OFFICE OF THE
SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE SUKKUR

Ph: 071-9310768
Fax:071-9310767

No. BB(i)/ 511 /2023 Dated: 14/03/2023

To

The Chief Engineer
Highway **Sukkur**

Subject: **MINUTS OF THE MEETING OF COMPLAINT REDRESSAL COMMITTEE HELD ON 14-03-2023**

The Decision / Minutes of the meeting of Complaint Redressal Committee, complaint made by **M/S. Muhammad Murtaza Enterprises,** Government Contractor against NIT called by the Executive Engineer Provincial Highway Division **Sukkur** vide NIT No: TC/G-55/ 106 Dated: 20-01-2023, is submitted herewith for favour of kind information.

RA
22.3.23

DA/As...Above

SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR

Copy (alongwith copy of above minutes of the meeting) forwarded with compliments

1. The Assistant Director (Legal-II) Government of Sindh, Sindh Public Procurement Regulatory Authority Karachi
2. The District Accounts Officer Sukkur
3. The Executive Engineer Barrage Division Sukkur
4. The Executive Engineer Provincial Highway Division Sukkur.
5. **M/S. Muhammad Murtaza Enterprises, Government Contractor** Islam Colony New Pind Sukkur Cell No# 0300-5036009.

SPPRA INWARD DIARY
NO : 4040
DATED : 22/3/23

Ph.
Host on SPPRA Website
AD(L-2) 28/3

SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR

MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE (CRC) HELD ON 14.04.2023 REGARDING COMPLAINT MADE BY M/S MUHAMMAD MURTAZA ENTERPRISES

The meeting of Complaint Redressal Committee (CRC) held on 14.03.2023, in terms of Rule No. 31 of SPPRA Rule 2010 (Amended to date) in order to redress the grievances of M/s Muhammad Murtaza Enterprises, Government Contractor regarding tenders invited for procurement of different work in office of the Executive Engineer Provincial Highways Division Sukkur NIT No. TC/G-55/106 dated: 20.01.2023.

The following were participants attend the Meeting:-

1	Superintending Engineer Provincial Highway Circle Sukkur	**Chairman (CRC)**
2	District Accounts Officer Sukkur	Member (CRC)
3	Executive Engineer Barrage Division Sukkur	Member (CRC)
4	Executive Engineer Provincial Highways Division Sukkur	Executive Engineer Chairman Procurement Committee

The Complaint M/s Muhammad Murtaza Enterprises, Government Contractor or his representative did not attend the Meeting. This office representative have personally contacted the complaint as well as sent the letter on whatsapp and also dispatched the same through UMS (Pakistan Post). Despite of that the complainant did not attend the CRC Meeting.

COMPLAINT REDRESSAL COMMITTEE PROCEEDINGS

The Meeting started with the name of Almighty Allah. The Superintending Engineer Provincial Highway Circle Sukkur/ Chairman Complaint Redressal Committee (CRC) welcomed all the participants for attending the Meeting and narrated that the Meeting was conveyed in terms of Rule No. 31 of SPPRA Rules 2010 (Amended to date). The participants were informed that M/s Muhammad Murtaza Enterprises, has lodged complaint for redressal of their grievances regarding tenders invited by the Executive Engineer Provincial Highways Division Sukkur vide NIT No. TC/G-55/106 Dated: 20.01.2023.

VERSION OF THE COMPLAINANT MENTION IN HIS COMPLAINT

The Executive Engineer Provincial Highways Division Sukkur has committed the following irregularities, vide his complaint No. MME/SUK/91 Dated: 24.02.2023.

