



GOVERNMENT OF SINDH  
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.:LC/SPPRA/CMS-3806/23-24/064

Karachi, dated the 21 July, 2023

To,

The Executive Engineer,  
Rohri Division, Irrigation  
**KANDIARO.**

**SUBJECT: DECISION OF THE REVIEW COMMITTEE OF SPPRA AGAINST THE REVIEW APPEAL SUBMITTED BY M/S QALANDAR BUX ABRO.**

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 21.06.2023 against Review Appeal submitted by **M/S Qalandar Bux Abro** on NIT No. T01473-22-0002.

**ASSISTANT DIRECTOR  
(LEGAL)**

**A copy is forwarded for information and necessary action:**

5. The Chairperson / Members of the Review Committee (All).
6. The Secretary to Government of Sindh, Irrigation Department (*with a request to take necessary action as per Rule-32(A)(2) of the SPP Rules, 2010 under intimation to this Authority*).
7. 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*).
8. M/s Qalandar Bux Abro, Suit No 710, Mashriq Center, St/A Block -14, Gulshan e Iqbal, Karachi (**the Appellant**).



**DECISION OF REVIEW COMMITTEE MEETING OF SPPRA UNDER RULE-32 OF  
THE SPP RULES 2010 HELD ON 21.06.2023**

**M/s Qalandar Bux Abro ..... the Appellant**

V/S

**The Executive Engineer, Rohri Division Kandiaro..... the Procuring Agency**

**1. Introduction:**

1.1. The Executive Engineer, Rohri Division Kandiaro "The Procuring Agency" invited bids for procurement of "Construction of stone pitching & strengthening earth work along SM Bund from Mile 38/2 to 40/0 to 42/5 & Stone apron 41/5 to 42/5 (Dad Wah)" vide NIT No. TC/G-55/396 of 2023 dated 27.03.2023 through publication in Newspapers and also hoisted on SPPRA Website vide Serial No. T01473-22-0002. Method of Procurement was Single Stage - Two Envelope. Procurement Committee opened the Technical on 18.04.2023 and financial bids on 15.5.2023.

1.2. The Appellant approached to CRC on 15.05.2023 and submitted that the procuring agency illegally opened the Financial bids in absence of undersigned as per their ill intentions and despite being most favourable bidder, they did not include undersigned from offered rates in bid evaluation reports nor reason for rejection of bid which is blatant violation of SPP Rule-45 and many other material violations.

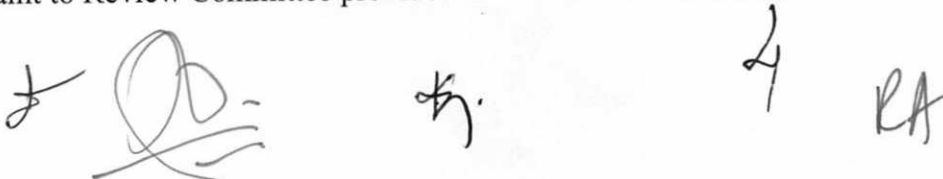
1.4. The CRC failed to decide the matter within 7 days. Therefore, the appellant submitted a Review Appeal before the Review Committee on 25.05.2023 with a request to decide the matter within best interest of justice.

**2. Proceedings of the Meeting:**

2.1. The Meeting started with the recitation of verses from the Holy Quran. The Chair welcomed the participants and asked about the appellant. The staff informed that the appellant failed to appear before the Review Committee.

2.2. It was further informed that the Procuring Agency vide letter TC/G-55/1007 of 2023 dated 20.6.2023 has informed that the appellant had already withdrawn from their complaint and received back his bid security from the Procuring Agency.

2.3. The Committee discussed that as per Rule-32(1) of the SPP Rules, 2010, a bidder may lodge a complaint to Review Committee provided that he has not withdrawn his bid security.



### **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 had not pursued his appeal seriously.

3.2. The Committee noted that that submission of frivolous Review Appeal 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.

3.4. The bidder has already withdrawn his bid security from Procuring Agency as informed by PA vide above referred letter.

### **Decision of the Review Committee:**

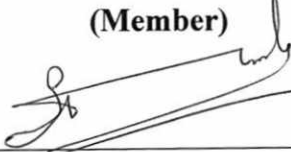
The Review Committee after due deliberation has decided as under;

***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 an amount of Rs.300,000/- (Rupees Three Hundred Thousand only) as penalty 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.***



(Manzoor Ahmed Memon)  
Member SPPRA Board  
**(Member)**



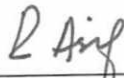
(Engr. Syed Muhammad Shakaib)  
Independent Professional  
**(Member)**



(Syed Adill Gilani)  
Member SPPRA Board  
**(Member)**



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



(Rubina Asif)  
Managing Director, SPPRA  
**(Chairperson)**