



Government of Sindh  
Sindh Public Procurement Regulatory Authority



No:MD/SPPRA/21-22/0539

Karachi, dated 4<sup>th</sup> Jan, 2022

To,

Syed Adil Gilani  
Managing Director  
TI-Pakistan  
Member SPPRA Board / Review Committee.

**Subject: APPLICATION OF SPPRA ACT, 2009**

Please refer to your letter No. TL21/123005/1A dated 20.12.2021 on the subject cited above wherein you have submitted the following two requests:-

- i) taking notice of complaints received by SPPRA from public or any other source and allow Review Committee to take up complaints where NIT is issued for more than one work / good / services.
- ii) allowing authorized representatives / advocates of complainant to attend the Review Committee meetings.

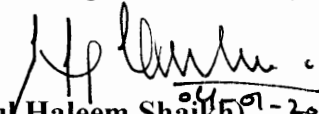
2. Appreciating your untiring efforts and placing on record your valuable input and suggestions in the best interest of the Authority, public and for fair and transparent public procurement process, your attention is invited towards Rule-32 of the SPP Rules, 2010, which defines the complete process of redressal of Appeals by Review Committee. No other Section, Rule or Regulation of the SPP Act / Rules/ Regulations empowers the authority to take any action which redresses / addresses / takes care of the complaints lodged by the complainants.

3. As per the Rule ibid a bidder dissatisfied with decision of the procuring agency's complaint redressal committee may lodge an appeal to the Review Committee and "On receipt of appeal the Chairperson shall convene a meeting of the Review Committee" to dispose of the appeal in a manner described in the rules. Hence, there is no provision in the Rules authorising Review Committee to take up complaints of general nature received from public or any other source.

*[Handwritten signature]*

4. More over as per Rule-32(8) of the said Rules, “It shall be mandatory for the **appellant** to appear before the Review Committee” whereas, for the Procuring Agency it is clearly specified that the head of procuring agency or his nominee not below the rank of BS-19 is to appear before the Review Committee. Hence, as per this sub-Rule, too, no representative / authorized agent / attorney / lawyer shall appear before the Review Committee. However, in case of company registered under Companies Ordinance 1984, representative / authorized agent may appear before the Review Committee.

5. I would therefore like to request you to exercise your restraint and allow the authority to function as provided under the SPP Act and the Rules / Regulations made thereunder. Enhancing scope of the authority beyond the ambit of the Laws / Rules and trespassing on any body’s desires will not only result in anarchy, chaos and misinterpretation of the relevant Laws but will also open flood gates for unnecessary correspondence / complaints from the anti-social elements and public at large hampering the smooth working of the authority.

  
(Abdul Haleem Shaikh) 04/01-2022  
Managing Director

Copy for information to::

1. Members Review Committee (All)
2. PS to Chairman SPPRA Board.