



**GOVERNMENT OF SINDH
FOOD DEPARTMENT**

Karachi, dated the 23rd July. 2019

To

The Deputy Director Food,
Karachi Region.

**SUBJECT: MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE MEETING
HELD ON 18.7.2019**

I am directed to forward herewith a copy of the minutes of Complaint Redressal Committee (CRC) held on 18.7.2019 at 11:00 AM in the office of Director Food, Sindh, Karachi alongwith relevant enclosures, for further necessary action.

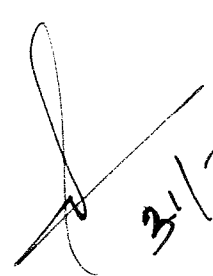
Enclosures (Three).


(M. KHALID KAIMKHANI)
Additional-Director Food (F&A)

C.C:-

1. The Manager (Enforcement-II), SPPRA for information alongwith the copy of minutes of CRC meeting.
2. M/S Mushtaque Ali Contractor Office at Ward # 03, Near CNG Pump Karachi Road, Badin Shaheed Fazil Rahu (Golarchi) for information alongwith the copy of minutes of CRC meeting.
3. P.S to Secretary Food, Sindh, Karachi.
4. P.A. to Director Food / Chairman, Complain Redressal Committee (CRC), Karachi.
5. *Members CRC & Prouvement Committee.*

For hoisting


31/7

40/2)
31/7
as this hoisted today put-up. Aman 27/08/2019

NO. 425
DATED 31/7/19

M/S MUSHTAQUE ALI

TRANSPORT CONTRACTOR

☐ 0333-8346494
0344-2209208
✉ Email: mushtaqueali6494@gmail.com
📍 Office At: Ward No. 3,
Near CNG Pump
Karachi Road, Badin
Shaheed Fazil Rahu (Golarchi).

Ref: _____

Date: _____

To,
The Secretary Food Sindh,
Karachi.

Subject: Tender for Transportation 2019-2020.

R/Sir,

The Regional Director Of food Karachi Region was advertised on dated: 03/05/2019 in daily Kawish & daily Down News.

I am the transport Contractor is the M/S. Mushtaq Ali Transporter, I purchased a tender form for transport for Naushahro Feroze, However the deputy director food Karachi office received the technical Bids were open on 23/05/19 the technical Bids were open same day, but the financial bids were kept with D.D Food Karachi Office on 29/05/2019, I received call from D.D Food Office Karachi to receive the financial Bids and after receiving financial bids, I cancelled the Pay order and the pay order was debited in my account on 30/05/2019.

It was clearly a violation of SPPRA rules as it was under process. Again the deputy Director food Karachi Region informed in morning on 11/06/19 to submit the financial bids and I submitted the said bids with previous pay orders photo copies, when tenders was again open on 11/06/19. I was declared as a lowest bidder for Naushahro Feroze as a Rs.50.50 per bags in front of the evaluation committee /team Members of tender committee .

As a lowest bidder, I came to D.D Food office Karachi 24/06/19. I requested to D.D Food Karachi to receive a original pay Order but the D.D Food Karachi denied to receive the Original Pay Orders on because Deputy Director Food Karachi wants to favour the 2nd lowest bidder which can be clearly soon as the violation of SPPRA Rules, In there for I hereby request you to please declare me as a lowest bidder for the transportation of wheat from Naushahro Feroze to Karachi which is just and right in accordance to laws regulations.

Thank you

Mushtaq Ali

*Pl. examine & put up!
Matter serious!!*

28/6/2019
Dir. (Food) ✓
Away
A.D. (F&A)

FOOD DEPARTMENT
Govt. of Sindh
INWARD
01-6269
28/6/19

1745
1-7-19

ANNUAL TENDER NOTICE

Sealed tenders are invited from the Firms / Contractors and interested parties for the transportation of Wheat from various Districts of Hyderabad, S. Benazirabad, Sukkur, Larkana and Mirpurkhas Regions, PRC Bolhari to all Godowns / PRCs of Karachi as mentioned below, and labour works at Sindh Government Godowns Landhi Karachi for the period up-to 28-02-2020.

