possible and available legal means will be used against the procurement agency.

Therefore, the higher authority is humbly requested to look into the matter closely and to investigate matter you are also requested to call for CRC meeting about our complaint.

I put All The requisite documents / Video Recording as mentioned above at CRC meeting

Yours sincerely,



(M/S Z.K.B CONSTRUCTION & DEVELOPER)

Copy submitted for information and necessary action to:-

1. The Principal Secretary to Chief Minister Sindh, Karachi.
2. The Chairman, Enquiries & Anti-Corruption Establishment, Govt: of Sindh, Karachi
3. The Secretary Education Works Department Govt: of Sindh, Karachi.
4. The Managing Director Sindh Public Procurement Regulatory Authority, Barrak No.8 Sindh Secretariat Block -4 A Court Road Karachi.
5. The Executive Director, Transparency International Pakistan, Karachi.
6. The Chief Engineer Education Works Hyderabad.
7. The Deputy Director, Anti-Corruption Establishment, Badin.
8. The Circle Officer, Anti-Corruption Establishment, Badin.
9. Representative of District Accounts Officer Account General Sindh (Member of CRC)
10. The Executive Engineer, Education Works Division Badin & (Chairmen of P.C)
11. The Assistant Engineer Local Govt: Public Health Engineering Department & (Member of PC).
12. The Assistant Engineer, Education Works Concerned Education works Sub-Division & (Member of PC).

RESTRICTED

BUNGALOW # 84 D.H.A PHASE-II CANTT: HYDERABAD

