



GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD (L-II)/SPPRA/CMS-2891/2021-22/0679

Karachi, dated the 31st January, 2022

To,

The Medical Superintendent,
Ghulam Muhammad Mahar Medical College Hospital,
Health Department,
Government of Sindh,
SUKKUR.

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 Green Top Pharma V/s Medical Superintendent, Ghulam Muhammad Mahar Medical College Hospital) held on 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, Health Department, Karachi.
2. The Additional Secretary Health Department Karachi.
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-2891/2021-22

Karachi, dated the, 20th January, 2022

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

Decision of the Review Committee held on 20.01.2022

Date(s) of meeting(s)	20 th January 2022
Appellant	M/s Green Top Pharma
Procuring Agency	Office of the Medical Superintendent Ghulam Muhammad Mahar Medical College Hospital Sukkur
PPMS ID #	T00936-21-0001
Reference No.	NF-KRY NO.2921/2
Appeal Received in Authority Dated	21.09.2021
Dated of Posting Notice Inviting Tender	15-07-2021
Date of Opening of Bids	27.07.2021
Date of Posting Bid Evaluation Report	Various BER's were uploaded from 03.09.2021 to 11.08.2021
Date of Posting Contract Documents	Not Posted up-to the meeting of Review Committee

The Appellant's Version

1. This appeal has been preferred by the appellant M/S Green Top Pharma hereinafter referred as "Appellant" in terms of Rule 31(5) against the procuring agency "The Medical Superintendent Ghulam Muhammad Mahar Medical College Hospital Hyderabad." hereinafter referred as the "procuring agency". The appellant was called by the Review Committee for ascertaining the maintainability of appeal. The appellant came to office but did not appear before the Review Committee.
2. The Review Committee decided to decide the appeal Ex-parte in terms of the Rule 32(10).

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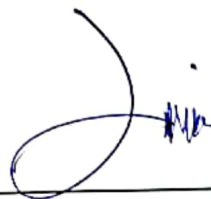
3. From the perusal of record, it appears that the appellant had not approached the Complaint Redressal Committee and Review Committee timely. The complainant submitted an application before the Medical Superintendent Ghulam Muhammad Mahar Medical College Hospital Sukkur under Rule 31 of the SPP Rules 2010(amended up-to-date) whereas as per notification, uploaded on PPMS website, the Secretary Health Department was the Chairman of Complaint Redressal Committee. Hence, the complaint failed to approach the Complaint Redressal Committee as per Rule 31 of the SPP Rules.
4. As a matter of fact the Review Committee is a second remedy available under SPP Rules 2010(amended up-to-date).The Review Committee can only be approached if the bidder approaches the Complaint Redressal Committee before approaching the Review Committee of the Authority in terms of Rule 31(5) & 32(1) .In the instant matter the appellant had not approached the Complaint Redressal Committee headed by the Secretary Health Department in terms of Rule 31 of the SPP Rule as mentioned above.

Decision of the Review Committee:

Given the proceedings, findings, observations and after due deliberation, in exercise of power conferred by the Rule 32(7)(a) of the SPP Rules, the Review Committee rejects the appeal being is not maintainable in terms of the Rule 31 and 32 of the SPP Rules 2010(amended up-to-date).



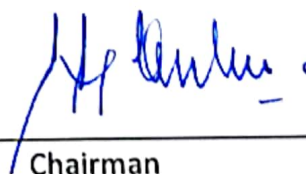
Member
(Manzoor Ahmed Memon)
Member SPPRA Board



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)