



REGIONAL DIRECTORATE OF SPECIAL EDUCATION
& REHABILITATION CENTRES
DEPTT: OF EMPOWERMENT OF PERSONS WITH DISABILITIES
GOVERNMENT OF SINDH
ST-31, BLOCK-15, GULISTAN-E-JAUHAR, KARACHI

NO. F. 3-171/2017 (AVL) RDSE&RC/KHI/ 1794

dated 11th June, 2021

To

The Secretary
Department of Empowerment of Persons with Disabilities
Government of Sindh
Karachi.

Subject:

MINUTES OF MEETING OF COMPLAINT REDRESSAL COMMITTEE (CRC) ON COMPLAINT AGAINST ADP SCHEME # 445/2020-21 NAMEDLY "AUDIO VISUAL LIBRARY AT GOVERNMENT SPECIAL EDUCATION & REHABILITATION COMPLEX, GULISTAN-E-JAUHAR, KARACHI. HELD ON 10TH JUNE, 2021 AT THE VENUE OF REGIONAL DIRECTORATE OF SPECIAL EDUCATION AND REHABILITATION CENTRES, KARACHI.

Kindly find enclosed herewith a copy of minutes of the meeting of Complaint Redressal Committee duly signed by the Chairman and members for information and necessary action.

Submitted for perusal and necessary action, please.

RA
15.6.21
(E+D)
16.06.21
A.D. (CRC)

J. Rathi
(ENGR. JHAMANDAS RATHI)
CHAIRMAN REDRESSAL COMMITTEE/
REGIONAL DIRECTOR

Copy for information to: -

1. Chairman, Procurement Committee.
2. Members Concerned.
3. P.S. to M.D. SPPRA, Govt. of Sindh, Karachi.
4. P.S. to Special Assistant to Chief Minister Sindh for DEPD, Karachi.
5. P.S. to Secretary, DEPD, Govt. of Sindh, Karachi.
6. Office File.

Please put up + on website.
17/6

(SAY "NO" TO CORRUPTION)



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DEPTT: EMPOWERMENT OF PERSONS WITH DISABILITIES
GOVERNMENT OF SINDH
ST-31, BLOCK-15, GULISTAN-E-JAUHAR, KARACHI
rdsekarachi@gmail.com, Contact: 021-99249682 & 83**

SUBJECT MINUTES OF MEETING OF COMPLAINT REDRESSAL COMMITTEE (CRC) ON COMPLAINT AGAINST ADP SCHEME # 445/2020-21 NAMELY "AUDIO VISUAL LIBRARY AT GOVERNMENT SPECIAL EDUCATION & REHABILITATION COMPLEX, GULISTAN-E-JAUHAR, KARACHI. HELD ON 10TH JUNE, 2021 AT THE VENUE OF REGIONAL DIRECTOR, REGIONAL DIRECTORATE OF SPECIAL EDUCATION AND REHABILITATION CENTRES, KARACHI.

Under SPPRA Rules 31 (1) the head of the procuring agency i.e.; the Administrative Secretary, Department of Empowerment of Persons with Disabilities, Government of Sindh has constituted a Complaint Redressal Committee for mentioned ADP Scheme comprising upon the following persons of related field

- | | | |
|---|---|-------------|
| 1 | Mr. Jhaman Das Rathi,
Regional Director,
Regional Directorate of Special Education and Rehabilitation Centres,
Karachi | Chairperson |
| 2 | Representative of the Account General Sindh | Member |
| 3 | An independent professional from the relevant field concerning the
procurement process in question | Member |

Upon a request letter to the Secretary, DEPD, Government of Sindh, the worthy Secretary verbally allowed the undersigned to get nomination from an independent professional from the relevant field. The undersigned (Chairperson) has requested to Chief Operating Officer of a private sector and Accountant General Sindh to nominate appropriate employee to attend the meeting of CSR mis procurement. The following persons have been assigned to process the matter of mis procurement lodged by the complainer;

1. Ms. Shama Ehsan Khan, Chief Financial Officer, Autism Spectrum Disorder Welfare Trust, Karachi.
2. Mr. ~~M. M. M. M.~~ Tayyab Ali Ghouri, Accounts Officer, Accountant General Sindh, Karachi.

A meeting of Complaint Redressal Committee (CRC) for ADP Scheme bearing No. 445/2020-21 "Audio Visual Library at Government Special Education & Rehabilitation Complex, Gulistan-e-Jauhar, Karachi" on 10th June 2021 at 3.00 pm in the venue of Regional Directorate of Special Education & Rehabilitation Centres, Karachi. (Attendance of participants of meeting enclosed) in light of submitted complaint received from M/S X-Cess Pak a bidder on 3rd June 2021 to address the grievances of the aggrieved party.

(SAY "NO" TO CORRUPTION)

The CRC members has examined critically the documents furnished by the Procurement Committee and on detailed deliberation found that the Procurement Committee has not acted the procurement procedures, accordingly.

The Procurement Committee has further discussed upon the complaint of X-Cess Pak point wise and passed the following comments;

Sr #:	Complain Point	A noted Response
01	That our bid for subjected tender rejected deliberately by the procuring agency despite meeting evaluation criteria mentioned in bidding documents.	Agreed
02	That we were the only technically and financially evaluated lowest bidder but after financial opening procurement committee malefidely accused us of providing fake documentation. Which were later verified as genuine documents but procurement committee was stubborn on declaring our documents as fake.	Agreed
03	That procurement committee bypassing all protocols & powers of grievance committee wrongly accepted application of rejected party and started to work on that although it was power of Complaint Redressal Committee to act upon complaints.	Partially Agreed
04	That the complainer was not in position to lodge complain as they already had withdrawn their bid securities and according to SPPRA Rules if anyone want to lodge complaint during the process bid security should be with department. Also, the complaints should be lodged with CRC after announce of Procurement committee report not before that as mentioned in SPPRA Rules.	Agreed
05	That our firm was clearly qualified in all aspect mentioned in ITB but was technically rejected after opening of financial proposal thus leaking our confidential financial documents.	Agreed
06	That Questioned ISO Certificate of our firms was verified several times from various forms. But committee was stubborn on not considering it as original.	Agreed
07	That screenshot sent to us with clarification letter was edited for solely purpose of declaring our certificate fake and hiding the actual true facts about our documents.	Agreed
08	That we suspect that procurement committee members are biased and it was their utmost intention to not to award contract to us but to award contract to their personal best interested parties.	Need to be investigated
09	That during technical scrutiny one of the bidder's documents were verified and was declared fake by certificate issuer. Instead of blacklisting that bidder which was meant to be according to SPPRA rules. The committee started to listens and act to their threats and arguments.	Agreed, except the sentence of content "The committee started to listens and act to their threats and arguments".
10	That all tender proceedings and meeting were held in presence of other department officials. Who were not part of procurement committee but it was felt that he has all control over the procurement committee and he was involved in every decision of procurement committee.	Not concerned with the CRC as the members of CRC were not present in the meeting of Procurement Committee
11	That according to SPPRA rules Procurement Committee cannot entertain any complaints but this committee not only entertain complaints but tried to sabotage whole procurement process.	Partially Agreed

(SAY "NO" TO CORRUPTION)

12	That we also replied to your clarification letter with our Letter vide our reference number XP/ DEPD/ 02 Dated 01/06/2021. But the committee never replied to that letter and never listened our clarification instead they announced without reading content of letter	Need to be investigated and may be confirmed from the M/S X-Cess Pak
13	That it is not the job of procurement committee to cancelled procurement process but committee job was to suggest outcomes of tender process to head of department which was again bypass by the procurement committee.	Need to be confirmed from the Administrative Department
14	That we were never informed about the committee decision instead we came to know about that on SPPRA website.	According to documents received from Procurement Committee no any letter was issued to M/S X-Cess Pak except related to ISO 9001

In light of the above comments, provided documents from Procurement Committee and Complaints of the aggrieved bidder, the CRC has suggested to reverse the decision made by the Procurement Committee provided under SPPRA Rules 31(4)(C).

Shama E. Khan

(Shama Ehsan Khan)

Member

Chief Financial Officer, Autism Spectrum
Disorder Welfare Trust, Karachi

Tayyab Ali Ghouri

(Tayyab Ali Ghouri)

Member

Accounts Officer, Accountant General Sindh,
Karachi

Jhamandas Rathi

(Engr. Jhamandas Rathi)

Chairperson

Regional Director

Regional Directorate of Special Education and
Rehabilitation Centres, Karachi