



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD (L-II)/SPPRA/CMS-2933/2021-22/0678

Karachi, dated the 31st January, 2022

To,

The Executive Engineer,
Machinery Maintenance Division Khairpur @ Shikarpur,
Works & Services Department,
Government of Sindh,
SHIKARPUR,

Subject: DECISION OF 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 Authority's Review Committee decision (M/s Abdul Hafeez Kolachi V/s Executive Engineer, Machinery Maintenance Division Khairpur @ Shikarpur) held on 10-01.2022 & 20.01.2022, for your information and further necessary action, under intimation to this Authority, at the earliest.


ASSISTANT DIRECTOR (Legal-II)

A copy is forwarded for information and necessary action to:

1. The Secretary to Government of Sindh, (Works & Services) Department, Karachi.
2. The Superintending Engineer, Highway Circle Larkano.
3. Assistant director (I.T), SPPRA (with advice to post the decision on the Authority's website in terms of Rule-32(11) of SPP Rules, 2010)
4. The Staff Officer to the Chairman / Members Review Committee.
5. The Appellants/Complainant.



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.AD (L-II) SPPRA/CMS-2933/2020-21

Karachi, dated 20th, January, 2022

BEFORE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY UNDER RULE-32 OF SPP RULES 2010.

Decision of the Review Committee held on 20.1.2022

Date(s) of meeting(s)	10.01.2022 & 20.01.2022
Appellant	M/s Abdul Hafeez Kolachi
Procuring Agency	The Executive Engineer, Machinery Maintenance Division Khairpur @ Shikarpur
Appeal received on	30.12.2021
PPMS ID NO	T00138-21-0004
Date of Posting of NIT	10.12.2021
Date of Opening of bids (First attempt)	28.12.2021
2 nd Attempt	12.01.2022
Date of Posting of BER	Not Posted up-to the meeting of the Review Committee
Date of Posting of Contract Documents	Not Posted up-to the meeting of the Review Committee

The Appellant's Version

1. The matter was listed for hearing before the Review Committee twice. The procuring agency was represented by the Executive Engineer whereas the appellant failed to appear before the Review Committee on both the occasions.
2. The Executive Engineer submitted that the appellant is a habitual complainant and claimed that he files the wrong and false complaints to drag the matter. He submitted that the false and fake complaint cause financial losses and create inconvenience of travelling and wastes the time of work.
3. The Review Committee observed that the appellants had filed the frivolous appeals.
4. The Committee noted that the problem of frivolous Review appeals is not only hampering smooth timely working of the Authority but also causing huge losses of time and resources and also cause harm to many entities, and in many ways. The procuring

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agency against whom the groundless and complaint is lodged becomes the source of serious harassment and inconvenience, in some cases reputation on stake. The Review Committee process itself becomes clogged, disrupted, and delayed, thus affecting the other appellants in general, and becomes source of the undue delay in the disposal. The situation therefore cries out for remedies to avert these harms. It was observed that each of the three appellants had paid Rs.10,000/(Ten Thousands) as Review Appeal fees.

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 declares the instant three Review Appeals frivolous reject and of the unanimous opinion that the appellant has filed this review appeal to misuse the forum of the Review Committee for ulterior motives. Therefore, the Review Committee declares the bid security submitted by the appellants shall be forfeited by the procuring agency. Furthermore, the Review Committee decided to impose a penalty, equivalent to five times of the amount submitted as the Review Appeal fees, on the appellants. Each appellant shall pay penalty of Rs.50,000 (fifty Thousand) to the Authority in the same manner as the Review Appeal fees is submitted within one month.



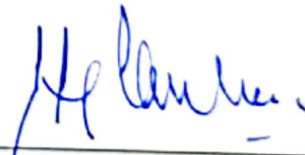
Member
(Manzoor Ahmed Memon)
Member SPPRA Board



Member
(Munir Ahmed Shaikh)
Independent Professional



Member
(G. Muhiuddin Asim)
Representative of P & D Board ,P& D
Department Karachi



Chairman
(Abdul Haleem Shaikh)
Managing Director
(Sindh Public Procurement Regulatory Authority)