Hyderabad Region	Sukkur Region	S.Benazirabad Region	Larkana Region	Mirpurkhas Region
Dadu	Ghotki	Naushehro Feroze	Larkana	Mirpurkhas
Jamshoro / PRC Bolhari	Khairpur	Sanghar	Shikarpur	Umerkot
Thatta	Sukkur	S. Benazirabad	Jacobabad Qambar Shahdadkot	
			Kashmore/Kandkot	

The Tender Forms can be obtained from the office of Deputy Director Food Karachi located at (Sindh Government Food Godowns) SGG-III Karachi along with terms and conditions of the contract on cash payment of Rs.2000/- (Rupees Two Thousand Only) as fee (Non-refundable) for each Tender Form during the office hours up to 22-05-2019 or can be downloaded from the Sindh Government web site (www.sindh.gov.pk) and Sindh Public Procurement Regularity Authority (www.poms.ppr.sindh.gov.pk). In such case the pay order of equal amount as a cost of Tender Form shall however be accompanied with the bids.

The last date for submission of Tenders is on 23-05-2019 up to 10.00 A.M. The Tender will be opened on the same day at 11.A.M. in the office of the Deputy Director Food Karachi Region, Located at Sindh Government Godown NO. III, Zafar Town Landhi Karachi in presence of the bidders or their representatives. If 23-05-2019 is the declared public holiday / general riot, then tender will be received / opened on next working day at the same time and venue. No Tender Form shall be issued on the date of opening the tenders. In case NITs remain un-responded by the above date, the next date of opening will be 11-06-2019, the tender submission time is 1:00 PM and Tender shall be opened at 2:00PM and venue will remain same. In case NITs remain un-responded by the above date the third date will be 26-06-2019. The time and venue shall remain same.

For tendering the rates, Following terms and conditions may also be fulfilled.

1. The parties should fill in tender form for each District / work separately, according to single stage (Two envelope procedure), as envisaged under SPPR Rules 2010 (Amendment 2013) as under:-
 - a) Bid shall comprise a single stage containing two separate envelopes. Each envelop shall contain separately the financial proposal and the technical proposal.
 - b) Envelopes shall be marked as "FINANCIAL PROPOSAL" and "Technical Proposal" in bold and legible letters to avoid confusion.

2. Each tender should be accompanied with Bid Security for the amount of 5% of the Bid prices to be calculated by the bidder on the basis of estimate allocation mentioned against each District. The Security Deposit is to be obtained from any branch of the bank located in Karachi and pledged in the name of Deputy Director Food Karachi which shall remain valid for a period of 28 days beyond the validity period for bids. Bid security shall be released to the unsuccessful bidders whereas the successful bidders shall have to deposit performance security up to 10% of the contract price.
3. The rate per bag of 101 kg gross should be quoted in the words as well as in figures.
4. In complete and conditional offers shall be rejected.
6. The tender received after due date and time will not be entertained.
7. **REQUIREMENT FOR TECHNICAL PROPOSAL.**
 - i. That the bidder shall submit a certificate of having at least three years experience of the relevant work, with copy of work orders and experience certificates.
 - ii. That a list of the trucks if owned by the bidders, shall be furnished with photo copies of documents showing ownership of Trucks or otherwise shall furnish the source of their own transportation agency in case they do not possess personal transport.
 - iii. That Contractor shall not be entitled to participate who owns or gets involved into more than one agency as sole proprietor/investor.
 - iv. That if the bidder is a Firm, a Registration Certificate with the concerned Government Department shall also be provided, with the names of the partners and their postal addresses (Permanent as well as present).
 - v. Complete profile and history of company.
 - vi. Audited financial statement from last three years.
 - vii. Evidence of valid registrations with SRB, Valid SRB Certificate.
 - viii. Copy of NTN.
 - ix. Affidavit as non Defaulter and litigation with Food Department.
 - x. The Bidder who wish to undertake the work also have to attach with the application an statement of his Bank Account for last three years / financial stability Certificate obtainable from schedule Bank and Income Tax certificate issued by Income, Tax Department.
 - xi. That a proper official / residential address, along with Telephone No. Cell No, attested photo copy of Computerized National Identity Card in respect of the bidder shall be provided.
 - xii. Affidavit from the bidder to operate in person the transportation work and not to sub late any other on account of award of contract.
 - xiii. Those transport contractors, who are already working with Food department, Government of Sindh, shall have to furnish latest performance certificate duly signed by District Food Controller and Deputy Director Food Concerned.
 - xiv. Three Specimen signatures in triplicate duly attested in respect of the bidder.

