



NO: SO (G) / L&F /2(243)/ 2021
GOVERNMENT OF SINDH
LIVESTOCK AND FISHERIES
DEPARTMENT

Karachi, dated: 11th January, 2021

1. The Managing Director, Sindh Public Procurement Regulatory Authority, Karachi.
2. Program Coordinator, Accelerated Action Plan (Fisheries Sector), Bangalow # C-6, Block-F, Gulshan-e-Jamal, Rashid Minhas Road, Karachi.

SUBJECT: GRIEVANCES REGARDING PROCUREMENT PROCESS OF SUPPLIERS OF FISH SEED FOR NIT # PC / AAP / 679-80 / 2020 FISHERIES COMPONENT, LIVESTOCK & FISHERIES DEPARTMENT, GOVERNMENT OF SINDH UNDER ACCELERATED ACTION PLAN (AAP) FUNDED BY THE WORLD BANK.

I am directed to refer to the subject noted above, and to forward herewith a copy of the Minutes of the Redressal Committee Meeting held on 7th January, 2021 in the Committee Room of this department under the Chairmanship of Secretary, Livestock & Fisheries Department, Government of Sindh duly signed by the Secretary, Livestock & Fisheries Department for information and further necessary action.

Encl: As above

(MUHAMMAD SADIQ KHASKHELI)
SECTION OFFICER (GENERAL)

Copy forwarded for information and necessary action

1. Mr. Ahmed Khan Memon, Proprietor, M/S AKM Enterprises, Engineers, Contractors General Order Suppliers, D 470 Phase 2, Qasimabad Hyderabad.
2. Mr. Muhammad Ishaque, Proprietor, M/S Rose & Co, Government Contractor & General Order, Shop 18 G/F, Hashim Galleria, Qasimabad Hyderabad.
3. Mr. Muhammad Zubair. Government Contractors, Wings Trading Company, Office NO.262, Block-D, Unit-10 Latifabad, Hyderabad.
4. M/S Faiz & Co, Government Contractor, House No. C-9, Phase-I, Gulshan-e-Hadeed, Bin Qasim, Karachi.
5. PS to Secretary, Livestock and Fisheries Department, Govt. of Sindh, Karachi.
6. Master File.

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**MINUTES OF THE MEETING FOR THE COMPLAINT REDRESSAL Committee
IN THE OFFICE OF SECRETARY LIVESTOCK AND FISHERIES DEPARTMENT
GOVERNMENT OF SINDH DATED 7-01-2021 AT 2:30 pm.**

A meeting of Complaint Redressal Committee of Livestock and Fisheries Department was held on 07-01-2021 under the Chairmanship of Secretary Livestock and Fisheries Department to address the grievances of M/S Rose and Co and AKM Enterprises against the Procurement Process of Suppliers of Fish Seed for NIT # PC/AAP/NIT 679-80/2020 Fisheries Component, Livestock and Fisheries Department, Government of Sindh, under Accelerated Action Plan (AAP) funded by the World Bank. The meeting started with the recitation from Holy Quran. The representative of A.G Sindh did not attend the meeting. The Chair then called the Representative of M/S Rose & Co who explained following points which were also highlighted in his complaint.

1. Financial bids rates were not announced but only bid securities amount were announced by the PA
2. The condition for the registration in hatchery was discriminate and difficult to meet within 20 days from the date of published NIT. However, he produced Registration certificate but his firm was disqualified.
3. Non-payment of income tax returns for last 03 years. The same were produced by the Complainant before the CRC.
4. He also raised the objection on Rana and Sons (the successful bidder) that the company was registered in 2019 and the same has submitted returns for last three years which is not possible.
5. The complainant also raised objection on the bid security submitted by Rana and Sons amounting to Rs. 3.00 million which is over and above of the offered bid price. The Chair asked from the Complainant that how he came to know about the offer bid price. On that he replied that he came to know through comparative statement hoisted on SPPRA website.

The chaired called another complainant, the representative of M/S Akm enterprises who explained following points:

1. Financial bids rates were not announced but only bid securities amount were announced before all bidders and it was the violation of SPPRA.
2. The condition for the registration in hatchery was discriminatory and difficult to meet within 20 days from the date of published NIT. However, he produced Registration certificate but his firm was disqualified.
3. Less- payment of individual GST Challan for the year 2019-20 and 2020-21.

The Chair then asked the Chairman Procurement Committee to respond the points raised by the Complainants. On that the Chairman Procurement Committee stated that the rates were announced. However, the CRC has received the two complaints having same objections of not announcing the rates but only the bid securities. Therefore, keeping in view the frequency of complaints CRC considered the complaint tenable.

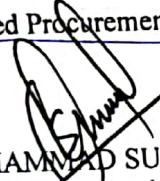
On the point of requirement of Registration with Fish Hatcheries in bidding document, the Chairman Procurement Committee opined that registration with hatcheries was made mandatory to get quality fish seed therefore the same was introduced in the bidding documents. If the complainant has any objection on the qualification criteria in the bidding document he had the option of getting clarification from the Procurement Committee before or even on the date of opening, which was not made in the case by the complainants. The CRC examined the certificate of Registration with Hatcheries which is otherwise issued by the Directorate of Fisheries, Hatcheries and Training Hyderabad working under the administration of D.G Fisheries, who is also the current Program Coordinator, AAP


Chairman Procurement Committee. Hence, the possibility of influencing the Issuing Authority cannot be ignored.

The CRC also examined the point raised by the Complainant regarding the registration of Rana and Sons with FBR and the same was verified from the FBR website that the firm was registered on 15-06-2019, but the owner is a regular income tax filer for last 03 years and not the company.

On the point of submitting over and above bid security by Rana and Sons, the Chairman Procurement Committee stated that the over and above bid security secure the future procurement process as there is not hard and fast Rule for not submitting or accepting over and above bid security against the quoted bid price. The CRC endorsed the same.

After going through the relevant record and hearing the parties, CRC unanimously decided that announcing the offered rates in the bid opening meeting under single stage one envelope process is mandatory as SPPRA Rule No 41 Sub Clause No 5. Not following the same during the bidding process is violation of SPPRA Rules 2010 as (Amended-2019). In addition the Rana and Sons Company was also not qualifying the criteria as the firm was registered with FBR on 15-06-2019 and not fulfilling the requirement of last 03 years income tax return. CRC also examined two more complaints one filed by Wings Trading Company and other by the Faiz and Co, against the same tender highlighting the same point of not announcing the quoted rates publically and delay in issuing the hatchery registration certificate whereas other companies received certificate before bid opening time. Hence, CRC decided to cancel the whole procurement process against the Notice Inviting Tenders vide PC/AAP/NIT FS/ 679-80/2020 Fisheries Component, Livestock and Fisheries Department, Government of Sindh, under Accelerated Action Plan (AAP) funded 17-11-2020 and directed Procurement Committee for re-tendering.


MUHAMMAD SUHAIL
Procurement Specialist


AIJAZ AHMED MAHESAR
Secretary Livestock and Fisheries/Chairman CRC