



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.D D (L-II)/SPPRA/CMS-3706/2022-23/ 1186

26th
Karachi, dated the June 2023

To,

The Chief Administrator Auqaf,
Sindh Hyderabad
HYDERABAD.

**Subject: DECISION OF THE REVIEW COMMITTEE OF SINDH PUBLIC
PROCUREMENT REGULATORY AUTHORITY.**

The undersigned is directed to refer to the subject cited above and to enclose herewith a copy of the decision of Review Committee meeting held on 08.06.2023 against Review Appeal submitted by M/s Manzar Associates on NIT No T01324-22-0006 for your information.

(ABDUL JABBAR SHAIKH)
LEGAL COORDIANTOR

A copy is forwarded for information and necessary action to:

1. The P.S to Secretary to Government of Sindh, Auqaf and Religious Affairs.
2. Assistant Director (I.T), SPPRA (with an advice to post the decision on the Authority's website in terms of Rule-32(11) of the SPP Rules, 2010)
3. The Chairperson / Members of Review Committee (All)
4. M/s Manzar Associates, C-36 G-1, Block 16 Gulistan e Johar, Scheme 36, Karachi
Mobile No 0304-0411963 (the Appellants)



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY



Decision of the Review Committee of Sindh Public Procurement Regulatory Authority (SPPRA) held on 08.06.2023 under Rule 31(5) read with Rule-32 of the SPP Rules, 2010

M/s Manzar Associatesthe Appellant

V/S

The Chief Administrator Auqaf Sindh Hyderabad the Procuring Agency

1. Introduction:

1.1. The Chief Administrator Auqaf Sindh Hyderabad "The Procuring Agency" invited bids for purchase/ Supply electric goods articles for shrines/Masjid/Rest houses of Auqaf Department Sindh" vide NIT No. AUQF/(CAA)Tender/2023-04 dated 16.01.2023 in Newspapers and also hoisted on SPPRA Website vide Serial No. T01324-22- 0006.

1.2. The appellant applied for works Sr. No. 1 to 8. Procurement Committee planned to open the bids on 08.02.2023, but when the representative of the appellant approached to the procuring agency for the opening of bid, none of the members of the procurement was present there to open the bids.

1.3. The appellant approached to CRC on 03.03.2023 with request to look in to the malafide intention of the procuring agency and restrain received to SPPRA the Procuring Agency from the awarding of the contract. The appellant also requested CRC to refer the matter Enquiries and Anti Corruption Establishment for taking action against the official of the Procuring Agency.

1.4. The CRC failed to decide the matter within 07 days. Therefore, the appellant submitted a Review Appeal before the Review Committee on 27.03.2023 with a restrain the Procuring Agency from the awarding of the Contract.

1.5. The appeal of the appellant was listed for hearing before the Review Committee on 08.06.2023. The Appellant was informed vide letter dated 02.06.2023.

1.6. 1.2. The Appellant submitted that the procuring agency did not inform him about the financial opening of bids.

2. Proceedings of the Meeting:

2.1. The Chair welcomed the participants. The Review Committee was informed that the appellant failed to appear before the Review Committee. Furthermore, the Review Committee was informed that the appellants came in the office but did not appear before the Review Committee. The Procuring Agency submitted that the appellant had withdrawn his complaint.

3. Observations of the Review Committee :

3.1. The Review Committee observed that the behaviour of the appellant towards his appeal showed that he had filed the frivolous appeal as he has not pursued his appeal seriously.


3.2. The Committee noted that that submission of frivolous Review Appeals is not only hampering smooth working of the Authority but also causing huge losses of time and resources to the exchequer.

3.3. The Review Committee is of the unanimous opinion that the appellant has filed this review appeal to misuse the forum of the Review Committee for ulterior motives.

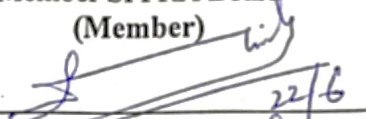
Decision of the Review Committee

Given the proceedings findings/observations and after due deliberation, the Review Committee, in exercise of powers conferred upon it under Rule 32(7) of SPP Rules has decided as under;


1. Dismiss the instant Review Appeals being frivolous.
2. Directed the Procuring Agency to forfeit the bid security submitted by the appellant.
3. Impose a penalty on the appellant an amount equivalent to ten times of the amount paid as Review Appeal fees. The appellant is directed to pay the amount of penalty of Rs.50,000/- (Fifty Thousand only) in shape of Pay Order in favour of SPPRA within 15 days from the issuance of this decision failing which no Review Appeal shall be considered in future.




(Manzoor Ahmed Memon)
Member SPPRA Board
(Member)



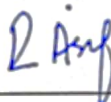
(Engr. Syed Muhammad Shikaib)
Independent Professional
(Member)



(Syed Adill Gilani)
Member SPPRA Board
(Member)



(Khair Muhammad Kalwar)
Special Secretary
Planning & Development Department
(Member)



(Rubina Asif)
Managing Director, SPPRA
(Chairperson)