




No. Dir (A&F)/SPPRA/RC/17-18/ 2764
**SINDH PUBLIC PROCUREMENT REGULATORY
AUTHORITY**
GOVERNMENT OF SINDH
Karachi, dated the 2nd May, 2018

1. The Executive Engineer,
Provincial Highways Division,
Larkana.
2. M/s New Qurban Ali Abro,
Government Contractor,
Larkana.

**SUBJECT: MINUTES OF THE MEETING OF REVIEW COMMITTEE OF SINDH
PUBLIC PROCUREMENT REGULATORY AUTHORITY**

I am directed to refer to the appeal submitted by M/s New Qurban Ali Abro, dated 20th February, 2018 against the orders of Executive Engineer, Provincial Highways Division, Larkana dated 7th October, 2016 and to enclose herewith minutes of the meeting of Review Committee of Sindh Public Procurement Regulatory Authority (SPPRA) held on 16th April, 2018, for your kind information and necessary action, please.

2. It may also be noted that the decision of the Review Committee shall be final and binding upon the procuring agency in terms of Rule-32 (11) of SPP Rules, 2010.


(Muhammad Ayub Ali Khan)
Deputy Director (A&F)

CC to:

1. The Secretary, Works & Services Department, GoS, Karachi.
2. The PS to Chief Secretary Sindh, Karachi.
3. The PS to Minister for Food & Parliamentary Affairs / Chairman, SPPRA Board.
4. The members of Review Committee, SPPRA (all). Mr. Saad Rashid



No.Dir (A&F)/ SPPRA/RC/17-18 / 2729
GOVERNMENT OF SINDH
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY
Karachi, dated the 30th April, 2018

BEFORE REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT
REGULATORY AUTHORITY

(Appeal)

M/s New Qurban Ali Abro

Versus

Executive Engineer Provincial Highways Division, Larkana

New Qurban Ali Abro Government Contractor Larkana presented an application to the Managing Director enclosing the copies of application dated 20-02-2018 and appeal dated 02-11-2016. The Appellant stated in his appeal that he was a good reputed government contractor having PEC license No. 49314 (C-6). Executive Engineer, Provincial Highway Division, Larkana Mr. Zaffar Ali Khokar issued an illegal order No. TC/G-55/1438 Dated 07-10-2016 where by declaring him Black Listed. The said order was illegal and unlawful hence requested for cancellation / setting aside the impugned order.

2. Accordingly notices were issued to the parties for appearing before the Review Committee and the matter was fixed on 16-04-2018 for hearing . Only the appellant M/s New Qurban Ali Abro appeared before the Committee. No body appeared on behalf of Executive Engineer, Provincial Highway Division Larkana office before the Committee. The matter was heard ex-party.

3. The contractor M/s New Qurban Ali Abro narrated the facts of matter that neither he was heard nor show cause notice was issued to him in matter of declaring him Black Listed. He had never been awarded any work by Executive Engineer Provincial Highway Division larkana. He had never participated in any procurement activity, to be carried by Executive Engineer Provincial Highway Division Larkana. The said order was issued on malafide intention just to restrain him from participating in procurement activities.

Handwritten signatures:
1. *Shami*
2. *[Signature]*
3. *[Signature]*
4. *[Signature]*

Decision

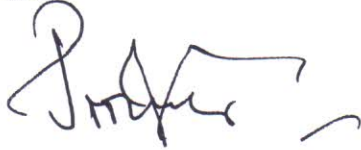
4. After hearing the appellant and perusing the record alongwith the website of the Authority the Review Committee is of the opinion that the Procuring Agency has failed to defend its version though notice was properly issued and served to them. Their absence speaks that they have no cogent reasons to declare the contractor black listed. The order itself shows that no due course of law was adopted and there are no evidences of involvement in corrupt and fraudulent practices. The order of procuring agency is hereby set-aside and the contractor is declared as eligible to participate in all procurement activities.



(Member)

Saad Rashid

Member Transparency International – Pakistan
Private Member represented on SPPRA Board



(Member)

Asadullah Soomro

Private Member represented on SPPRA Board

N. P.

(Member)

Nominee of Director General Audit Sindh

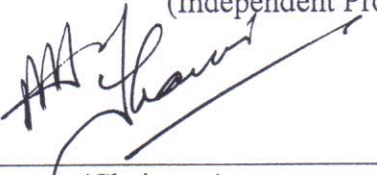


(Member)

Naveed Channa

Procurement & Contract Management
Specialist,

(Independent Professional from relevant field)



(Chairman)

Muhammad Aslam Ghauri
Managing Director

Sindh Public Procurement Regulatory Authority