



**OFFICE OF THE
SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAYS CIRCLE LARKANO**

NO: S.E(PHWC)BB/ 794 /2021

Larkano, Dated: 12-04 /2021

To,

The Chief Engineer
Highways Sukkur.

**SUBJECT: - COMPLAINT REDRESSAL COMMITTEE AGAINST NIT NO.TC/G-55/81
DATED: 21-01-2021, FLOATED FOR PROCUREMENT OF WORKS BY THE
EXECUTIVE ENGINEER, MACHINERY MAINTENANCE DIVISION
KHAIRPUR @ SHIKARPUR.**

Ref'nce:- This office letter No.SE(PHWC)BB/681 dated: 06-04-2021.

Enclosed Kindly find herewith minutes of Complaint Redressal Committee (CRC)
Meeting held on Friday 09th April 2021 at 10.30 am on the subject matter for favour of kind
information and necessary action.

D.A / As Above.

Superintending Engineer
Provincial Highways Circle
Larkano / Chairman Complaint
Redressal Committee.

Copy forwarded for information to:-

- ✓ The Assistant Director (Legal-II) Sindh Public Procurement Regulatory Authority Block-8 Sindh Secretariat 4 A Court Road Karachi.
- The Executive Engineer Machinery Maintenance Division Khairpur @ Shikarpur.
- M/s Saif Enterprises Government Contractor. Tangwani Mohalla Kandhkot road Shikarpur (Cell # 0302-3697513).
- M/s Asif Ali Mugheri Government Contractor, Mugheri House Mugheri Street First Family Line Jacobabad (Cell # 0333-7338820).

KA INWARD DIARY
NO : 3965
DATED : 15/4/21

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Website.
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Superintending Engineer
Provincial Highways Circle
Larkano / Chairman Complaint
Redressal Committee.

MINUTES OF COMPLAINT REDRESSAL COMMITTEE MEETING HELD UNDER THE
CHAIRMANSHIP OF SUPERINTENDING ENGINEER PROVINCIAL HIGHWAYS CIRCLE
LARKANO / CHAIRMAN (CRC) DATED: 09-04-2021

NIT NO.TC/G-55/S1 DATED: 21.01.2021 FLOATED FOR PROCUREMENT OF WORKS BY THE
EXECUTIVE ENGINEER, MACHINERY MAINTENANCE DIVISION KHAIRPUR @ SHIKARPUR
(LIST OF PARTICIPANTS ATTACHED)

The Chairman recited Verse from Holy Quran and welcomed all the participants in meeting.

Meeting of Complaint Redressal Committee (CRC) held on 09-04-2021 at 10:30 (am) in the office of the Superintending Engineer, Provincial Highways Circle Larkano in accordance with the SPPRA Rule 31(4) & (5) of Sindh Public Procurement Rules-2010 (Amended up to date) to look into complaints made by the following Firms / Contractors against the Executive Engineer, Machinery Maintenance Division Khairpur @ Shikarpur.

Detail of Complainants

1	M/S Saif Enterprise Government Contractor	Attended
2	M/S Asif Ali Mugheri Government Contractor	Not Attended

2. Accordingly all (02) No. of above complainants as well as Executive Engineer concerned / procuring agency have been issued letter vide No. SE/PHWC/BB/681 dated 06-04-2021, and were requested to attend the meeting of Complaint Redressal Committee on 09-04-2021 so as to ascertain the factual position / matter and redress the grievances.

Proceeding:

3. Out of (02) Nos. of complainants, 01 No. namely M/s Saif Enterprise Government Contractor attended the Complaint Redressal Committee Meeting while the other complainant Mr Asif Ali Mugheri did not attend the Meeting (Copy of Signature / Attendance Sheet is attached for ready reference) rather he had requested the Executive Engineer (EE) for refund of Bid Security on 06-04-2021 (copy enclosed for ready reference submitted by the EE).

4. According to Representative of M/s Saif Enterprises that Procuring Agency did not open bids at the mentioned time that members and the Chairman Procurement Committee were not present at the time of opening. He had sent bid through TCS which was received by the Procuring Agency before the deadline of submission of bids, however, the Bid Evaluation Report (BER) uploaded by the Procuring Agency on SPPRA-PPMS website did not show the details of his bid. He complained about time mentioned in attendance sheet as PM instead of AM. Upon that the then Executive Engineer Mr. Abdul Sattar Shah replied that it had been a typographical mistake, actually it is AM. The complainant was partially satisfied.

5. The complainant had also raised objection on authority of this CRC, thereupon, in order to address grievance of the complainant, a notification to that effect was given to him for reference. However, the aggrieved complainant was satisfied with notification and had accepted to appear before CRC for due proceeding.

6. In response to above complaint, the Forum asked to the Executive Engineer / Procuring Agency to clarify his position. The present Executive Engineer Mr. Sunder Mal asked the Ex Executive Engineer

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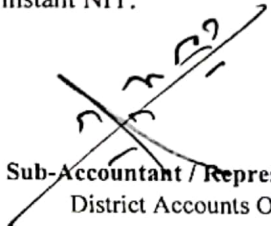
Mr. Abdul Sattar Shah Chairman Procurement Committee of the instant NIT to brief the forum. He briefed and submitted his written statement vide letter No. TC/G-55/195 dated: 18.02.2021, wherein he had informed that when few bids were still unopened and the process of opening of bids was about to complete, suddenly M/s Saif Enterprises requested the Procurement Committee, by raising the doubt, that he wanted to see their sealed envelope of bids to check either those were properly sealed or opened by someone to get their rates, as he had sent the bids through courier and in order to clear his doubt about sealed envelope of his bid, the envelope was given to him to check properly and return back to open in presence of the other bidders and announce the quoted rate like others. Furthermore, in a statement of Procurement Committee dated 17-02-2021, it is mentioned that the complainant had taken back sealed envelope and did some modification and left office without dropping the same in box such statement has been reiterated by Mr Abdul Sattar Shah Ex Executive Engineer / Chairman PC during the course of meeting as well. He further stated that when modification was made therefore procurement committee did not entertain his bid among others.

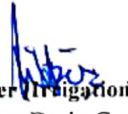
7. Over the above issue the complainant was silent on snatching and any modification of bid and did not brief the CRC about his version over extra ordinary incident took place rather denied except that he had been aggrieved when he got BER uploaded by Procuring Agency on SPPRA-PPMS website which did not show details of his bid, the same version as given under Review Committee proceedings.


8. Upon these statements CRC asked the Chairman PC that why such serious happening was not mentioned in Minutes of Bid opening Meeting on 17-02-2021 and that no action was taken against the bidder. The then Chairman PC Mr. Abdul Sattar Shah admitted that it was their mistake. In this connection, CRC regretted the ignorance of the then EE.

Conclusion:-

9. In the light of above deliberations the Committee concluded / decided that CRC under rule 31(4)a prohibits the Procurement Committee (PC) from acting or deciding in a manner inconsistent with rules and regulations. PC is to conduct procurement proceedings in a transparent manner, recording minutes in actual, and comply with other statutory obligations categorically with the sole responsibility at their (PC) end. Since the work has not yet been awarded, uttered by the Ex. Executive Engineer confirmed by EE i.e, similar version during review committee proceedings, therefore, the Executive Engineer Machinery Maintenance Division Khairpur @ Shikarpur, the Procuring Agency, is required forthwith to follow SPPRA rules and regulations strictly against the instant NIT.


Sub-Accountant / Representative
District Accounts Officer
Larkano/ Member CRC.


Executive Engineer (Irrigation) / Representative
Northern Dadu Canal Division
Larkano/ Member CRC.


Superintending Engineer
Provincial Highways Circle
Larkano / Chairman CRC.



Works & Services Department
Office of the
Executive Engineer Machinery Maintenance
Division Khairpur @ Shikarpur

No. TC/G-55/ 195 /2021

Date 18 / 02 /2021

0092-726-92-0181



To,

The Superintending Engineer,
Provincial Highways Circle,
LARKANO.

Subject

MISCONDUCT/CORRUPT AND FRAUDULENT PRACTICE OF TWO BIDDERS DURING OPENING OF BIDS OF NIT NO.TC/G-55/81, DATED 21.01.2021 NIT ID NO.T00138-20-0004.

It is Submitted that opening of NIT NO.TC/G-55/81, DATED 21.01.2021 NIT ID NO.T00138-20-0004 was held at 12:30 P.M. on 17-02-2021 in the office of undersigned and all the members of the Procurement Committee were present to open the bids before all the bidders following the SPPRA Rules 2010 (amended) 2019.

In this regard it is stated that all the bidders were called (which were 40 in numbers) and asked them to put the sealed envelopes of the bids in the sealed tender box available on the table in front the Procurement Committee.

It is pertinent to mention here that the tenders/bids received through courier/ TCS were already available in the sealed tender box as per rules.

All the bidders put their sealed envelopes of bids in the tender box in front of the Procurement Committee as well as the bidders / representatives of the bidders and then at 12:30 P.M as per given schedule the sealed tender box was opened by the Procurement Committee in presence of all the 40 present bidders / representatives.

Mr. Hizbullah Bhutto, representative of M/s: Saif Enterprises and Mr. Taj Muhammad Soomro, representative of M/s:Asif Ali Mugheri were also present to see the bidding process as their bids were already sent through courier.

