



6No.PPRA/RP-10/2025
Government of Pakistan
Public Procurement Regulatory Authority
(Appeal & Review Petition Secretariat)
1st Floor, FBC Building, G-5/2, Islamabad
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ORDER

M/s C.M Developers (Pvt.) Ltd.

...the "Petitioner"

Vs.

National Database and Registration Authority (NADRA)

...the "Respondent"

Date of Hearing 05.11.2025	<p><i>Mr. M. Jawad Khan Lodhi (Advocate), Mr. Muhammad Ahmad Khan Niazi (Advocate), Mr. Asif Nazir (Advocate)</i></p> <p style="text-align: right;">(On behalf of Petitioner)</p> <p><i>Barrister Hasnat Gul (AD Legal), Agha Ammar Ahsan (DD Procurement)</i></p> <p style="text-align: right;">(On behalf of Respondent)</p>
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REVIEW PETITION UNDER RULE 19(3) OF THE PUBLIC PROCUREMENT RULES, 2004

The above mentioned learned counsel(s) and representative(s) of the parties tendered appearance before the Review Petition Committee and furnished their arguments at length.

2. At the very outset, learned counsel for the petitioner i.e., M/s C.M Developers (Pvt.) Ltd submitted that the Respondent i.e., National Database and Registration Authority

(NADRA), issued a Pre-Qualification Notice bearing No. NADRA-HQ-PRQ-161/2024 for the project titled "*Construction of NADRA Regional Head Office (RIHO), Multan.*" The Petitioner, M/s CM Developers (Pvt.) Ltd., being an eligible and experienced construction firm, participated in the said pre-qualification process. However, the Petitioner was initially declared disqualified. Feeling aggrieved by the said disqualification, the Petitioner submitted a formal grievance to the Grievance Redressal Committee (GRC) on 20.01.2025 in accordance with the prescribed procurement procedures.

3. The counsel for the petitioner also submitted that, upon detailed examination of the matter, the Grievance Redressal Committee found merit in the grievance and accordingly allowed the Petitioner's request. The GRC directed the Technical Evaluation Committee to re-evaluate the Petitioner's bid, thereby confirming that the Petitioner's initial grievance had substance and that the earlier disqualification was not justified in light of the available record.

4. The counsel for the petitioner further submitted that the Petitioner's bid included documentary evidence of past performance, particularly for the project titled "*Construction of Building and Infrastructure and Development of Motorway City, Islamabad*" undertaken for the client, Qazi Housing (Pvt.) Limited. The said project comprised both the construction of a multi-story building (Basement + Ground + 6 Floors) and the associated infrastructure development works. The inclusion of

this major project was intended to demonstrate the Petitioner's technical competence and relevant experience as required under the pre-qualification criteria.

5. The counsel for the petitioner also added and submitted that, subsequently, the Procuring Agency's inspection committee, without providing any prior intimation to the Petitioner, conducted a site visit. However, the said committee erroneously visited an incorrect location and, as a result, alleged in its inspection report and subsequent Show Cause Notice that no such project existed. The committee claimed that only a single-floor mosque was found at the site. This incorrect conclusion was reached because the inspection team neither informed the Petitioner of its visit nor sought the precise address or site details from Qazi Housing (Pvt.) Limited. Consequently, the inspection team visited some other phase of the project. It is submitted that the actual site for Infrastructure Development was located at *Motorway City, Fateh Jhang*, while the constructed Building (Basement + Ground + 6 Floors) was situated in *Ghuri Town, Islamabad*.

6. The counsel for the petitioner further submitted that, upon receipt of the said Show Cause Notice, the Petitioner promptly contested the allegations and produced a Completion Certificate / Letter dated 29.01.2025 issued by the client, Qazi Housing (Pvt.) