



GOVERNMENT OF SINDH  
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD (L-II)/SPPRA/CMS-3277/2021-22/0858

Karachi, dated 11<sup>th</sup> October, 2022

TO,

- The Secretary,  
Works & Services Department,  
**Karachi.**
- The Executive Engineer,  
Highway Division,  
**Sujawal.**

**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 authority's review committee decision namely **M/s GMS Builders & Developers v/s Executive Engineer, Highway Division Sujawal** held on 04.07.2022, for information & necessary action.

(ABDUL SATTAR SOOMRO)  
ASSISTANT DIRECTOR (LEGAL-II)

**A copy is forwarded for necessary action to:**

1. The Chief Engineer, (Buildings) Works & Services Hyderabad.
2. The Superintending Engineer, Highway Division Sujawal.
3. The PS to Chairman / Members of the Review Committee.
4. Assistant Director I.T. SPPRA (with advice to post the decision on authority website in terms of Rule-32(11) of SPP Rules, 2010).
5. The Appellant.



GOVERNMENT OF SINDH  
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



No.AD (L-II) SPPRA/CMS-3277/2021-22

Karachi, dated, 05<sup>th</sup> July, 2022

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

Decision of the Review Committee held on 04.07.2022

Name of Complainant	M/s GMS Builders
Procuring Agency	The Executive Engineer, Highways Division, Sujawal
PPMS ID # Reference No.	T01381-21-0003 TC/G-55/260 DATED: 18-04-2022
Appeal Received in Authority Dated	06.06.2022
Complaint addressed to the Chief Engineer Hyderabad	30.05.2022
Dated of Posting Notice Inviting Tender	0 = 26.04.2022
Date of Opening of Bids	11.05.2022
Date of Posting Bid Evaluation Report	Various BER's have been posted from 26.5.2022 to 29.05.2022
Date of Posting Contract Documents	Not posted up-to 17.06.2022
SPPRA Observations communicated on	2-06-2022
Estimated Cost of NIT Total	Around 140 million
Total works in NIT	27 Works
Appellant Related work	Work No 10
Issue involved	Non opening of bids

The appellant's Version:-

1. The matter was listed for hearing before the Review Committee thrice. The appellant failed to appear before the Review Committee twice. The Review Committee decided to adjudicate the matter ex-parte in terms of Rule 32(9) of the SPP Rules.
2. The Complaint and the Review Appeal submitted by the appellant are on the record.
3. The Committee was informed that the appellant filed the wrong and false complaint to

4. The Committee was informed that the appellant filed the wrong and false complaint to drag the matter which cause financial losses and create inconvenience of travelling and wastes the time of work.

**The Procuring Agency's Version:-**

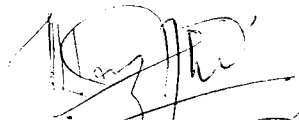
5. The Procuring Agency failed to appear before the Review Committee thrice despite the service of notice via courier service and what's-app messages.

**Observations of the Review Committee:-**

1. The Review Committee observed that the appellant had filed the frivolous appeal.
2. The Committee noted that the problem of frivolous Review appeals is not hampering smooth 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 agency against whom the groundless complaint is lodged becomes the source of serious harassment and inconvenience, in some cases reputation is 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.
3. The Review Committee observed that the Executive Engineer, Highway Division Sujawal violated the Rule-32(9) of SPP Rules because he failed to appear before the Review Committee despite the service of Notice thrice via courier service and what's up messages.

**Decision of the Review Committee:-**

1. Given the proceedings findings/observations and after due deliberation, the Review Committee, in exercise of powers conferred upon it under Rule 32(7) (a) of SPP Rules rejects the appeal as the appellant failed to substantiate his appeal with solid proofs.
2. The Review Committee decided to refer the matter of non appearance of the Executive Engineer, Highway Division Sujawal to the Secretary Works & Services Department for taking disciplinary action against him.



Member  
(Manzoor Ahmed Memon)  
Member SPPRA Board



Member  
(Munir Ahmed Shaikh)  
Independent Professional



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



Chairman  
(Atif Rehman)  
Managing Director  
(Sindh Public Procurement Regulatory  
Authority)