The Procurement Committee showed the sealed box to all and opened its seal before the bidders publicly and started to open the sealed tenders/bids and announced the quoted rates one by one as the method applied was Single Stage – One Envelope as per SPPRA Rule (46)(1).

When few bids were remained unopened and the process of opening of bids was about to complete, suddenly the representative of M/s:Saif Enterprises and representative of M/s:Asif Ali Mugheri requested the Procurement Committee by showing the doubt that they want to see their sealed envelopes of bids to check either those were properly sealed or opened early by someone to check their rates, as they had sent the bids through courier and to clear their doubts the sealed envelopes of their bids were given to them to check properly and return back to open those by the committee, in presence of the other bidders and announce their quoted rates like others and all had to note/write the rates.

But after taking their envelopes in their hands they both started to discuss with other bidders and tried to instigate them for ring money/ pool money. The Procurement Committee strictly asked them to return their bids back to committee and to stop unlawful action otherwise legal action would be taken against both of them as they were trying to sabotage the bidding process which was totally against the law/rules even then they both insisted not to give their envelopes which was not their property as per law as those were sent through courier. Therefore the Procurement Committee asked the staff of the office to take their envelopes forcefully, they saw the situation, and they hurriedly left the office by shouting and using abusive language just to hinder the bidding process.

The Procurement Committee completed the process of opening of bids and were discussing the strategy to take action against Mr. Hizbullah Bhutto, representative of M/s: Saif Enterprises and Mr. Taj Muhammad Soomro, representative of M/s:Asif Ali Mugheri and most of the bidders have also left the office then the both persons appeared and asked to open their bids or to give them the ring/pool money on which the present bidders raised serious observations/objection as it was unlawful to open the bids after half an hour of completion of the process and being aware of the rates of other bids they had kept their bids with them. The Chairman of the Committee told them that neither their bids will be opened and counted nor any ring or pool money will be given to them as it was an unlawful action for which the committee will write to high ups for strict legal action against their companies/ firms as well as against them resultantly they throw their envelopes of bids on the table and threatened the Executive Engineer to drag him to every corner by making different complaints in NAB and other agencies.

The above position is submitted for kind perusal and guidance whether the proceedings of blacklisting against the M/s: Saif Enterprises and M/s: Asif Ali Mugheri may be initiated as it is "Corrupt and Fraudulent Practices" as SPPRA Rules 2010 (amended 2019) (2) (q).

EXECUTIVE ENGINEER
Machinery Maintenance Division
Khairpur @ Shikarpur

Copy forwarded with complements to:

The Chief Engineer, Highways Sukkur for favour od kind information.

EXECUTIVE ENGINEER
Machinery Maintenance Division
Khairpur @ Shikarpur



M/S ASIF ALI MUGHERI

GOVERNMENT CONTRACTOR

NTN # 3644845-1
Cell # 0333-7338820

Proprietor
Asif Ali Mugheri

Ref. No. AAM/JCD/2021/174

Date 6TH APRIL 2021

To,

The Executive Engineer,
Machinery Maintenance Division
Khairpur @Shikarpur

SUBJECT: REQUEST FOR REFUND OF BID SECURITY

Reference: Your Office NIT No : TC/G-55/81/2021 , DATED 21 - 2021

With reference to above, it is requested that the bid security for the work applied for "W/R OF ROAD FROM N-55 JAIL CHOWRANGITO MARI CHOWK VIA SHAHI BAGH AND APPROACH TO COURT COMPLEX AT CITY SHIKARPUR (7.0KMS) costing Rs.165.200 (M)" may please be refunded, So that we can apply in other Department.

Yours sincerely,

(M/S. ASIF ALI MUGHERI)

Office Address: Mugheri House, Mugheri Street, First Family Line, Jacobabad (Sindh)
Email: asif_ce54@hotmail.com

MEETING OF COMPLAINT REDRESSAL COMMITTEE

**NIT NO.TC/G-55/81 DATED: 02-01-2021, FLOATED FOR PROCUREMENT OF WORKS
BY THE EXECUTIVE ENGINEER MACHINERY MAINTENANCE DIVISION KHAIRPUR @ SHIKARPUR.**

S.No.	Name of Participant	Designation	Contact No.	Signature
	محمد علی احمد S.P.O. / Office	سپو آفیس	0309-3697813	M. S.
	Naveed Ahmed Khan	Asstt Acct OFFICER	0368-3470311	[Signature]
	Kiz Aurci	AXEN	0345 3832498	[Signature]
	Sunday Mal	XEN M. M. Divi: Shikarpur	0330-3764815	[Signature]