



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.D D (L-II)/SPPRA/CMS-3850/2022-23/ 1191

26th
Karachi, dated the June 2023

To,

The Sindh Revenue Board,
KARACHI,

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 07.06.2023 against Review Appeal submitted by M/s Geneko Middle East FZE on NIT No T00629-17-0001 for your information and necessary action.


(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, Sindh Revenue Board.
2. Assistant Director (I.T), SPPRA (with an advice to post the decision
3. on the Authority's website in terms of Rule-32(11) of the SPP Rules, 2010)
4. The Chairperson / Members of Review Committee (All)
5. M/s Geneko Middle East FZE, (the Appellants)



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY



**Decision of the Review Committee of SPPRA under Rule-32 of
the SPP Rules, 2010 held on 07.06.2023**

M/s Geneko Middle East FZE the Appellant

V/S

Sindh Revenue Board the Procuring Agency

1. Introduction:

1.1. M/s Geneko Middle East FZE submitted a Review Appeal dated 30.1.2023 against the procurement of Online Fiscal Point of Sale Integration with Tax (OFPOSIT) invited by Sindh Revenue Board (SRB) through various newspapers and hoisted on SPPRA Website vide No. T-00629-17-0001 dated 10.04.2018. Method of Bidding was International Competitive Bidding (ICB).

1.2. The SRB (Procuring Agency) has however, cancelled the bidding process in accordance with Rule-38(5) of the SPP Rules, 2010 which stipulates that "in case the procuring agency fails to finalize the bid evaluation within the extended time, the bids shall stand cancelled and a fresh bidding process shall be initiated". The Cancellation notice has been uploaded on SPPRA Website.

1.3. The case was placed before the Review Committee for maintainability purpose only.

2. Proceedings of the Meeting:

2.1. The Chair briefed the case to the Members. The Committee were of the view that since the procurement process has already been cancelled by the Procuring Agency under Rule-38(5) of the SPP Rules, 2010, then it is not maintainable for any discussion. The Committee were also of the view that as it is prerogative of the Procuring Agency to cancel the bidding process at any time prior to acceptance of bid or proposal as per Rule-25(1) of the SPP Rules, 2010.

R. Anif

1/2

2.2. Further, it was discussed that Rule-33(1) of the SPP Rules, 2010 clearly stipulates that Decision by the Procuring Agency under Rule-25 to cancel the bidding process shall not be subject to any appeal or review.

Decision of the Review Committee

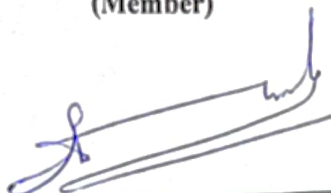
After due deliberation, the Review Committee unanimously decided that the Review Appeal do not fulfill the requirement for hearing the parties as the procurement process has already been cancelled by the procuring agency hence the appeal is not maintainable.



(Manzoor Ahmed Memon)
Member SPPRA Board
(Member)



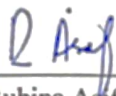
(Syed Adill Gilani)
Member SPPRA Board
(Member)



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



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



(Rubina Asif)
Managing Director, SPPRA
(Chairperson)