



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.D D (L-II)/SPPRA/CMS-3716/2022-23/070

Karachi, dated 07 July 2023

To,

The Executive Engineer,
Provincial Highway Division,
KHAIRPUR MIRS.

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 21.06.2023 against Review Appeal submitted by **M/s Al Naveed Mangi** on NIT No T01740-22-0001 for your information.

(ABDUL JABBAR SHAIKH)
LEGAL COORDIANTOR

A copy is forwarded for information and necessary action to:

1. The Chairperson / Members of Review Committee (All)
2. The Superintendent Engineer, Works & Services Department , KhairpurMir's.
3. The P.S to Secretary to Government of Sindh, Works & Services Department, Karachi
4. 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).
5. M/s Al Naveed Mangi Room No 1 2nd Floor Syed Ramzan Ali Shah Trade Center, Mall Road Khairpur Mirs, (the Appellant)



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY



**DECISION OF REVIEW COMMITTEE MEETING OF SPPRA UNDER RULE-32 OF
THE SPP RULES 2010 HELD ON 22.06.2023**

M/s Al-Naveed Mangi the Appellant

V/S

The XEN, Provincial Highway Division Khairpurmir's..... the Procuring Agency

1. Introduction:

1.1. The Executive Engineer, Provincial Highway Division Khairpurmir's "The Procuring Agency" invited bids for procurement of various works vide NIT No. TC/G-55/1640 of 2022 dated 28.12.2022 through publication in Newspapers and also hoisted on SPPRA Website vide Serial No.T01740-22-0001. Method of Procurement was Single Stage - Two Envelope. Procurement Committee opened the Technical bids on 18.01.2023.

1.2. The Appellant submitted a complaint to CRC vide letter dated 3.4.2023 wherein it is stated that Procuring Agency has uploaded BER on SPPRA Website on 3.3.2023 but name of the appellant's company was not shown in Bid Evaluation Report whereas, the appellant had participated in 09 different works of the NIT.

1.3. The CRC held its meeting on 14.3.2023 i.e. after 10 days of submission of complaint.

1.4. Meanwhile, the appellant submitted a Review Appeal on 13.3.2023 before the Review Committee under Rule-31(5) of the SPP Rules, 2010 with a request to decide the matter within best interest of justice.

Proceedings of the Meeting:

1.5. Meeting started with the 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 appeal and appellant failed to appear before the Review Committee twice.

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

2. Observations of the Review Committee :

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

2.2. 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.

2.3. 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.

2.4. The Committee also observed that CRC convened meeting after seven days of submission of complaint to the CRC which is in violation of Rule-31(5) of the SPP Rules, 2010.

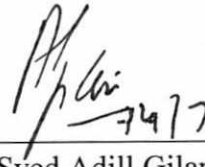
Decision of the Review Committee:

The Review Committee after due deliberation has decided as under;

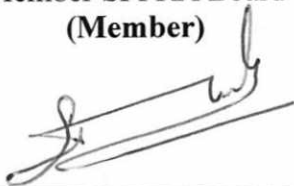
- 1. Dismiss the instant Review Appeal being frivolous.**
- 2. Directed the Procuring Agency to forfeit the bid security submitted by the appellant.**
- 3. Impose a penalty on the appellant an amount equivalent to ten times of the amount paid as Review Appeal fees. The appellant is directed to pay an amount of Rs.300,000/- (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.**
- 4. Directed the Chairman CRC to convene the meetings of the Committee, in future, within stipulated time as provided in the Rules.**



(Manzoor Ahmed Memon)
Member SPPRA Board
(Member)



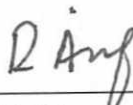
(Syed Adill Gilani)
Member SPPRA Board
(Member)



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



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



(Rubina Asif)
Managing Director, SPPRA
(Chairperson)