8. The other terms and conditions and the details of works and the amount of Security Deposit in each case are shown in the statement attached with the tender form which can be obtained from the office of the undersigned.
9. The envelope should invariably bear the word "TENDERS".
10. The contractor shall be solely responsible for all the enroute shortages or damages etc. and will be required to make the loss good by replenishment or shall have to pay the cost. The recovery of cost of such shortages shall be effected with penalty at Rs.2/- per Kg over and above the government issue rate prevailing at that time including all charges or open market rate whichever is higher. This cost can be recovered from the running bills / pending bills / Security Deposits or as arrears of Land Revenue and no counter claim will be entertained at later stage.
11. The Procuring agency may reject all or any bids or proposals at any time prior to the acceptance of a bid or proposal, according to the relevant provision of Sindh Public Procurement Rules-2010 (Amendment-2013)
12. The other terms and conditions as envisaged under SPPRA Rule-2010 (latest Amended) will be applicable on the contracts.


(MUHAMMAD HUSSAIN GHUMRO)
DEPUTY DIRECTOR FOOD
KARACHI REGION

Copy to:-

1. The Director Information (Advertisement) Public relation department, Karachi Seven Copies are sent herewith with the request to kindly get advertise this Notice in popular and leading newspapers of Sindh as per policy preferably published in English, Urdu & Sindhi languages viz "Dawn, Jang, Kawish & Ibrat". It is further requested to kindly issue such instructions to the management of concerned newspaper that a copy of the newspapers in which the above notice publish be provide to this office for record.
2. The Additional Director Food (F&A), Government of Sindh, Karachi.
3. The P.S to Secretary Food Sindh, Karachi.
4. The P.A to Director Food Sindh, Karachi.
5. The Director (A&F) Government of Sindh, Sindh Public Procurement regulatory authority, For information.
6. The Section officer(wheat), Government of Sindh, Food Department, Karachi For information.
7. The Additional Commission II, Commissioner Officer Karachi for information with the request to please participate in the opening of tenders on above date.
8. Assistant Director Food(Karachi) Region,(Member of the Committee) for information with the request to participate in the opening of the tenders on above date.
9. The Budget and Accounts Officer, Food Department, Karachi.
10. The Deputy Director Food Hyderabad, S. Benazirabad, Sukkur, Larkana and Mirpurkhas Regions for information.
11. Notice Board.


(MUHAMMAD HUSSAIN GHUMRO)
DEPUTY DIRECTOR FOOD
KARACHI REGION

OFF Tel: 021-35685583

OFF: Fax: 021-35683126



Bank Alfalah

Date 08-07-2019

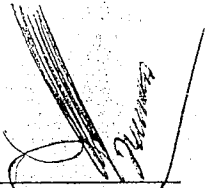
TO WHOM IT MAY CONCERN

Mr. Mushtaq Ali having Cnic #41102-9404791-1 maintaining CA Alfalah Kamayab Karobar Account 0472-1006709566 having account title **M/S Mushtaq Ali Transport Contractor** With Fatima Jinnah Road branch since 15th may 2019.

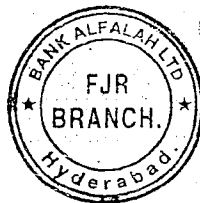
✓ On customer request 22 May 2019 Fatima Jinnah branch issued Bankers Cheque (BC FJB0000556) against the cheque number 41331076 in the name of **Deputy Director Food Karachi** from his account 1006709566 amount Rs.1, 500,000/- later this instrument was cancelled on 30-May 2019 on customer request and beneficiary may be refunded instructions on the back side of instrument.

