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To,


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

No.SE/EWC-SUK/EB/ 701  
Office of the Superintending Engineer  
School Education Works, Sukkur  
Dated, 18-11-2021.

**SUBJECT: - COMPLAINT REDRESSAL COMMITTEE**

In response to the complaints received by this office from M/S Abdul Hafeez Kolachi, Government Contractors for N.I.T No. TC/G-55/EWD/KHP/81, dated:20-10-2021, Education Works Division, Khairpur, the meeting of the complaint Redressal Committee was held on 15-11-2021 in the office of the undersigned.

The minutes of meeting/Decision of C.R.C are enclosed herewith for your information and further necessary action.

  
ALTAF HUSSAIN BHURGRI  
SUPERINTENDING ENGINEER  
CHAIRMAN  
COMPLAINT REDRESSAL COMMITTEE  
EDUCATION WORKS CIRCLE  
SUKKUR

C.C to:

1. Chief Engineer Education Works, Region Sukkur
2. The Executive Engineer, Education Works Division, Khairpur
3. M/S Abdul Hafeez Kolachi, Government contractors
4. Office file

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SUPERINTENDING ENGINEER  
CHAIRMAN  
COMPLAINT REDRESSAL COMMITTEE  
EDUCATION WORKS CIRCLE  
SUKKUR

SPPRA INWARD DIARY  
NO : 1522  
DATED : 28/11/21

Please,  
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ADL n  
29/11

**MINUTES OF THE MEETING OF COMPLAINT REDRESSAL  
COMMITTEE HELD ON 15-11-2021 IN THE OFFICE OF THE  
SUPERINTENDING ENGINEER EDUCATION WORKS CIRCLE  
SUKKUR.**

The C.R.C meeting was conducted on receiving the complaint made by M/S Abdul Hafeez Kolachi against N.I.T NO.TC/G-55/EWD/KHP/81, dated: 20-10-2021, published by the Office Of The Executive Engineer, Education Works, Division, Khairpur.

Participants:

1. Altaf Hussain Bhurgri  
Superintending Engineer  
Education Works Circle Sukkur  
Chairman
2. Mr. Kapil Kumar  
(Representative of Accountant General of Sindh)  
Member CRC
3. Mr. Jan Muhammad Qasmi  
Executive Engineer  
Education Electrical Works Sukkur  
Member CRC
4. Mr. Muhammad Aslam Lashari  
Executive Engineer  
Education Works Division, Khairpur  
Head of Procurement Agency
5. Mr. Mateen Ahmed Kolachi  
Representative of Complainant
6. Muhammad Saleem Tunio  
Representative of Complainant

The Chairman welcomed all the participants and subsequently informed the forum that contractor's complaint is regarding the procedure adopted by the procuring agency i.e Single Stage-Two envelope in which he quoted SPPRA Rule 46(1) & (2) Procedure of opening competitive Bidding, Rule 47 Conditions for use of various procedures and 7.9.5 Conditions for use of various procedures rule 47 (merits and demerits).

1. Initially representatives of complainants were heard in detail, they stated that NIT contain a work less than 4.00 million in which even registration of PEC is not required where as the requirements for technical evaluation are hindrance for individuals to participate.

2. Mr. Mateen was of the view that the works are of the routine nature and same nature works are procured by this department in single stage-Single envelope procedure since long time. The adoption method of single stage-two envelope at this stage by Education Works Division Khairpur is with malafide intention to award contracts to some few selected contractors and stopping participation and fair competition.

3. He also added that the NITs of the same nature of works are floated by the Executive Engineer EWD Shikarpur and Karachi Municipality Corporation about 900 million by adopting Single Stage-Single Envelope process, so this should be procured the same method.

On the other hand Executive Engineer Education Works Khairpur defended by replying as under:

1. The nature of the works procured is not as simple as complainant understands, the building work contains more than fifty items and many of them involve complexity and technicality.

2. The cost is not benchmark of a simple nature work, but it depends on the type of the building.

3. The precedent of Shikarpur and Karachi municipal corporations is not the logic to apply the same process rather procurement agency is empowered to procure the works as per requirements of the works.

4. The XEN assured the committee that transparency will be the first priority in the procuring process.

5. He was also of the view that SPPRA rules do not stop the procurement Agency to adopt other method of procurement. He also informed that it is very difficult for procurement agency to disqualify the lowest financial bidder in post evaluation process. Hence adoption of pre-evaluation method before financial opening of bid is more appropriate and in the interest of public works.

### **Observations of the Committee**

The committee is of the view that the complexity, technicality and particularity of the work is determined by the nature and objectives of the works. Merely low cost is not the touchstone for any work to be classified simple or complex.




Hence the discretion lies with the procurement agency to take decision regarding the method of procurement according to the nature of work, circumstances and needs of the procurement agency. Therefore it is not binding upon the procuring agency to adopt the same procedure continuously.

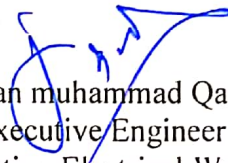
### **Decision of the Committee**

After detailed discussion, it is unanimously decided that the procuring agency is empowered to choose any method of procurement by observing SPP rules. Therefore, the contents of the complainant are treated null and void. The procuring agency concerned is allowed to continue further procurement process subject to fulfillment of all codal formalities in according the SPPRA Rules 2010 (amended 2019).

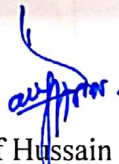
Meeting was ended with the vote of thanks to end to from chair.



Kapil Kumar  
Representative of Accountant General Sidh  
(Member)



Mr. Jan Muhammad Qasmi  
Executive Engineer  
Education Electrical Works  
Division Sukkur  
Member



Mr. Altaf Hussain Bhurgri  
Superintending Engineer EWC Sukkur  
Chairman Complaint Redressal Committee