



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.:LC/SPPRA/CMS-3717/23-24/063

Karachi, dated the 21 July, 2023

To,

The Section Officer,
PM&I Cell,
Health Department, Government of Sindh
KARACHI.

SUBJECT: DECISION OF THE REVIEW COMMITTEE OF SPPRA AGAINST THE REVIEW APPEAL SUBMITTED BY M/S EASA BUSINESS GROUP.

The undersigned is directed to refer to the subject cited above and to enclose herewith a copy of the decision of meeting of the Review Committee held on 11.04.2023 against Review Appeal submitted by **M/S Easa Business Group** on NIT No. T00911-22-001.


ASSISTANT DIRECTOR
(LEGAL)

A copy is forwarded for information and necessary action:

1. The Chairperson / Members of the Review Committee (All).
2. The Secretary to Government of Sindh, Health Department (*with a request to take necessary action as per Rule-32(A)(2) of the SPP Rules, 2010 under intimation to this Authority*).
3. 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*).
4. M/s Hakimsons (Impex) Pvt. Ltd, Hakimsons Building, 19 West WHARF Road P.O. Box No. 5580, Karachi (**the Appellant**).



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY



No. AD (L-II) SPPRA/CMS-3717/2020-21

Karachi, dated the 18th April, 2023

DECISION OF REVIEW COMMITTEE MEETING OF SPPRA UNDER RULE-32 OF
THE SPP RULES 2010 HELD ON 11.04.2023

M/s Easa Business Group.....the Appellant

V/s

PM&I Cell Health Department Govt of Sindh.....the Procuring Agency

1. Introduction:

1.1. Health Department, Government of Sindh invited bids for the procurement of various items through publication in newspaper vide NO. SO(PM&I)2-1/2022/23/Main/HPC (KRY.NO.3745/22) and uploaded on SPPRA Website at Serial No.T00911-22-0001 dated 28.9.2023. Method of Procurement was Single Stage - Two Envelope. Technical bids were opened on 15.11.2022 and financial bids were opened on 28.12.2022.

1.1. M/s Easa Business Group vide letter No. SPPRA-KHI dated 07-03-2023 received in this office on 14.3.2023 submitted an appeal to the Review Committee on item namely "Clindamycin 300mg (Clindacure). The complainant requested that in the comparative statement another bidder (M/s Lavish Enterprises) mentioned as successful bidder whereas, rates quoted by their firm was lowest and they are technically qualified in technical evaluation.

2. Proceedings of Review Committee:

2.1. Meeting of the RC started with recitation of verses from the Holy Quran. Chair welcomed the participants and asked about the appellant. The staff informed that this is second hearing of the case but appellant failed to appear both times before the Review Committee. It was further informed that the appellant had also withdrawn his bid security from the Procuring Agency.

2.2. The Committee discussed that as per Rule-32(9) of the SPP Rules, 2010, in case the appellant fails to appear twice despite the service of notice of appearance, the appeal may be decided ex-parte.

3. Observations of the Review Committee :

3.1. The Review Committee observed that the behaviour of the appellant towards his appeal is casual and he has not pursue his appeal which seems that the appeal is frivolous.

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 loss 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. 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 Thousands only) in shape of Pay Order in favour of SPPRA within 15 days from the issuance of this decision failing which no Review Appeal of the appellant shall be considered by the Authority in future.***



(Manzoor Ahmed Memon)
Member SPPRA Board
(Member)



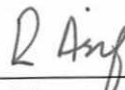
(Engr. Syed Muhammad Shakaib)
Independent Professional
(Member)



(Syed Adill Gilani)
Member SPPRA Board
(Member)



(Khair Muhammad Kalwar)
Special Secretary, P&D Department
(Member)



(Rubina Asif)
Managing Director, SPPRA
(Chairperson)