✓ Fatima Jinnah road branch again issued bankers cheque (FJB0000571) on 24th June 2019 against the cheque number 41331079 in the name of **Deputy Director Food Karachi** from his account 1006709566 amount 1,500,000/-.

"This letter has been issued at the request of the customer, without assuming any risk and responsibility on the part of the Bank".



Authorizer



Save as CSV

ACCOUNT STATEMENT-INTERIM/DUPLICATE
M/S MUSHTAQUE ALI TRANSPORT CONTRAC
WARD NO 03 NEAR CNG PUMP KARACHI ROAD
SHAHEED FAZIL RAHU GOLARCHI

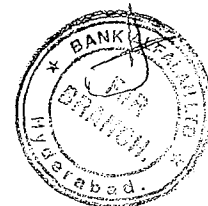
Account No : 0472-1006709566
IBAN No : PK10ALFH0472001006709566
Account Type : 1150-CA Alfalah Kamyab Karobar (AKK)
Currency : PKR
Start Date : 01 MAY 2019
End Date : 08 JUL 2019

OPENING BALANCE :

0.00

Post Date	Description	Cheque/Inst #	Value Date	Debit A		
15 MAY 19	INITIAL DEPOSIT		15 MAY 19	0.00	2,000.00	2,000.00
	INITIAL DEPOSIT					
22 MAY 19	CASH DEPOSIT		22 MAY 19	0.00	180,000.00	182,000.00
	CASH DEPOSIT					
22 MAY 19	CASH DEPOSIT		22 MAY 19	0.00	570,000.00	752,000.00
	CASH DEPOSIT					
22 MAY 19	CASH DEPOSIT		22 MAY 19	0.00	750,000.00	1,502,000.00
	CASH DEPOSIT					
22 MAY 19	ISSUING OF INSTRUMENTS	41331076	22 MAY 19	-1,500,000.00	0.00	2,000.00
30 MAY 19	BC-CANCELATION	FJB0000556	30 MAY 19	0.00	1,500,000.00	1,502,000.00
	FJB0000556					
30 MAY 19	BANKER CHEQUE- COMM FED		30 MAY 19	-452.00	0.00	1,501,548.00
	AC-1006709566					
30 MAY 19	ONLINE CASH WITHDRAWAL	41331077	30 MAY 19	-1,500,000.00	0.00	1,548.00
	Branch: Autobhan Rd Hyderabad(0418)					
31 MAY 19	ONLINE CASH DEPOSIT		31 MAY 19	0.00	180,000.00	181,548.00
	Branch: Latifabad Branch(0372)					
03 JUN 19	ONLINE CASH WITHDRAWAL	41331078	03 JUN 19	-180,000.00	0.00	1,548.00
	Branch: Badin Branch(0420)					
24 JUN 19	CASH DEPOSIT		24 JUN 19	0.00	1,500,000.00	1,501,548.00
	CASH DEPOSIT					
24 JUN 19	FEDERAL EXCISE DUTY		24 JUN 19	-4.00	0.00	1,501,544.00
24 JUN 19	CHG STATMT PNT		24 JUN 19	-30.00	0.00	1,501,514.00
24 JUN 19	ISSUING OF INSTRUMENTS	41331079	24 JUN 19	-1,500,000.00	0.00	1,514.00
24 JUN 19	FEDERAL EXCISE DUTY	AC-PL55566	24 JUN 19	-10.27	0.00	1,503.73
	AC-PL55566					
24 JUN 19	SERVICE CHARGES		24 JUN 19	-79.00	0.00	1,424.73
	SMSCHG 201906					
24 JUN 19	FEDERAL EXCISE DUTY	AC-PL55600	24 JUN 19	-3.25	0.00	1,421.48
	AC-PL55600					
24 JUN 19	SERVICE CHARGES		24 JUN 19	-25.00	0.00	1,396.48
	PULLSMS201906					
06 JUL 19	FEDERAL EXCISE DUTY	AC-PL52004	06 JUL 19	-5.59	0.00	1,390.89
	AC-PL52004					
06 JUL 19	MINIMUM BALANCE SERVICE CHARGE		06 JUL 19	-43.00	0.00	1,347.89
	MIN BAL SER CHRG					
08 JUL 19	FEDERAL EXCISE DUTY		08 JUL 19	-4.00	0.00	1,343.89
08 JUL 19	CHG STATMT PNT		08 JUL 19	-30.00	0.00	1,313.89
08 JUL 19	FEDERAL EXCISE DUTY		08 JUL 19	-4.00	0.00	1,309.89
08 JUL 19	CHG STATMT PNT		08 JUL 19	-30.00	0.00	1,279.89
	CLOSING BALANCE :					1,279.89

