

OFFICE OF THE
SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE SUKKUR

Ph: 071-9310768
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No. BB-(i)/ 1533 /2020

Dated: 11/12/2020

To

The Chief Engineer
Highway **Sukkur**

Subject: **MINUTS OF THE MEETING OF COMPLAINT REDRESSAL COMMITTEE HELD ON 10-12-2020**

The Decision / Minutes of the meeting of complaint Redressal Committee of complaint made by **M/S. Abdul Hafeez Kolachi** Government Contractor against Executive Engineer Provincial Highway Division Sukkur is submitted herewith for favour of kind information.

DA/As...Above

**SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR**

Copy (alongwith copy of above minutes of the meeting) forwarded with compliments

- 1 The Assistant Director (Legal-II) Government of Sindh, Sindh Public Procurement Regulatory Authority Karachi
- 2 The District Accounts Officer Sukkur
- 3 The Executive Engineer Barrage Division Sukkur
- 4 The Executive Engineer Provincial Highway Division Sukkur
- 5 **M/S. Abdul Hafeez Kolachi** Government Contractor Address office 21 Kareem Plaza Black-D Sector 3 Sukkur Town Ship Sukkur

INWARD DIARY
1406
23/12/20

pls. upload on authority website
AD(L-2)


**SUPERINTENDING ENGINEER
PROVINCIAL HIGHWAY CIRCLE
SUKKUR**

24/12
24/12

MINUTES COMPLAINT REDRESS COMMITTEE (CRC) MEETING HELD UNDER THE
CHAIRMANSHIP OF SUPERINTENDING ENGINEER PROVINCIAL HIGHWAY CIRCLE
SUUKUR ON 10.12.2020 @ 01:00 PM
(LIST OF PARTICIPANTS ATTACHED)

Meeting of Complaint Redressal Committee (CRC) held on 10.12.2020 @ 01:00 PM as per SPPRA Rule 31 to hear the complaint made by M/S Abdul Hafeez Kolachi Government Contractor. The meeting was convened vide this office letter No. BB-(i)/1484 dated: 01.12.2020 and started with the Name of Almighty Allah.

BACK GROUND:-The sealed bids were called by the Executive Engineer Provincial Highways Division Sukkur vide NIT No. TC/G-55/934 of 2020 dated: 23.10.2020 from all the interested bidders for the works mentioned in the list.

M/S Abdul Hafeez Kolachi Government Contractor has challenged the procurement process vide Complaint No. AHK/SUK/605 Dated: 27.11.2020 on the ground that the Procuring Agency violated SPPRA Rules. No. 46(1)(2) etc.

The Executive Engineer present in the meeting replied the allegations that the procurement process has been carried out as per SPPRA Rules as per its letter and spirit. He further reported that the complainant himself without raising any legal objection has participated in the Procurement process being legal and in accordance with the rules. To strengthen his version the Executive Engineer has relied upon provisions of rule 46(2) Single Stage – Two Envelope which may be read with Rule 47(2) which is reproduced as under: -


“(2)Single Stage Two Envelope bidding procedure shall be used for goods and services where the bids are to be evaluated on technical and financial grounds and price is taken into account after technical evaluation”. Which may be read with SPPRA Rule 7.9.2 Single Stage Two Envelope Bidding Procedure of Regulation for Procurement of Works 2013, Sub-Para –(i) “When requirement for responsive bidder is based on the minimum managerial capacity, experience of similar projects/ assignments, experience of professional persons and financial statement /annual turnover; then responsiveness shall be decided on Yes/No basis;”

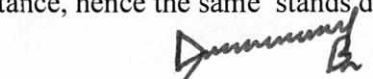
The Executive Engineer further stated that the complainant is not burdened with the responsibility that at such a belated stage he may challenge NIT on legal basis. In this context he further pointed out that whenever violation of any rule is made, the SPPRA on its own without waiting for any complaint/objection about its legality used to point out errors, if any and advise to rectify the same through amendment as per rules. The procurement process is in accordance with the Rules, therefore, during the stipulated time no any instructions for rectification of the NIT has been received from SPPRA.

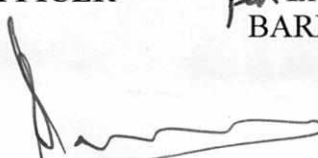
The Executive Engineer further pointed out that the contents of complaint are very much clear that the evaluation of the bids is under process and complainant has filed complaint on the basis of presumptions and assumptions that he might not be made successful, hence by challenging the legality of method adopted in the NIT process complainant wants to black-mail and harass the Procurement committee to get illegal oblige, hence the complaint is based on malafide intention.

The replies and references given by the Executive Engineer Provincial Highways Division Sukkur, as referred above have been discussed thoroughly by the Committee and unanimously decided that the procurement agency used the methods of procurement as per SPPRA Rules and no any kind of violation of rules has been found. Admittedly complainant has participated in the Procurement process without raising any sort of objection, which amounts admission on the part of the complainant that the method is in accordance with the SPPRA rules. The complaint itself shows that it has been made on the basis of presumptions and assumptions of the complainant, therefore, version of the Executive Engineer that complaint has been made with malafide intention to black-mail and harass the Procurement committee for getting illegal oblige and favour has got substance. The Committee has therefore, unanimously decided that the complaint made by the complainant merits no consideration.

CONCLUSION:-The Committee unanimously concluded that the complaint of the complainant against the procurement agency is without merit, justification and based on presumption and assumption of the complainant, without any substance, hence the same stands dismissed.

For

DISTRICT ACCOUNTS OFFICER
 SUKKUR
 (MEMBER CRC)

For

EXECUTIVE ENGINEER
 BARRAGE DIVISION SUKKUR
 (MEMBER CRC)

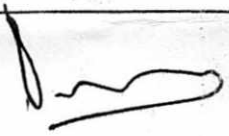



(SYED MUZAMIL MUZAFAR MUSAVI)
 SUPERINTENDING ENGINEER
 PROVINCIAL HIGHWAY CIRCLE
 SUKKUR
 (CHAIRMAN CRC)

Meeting of Complaint Redressal Committee over complaint made by

1. M/S. Abdul Hafeez Kolachi Government Contractor.

V/S. Executive Engineer Provincial Highway Division Sukkur

Held on 10-12-2020

S.No	Name of Participant	Designation	Contact No:	Signature
1.	Syed Muzammil Muzaffar Musavi	Superintending Engineer Provincial Highway Circle Sukkur	0332-7993173	
2.	Fareed Ahmed Khaloso	XEN Prov. High way Div. Sukkur	0336-3200833	
3.	Dh. Muhammad Munir	Asst. Engineer PAO Sukkur	0302-8611585	
4.	Ameer Bin Maha	Asst Engineer	0333-654 9778	