1. That, on the day of opening when the undersigned appeared for participation in the tenders at the office of the above procuring agency and dropped his Bids (Financial and Technical Proposals) then shocked to see that the XEN offered to the undersigned that there is no work and offered POOL/Money and also said to sign blank Tenders Form, the undersigned requested the XEN to act in accordance with the SPP Rules and Regulations but he became annoyed and said that we do not follow the Rules, here works are done in this way so the undersigned refused to be part of any illegal act and has filed the instant complaint for cancellation of NIT.
2. That, almost 65 bidders participated in the above NIT and it has come to the knowledge of the undersigned that the XEN illegaly and unlawfully has return the **Bid Securities** almost 55 bidders without any Evaluation and that were also fake Bid Securities as these were mentioned just to show that many bidders have participated in the bidding process which is totally illegal and unlawful act and is clear violation of **Rule-41** of SPP Rules and Regulations.
3. That, XEN has made partnership with some of the Contractors and he always award the Works/ Contracts to them, if the record of the last five years will be checked then corruption of the XEN will come on the surface.
4. That, the XEN illegally adopted single stage two envelop procedure just to delay the procurement of public works and to choose his favorite contractors, against that the undersigned has also filed CRC complaint which must be given consideration.
5. That, the infirmities/ observations were also imposed by the SPPRA (PPMS) assessment system when the NIT was hoisted by the above procuring agency but the same are not complied with yet.

6. That, the Executive Engineer unlawfully sabotage the legal process of bidding and had not followed any SPP Rules which has amount the subject NIT as the case of Mis-Procurement as he wants to award the contract on Highest Rates to his cherish Contractors by getting illegal gratification if he will be succeeded then the government will face the loss of Million as the undersigned has offered by Below/Lowest rates from the estimated costs /rates.

PROCURING AGENCY'S VERSION

Mr. Javed Ahmed Kalhoro, Executive Engineer Provincial Highways Division Sukkur /Chairman Procurement Committee replied as under:

1. Invited in accordance with SPPRA rules by observing all codal formalities duly published in various newspapers and hoisted PPMS website the NIT's were called upon single stage two envelope method Rule-46 (2) many Engineering Departments/ Agencies are observing single stage two envelope method regularly and successfully achieve the better and fair results. But instead of (single stage two envelope method) non serious and non professional contractors made group and create law and order situation during the course of engineering the bid which resulted cancellation of tenders, wastage of time, wastage of Government ex-chequer and delay in execution of scheme due to late completion of schemes price hiek in the market and Government can not sustain lot of loss. Contractors exert un due pressure tactics from different members to obtain the contract and make groups and jeopardize the whole procurement process.

2. In this regards it is to inform that this office is quite clear and adopted the prescribed rule of SPPRA 46(2) in its letter and spirit. He has also alleged that I am supporting the political contractors by violating the SPPRA rule 47(2). As the procedure of evaluation of the Technical Proposal is under way, how can he presumed that I am supporting some contractors. The evaluation process is an open document and signed by the procurement committee after full examination of the all documents in detail.

Secondly it is mentioned here that the complainer (M/s Muhammad Murtaza Enterprises) is also not entitled to made the complaint against the procurement process as he has not participated in the tendering process, & being outsider his complaint may not be entertained, so it is suggested to file his complaint without any further proceedings

DECISION OF COMPLAINANT REDRESSAL COMMITTEE (CRC)

The complainant was sent notice for attending the Complaint Redressal Committee Meeting (CRC) i.e on 14.03.2023 vide this office letter No. BB(i)/351 480 Dated: 10.03.2023, but inspite of that he remained absent without any intimation. The ***Complaint Redressal Committee*** is of the unanimous view that there is no any illegality, irregularity or any malpractice on the part of the Procuring Committee, the Complaint has been made without any justification and hence complaint do not merit any consideration, which stand dismissed.

The meeting ended with a vote of thanks from the Chair.

DISTRICT ACCOUNTS OFFICER
SUKKUR
(MEMBER CRC)

Beauty & Non-Tech. Member

EXECUTIVE ENGINEER
BARRAGE DIVISION SUKKUR
(MEMBER CRC)

SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR
(CHAIRMAN CRC)