TOTAL : -4,680,720.11 4,682,000.00





**GOVERNMENT OF SINDH
FOOD DEPARTMENT**

**MINUTES OF THE COMPLAINT REDRESSAL COMMITTEE
MEETING HELD ON 18.07.2019 AT 11:00 AM.**

A meeting of Complaint Redressal Committee was Chaired by Director Food, Sindh, being Chairman of the Committee (CRC), held on 18th July, 2019 at 11:00 AM in connection with complaint lodged by M/S Mushtaque Ali vide his application dated nil (Annexure-A) against the tender invited by the Deputy Director Food, Karachi Region vide NIT dated 3.5.2019 from various Districts to Karachi (Annexure-B).

2. M/S Mushtaque Ali vide his application stated that being a lowest bidder in the tender opened on 11.6.2019, in District Naushahro Froze. Allegedly, the Deputy Director Food, Karachi showed reluctance to accept his offer being lowest. The Deputy Director Food, Karachi has stated that the aggrieved bidder infected submitted the pay order No: BCFJB0000056 dated 22.5.2019 of Rs. 1,500,000 issued by the M/S Bank Al-Falah Fatima Jinnah Road Branch Hyderabad alongwith the financial submission bids to be opened on 23.5.2019. However, on the schedule date due to non-availability of the member / nominees of Commissioner Karachi, same was opened on 11.6.2019 as prescribed in NIT dated 3.5.2019 (Annexure-B) Accordingly, all the bidding documents were returned to the parties. As per the applicant he had received the documents.

3. The Deputy Director Food, Karachi further stated that the Technical Proposals were opened on 11-06-2019 i.e. the scheduled/announced date for second attempt already published. 23 bids submitted by the bidders in sealed envelopes, including bid of complainant, who quoted the rates for transportation of wheat from District Naushahro Feroze to Karachi. All the bids were opened by the Procurement Committee in the presence of representative of bidders on the same day. All the participants/bidders were informed the date for opening of financial proposal on 17-06-2019 at 02:00 PM. After evaluation of the Technical Proposals. The Financial Proposal of the technically responsive bidders were opened by the Procurement Committee on 17-06-2019 at 02:00 PM in presence of representative of the bidders.

4. The Deputy Director Food, Karachi Region further stated that the copies of the Bid Securities furnished by all the participants were sent to issuing banks for verification purpose, in compliance with the rule 39(iii) after sub rule 3 (as per SPPR, 2010 Amendments 15th March 2019).

5. The Bid Security i.e. "Bank Instrument bearing No. BC FJB 00000556/FT191420GNJCW576, dated 22-05-2019 amounting to Rs.1,500,000/- issued by M/s. Bank Alfalah (0472), Fatima Jinnah Road Branch, Hyderabad." of M/s. Mushtaque Ali Transporter Contractor (Complainant), was not verified by the bank. The Bank informed *"This instrument is cancelled on 30-5-19 and can not verify this instrument as this instrument marked cancelled in our record"*.

