



GOVERNMENT OF SINDH  
SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY



NO.AD(L-II)/SPPRA/CMS-355/2018-19/3025

Karachi, dated the 2<sup>nd</sup> May, 2019

To,

- The General Manager (Operation),  
Sindh Irrigation & Drainage Authority (SIDA),  
Office Block Left Bank Barrage Colony,  
**Hyderabad.**
- M/s Khokhar Brothers Construction,  
Bungalow No. 11, near Al-Mustafa Masjid,  
Prince Town Phase-1, Main Wadhu Wah Road, Qasimabad,  
**Hyderabad.**

**Subject: DECISION OF REVIEW COMMITTEE OF SINDH PUBLIC PROCUREMENT REGULATORY AUTHORITY (APPEAL LODGED BY M/S KHOKHAR BROTHERS CONSTRUCTION VERSUS MIRPUR DIVISION (IRRIGATION) AT MIRPUR MATHELO).**

The undersigned is directed to refer to the subject cited above and to enclose a copy of the Authority's Review Committee decision taken in meeting on 22<sup>nd</sup> May, 2019 for information and taking further necessary actions under intimation to this Authority.

ASSISTANT DIRECTOR (LEGAL-II)

*A copy along with enclosures is forwarded for information to:*

1. The Secretary to Govt. of Sindh, Irrigation Department, Karachi.
2. The Managing Director SIDA, Hyderabad.
3. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
4. The Executive Engineer, Mirpur Division (Irrigation), at Mirpur Mathelo.
5. ✓ Justice Zia Perwez, Transparency International Pakistan, 4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII, Defence Housing Authority, Karachi with reference to his letter No.TL19/1405/5A dated 14<sup>th</sup> May, 2019.
6. The P.S. to the Chairman Review Committee/ Managing Director SPPRA/ Review Committee Members (all).



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NO.AD(L-II)/SPPRA/CMS-355/2018-19

Karachi, dated the May, 2019

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

(Appeal)

*M/s Khokhar Brothers Construction  
Versus*

*Mirpur Division (Irrigation) at Mirpur Mathelo*

(NIT ID # T01417-18-0001 dated 02.05.2019)

**Facts and background**

M/s Khokhar Brothers Construction, Hyderabad (hereinafter referred to as the appellant) lodged a complaint vide letter dated 09.05.2019 to the Sindh Public Procurement Regulatory Authority (hereinafter referred to as the Authority) as well as Mirpur Division Irrigation at Mirpur Mathelo (hereinafter referred to as the procuring agency) and others against the NIT # TC/G-55(b)/501 dated 29.04.2019 floated for procurement of work 'Providing stone apron from mile 0/5 to 1/2+200 and dumping of stone boulders to eroded portions from mile 1/2+200 to 1/3+285 along Qadirpur shank bund [Non-ADP/ Emergent work]'. In turn, the Authority vide letter dated 16.05.2019 also forwarded the appellant's matter to the procuring agency's complaints redressal committee (CRC) with an advice to redress the appellant's grievances in accordance with Rule-31 of SPP Rules, 2010 (Amended 2019).

2. Subsequently, the appellant vide letter dated 19.05.2019 lodged an appeal to the Authority's Review Committee stating that the procuring agency's CRC had failed to decide their complaint, received by the CRC through mail [TCS] on 10.05.2019, within the stipulated time period of seven days; hence, their case be placed before the Authority's Review Committee in terms of Rule-31(5) read in conjunction with Rule-32 of SPP Rules, 2010 (Amended 2019).

3. Accordingly, the appellant's matter was taken up by the Authority's Review Committee for hearing in its meeting scheduled on 22.05.2019 at 11.30 a.m. and notices, in this connection, were issued to the concerned parties vide this Authority's letter dated 20.05.2019 for appearing before the committee on scheduled date, time and venue. In compliance, Mr. Jai Ram Motwani, General Manager (Operation), Sindh Irrigation & Drainage Authority, Hyderabad [Chairman CRC]; Mr. Bahar Ali Jumani, Executive Engineer, Mirpur Division Irrigation at Mirpur Mathelo (representatives of the procuring agency) and Muhammad Shabir Khokhar, Proprietor, M/s Khokhar Brothers Construction (representative of the appellant) appeared before the Review Committee.

**Review Committee Proceedings**

4. The Chairperson of the Review Committee welcomed all the participants of the meeting and introduced the members of the Review Committee. Then, the chair asked the appellant to present his case/version on the instant procurement before the committee.

**Appellant's Version**

5. Muhammad Shabir Khokhar (representative of the appellant) while arguing his appeal apprised the Committee that:

- They participated in the instant procurement process through submitting bid along with bid security and other requisite documents sent via mail [TCS receipt along with tracking ID # 2065821618 dated 06.05.2019 was attached with the complaint lodged to the Authority] that were received by the procuring agency on 08.05.2019 at 10.20 a.m. – before the deadline for