The Complainant M/s. Mushtaque Ali Transporter Contractor submitted a letter dated 8.7.2019 before the Committee issued by M/s. Bank Al Falah Limited (Annex-C), alongwith bank statement (Annex-D) in addition to complaint. The Committee observed the following versions of complainant submitted in writing / through his complaint as well as through Bank's letter: -

(a) "On customer request 22nd May, 2019 Fatima Jinnah Branch issued Bankers Cheque (BCFJB00000556) against the cheque number 41331076 in the name of Deputy Director Food Karachi from his account 1006709566 amount Rs. 1,500,00/- later this instrument was cancelled on 30-May-2019 on customer request and beneficiary may be refunded instructions on the back side of instrument.,,

(b) "Fatima Jinnah branch against issued banker cheque (FJB00000571) on 24th June 2019 against the cheque number 41331079 in the name of Deputy Director Food Karachi from his account 1006709566 amount 1,500,000/-,

7. The Complainant informed to the Committee that he submitted the said financial bid with pervious pay orders photocopies, on the opening date of financial bid i.e. 11.6.2019, and in this proceeding was lowest in District Naushahro Feroze. The Committee verified the pay order submitted by the complainant on 11.6.2019 which was not photocopy but colored copy and trying to showing as is Original which is against Rule 37 of SPPRA, 2010 (Amended 2019).

8. The Committee examined the copy of letter dated 08-07-2019 issued by M/s. Bank Al-Falah Limited together with bank statement and observed that the banking instrument was got cancelled by the complainant himself, and amount of Rs. 1.5 million was re-credited in his account on 30-05-2019.

9. Regarding non accepting the Bid Security / Pay Order on 24-06-2019 from the complainant, the DD Food informed that the bids were opened on 17-06-2019, and as per SSPRA Regulation for Procurement of Works No.7.2 any kind of modification is not allowed after opening of bids, due to which the Bid Security was not accepted.

10. The DD Food further informed to the Committee that Complainant on 11-06-2019 submitted the colored photocopy of the Pay Order dated 22-05-2019, which was not verified by the issuing bank and informed that the same has been marked cancelled in bank record.

11. The Committee asked the version of Complainant on the issue for submission of coloured copy already cancelled banking instrument. The Complainant stated the submission of the copy of already cancelled banking instrument was in his knowledge.


12. Regarding allegation leveled by the complaint for award of contract in violation of rules, it is to safe that neither any provision available in the SPPRA, 2010, nor it remains practice to award the contract in violation of rules. The SPPRA, 2010 are very clear and unambiguous for award of contact.

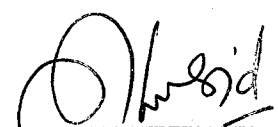
"As per rule 37 of SPPRA, 2010 read with SPPRA Guidelines / Regulations for procurement of works, the following provisions are to Bid Security:-


- Bid Security is required to remain valid for a period of 28 days beyond the validity period for the bids in order to provide the procuring agency reasonable time to act if the security is to be called; and
- Any bid/tender not accompanied by it to the extent and in a appropriate form as notified while inviting tenders or stated in the bidding document shall be rejected and treated as non-responsive.

13. The 'Complaint Redressal Committee' after detailed deliberation and discussion unanimously decided that:-

(a) After examining all the documentary evidences placed before the Committee i.e. application of M/S Mushtaque Ali Transportation contractor (Para 3) and letter from M/S Bank Al-Falah date 8.7.2019 decided that no irregularity has been proved against the Deputy Director Food, but the attempt of Complainant to get award of contract on the basis of copy of Banking Instrument was neither allowed by the relevant rules, nor he was entitled to submit the Bid Security on 24-06-2019 against the tender opened on 17-06-2019. Therefore, the Committee directed the Deputy Director Food to proceed further as per provisions of the SPPRA Rules.


~~(M. Ishtiaq Ahmed (AO))~~
REPRESENTATIVE
Of
AG Sindh
Member, CRC


KHALID KAIMKHANI
Additional Director Food
Member, CRC


S.M. AFZAL ZAIDI
Director Food
& Chairman, CRC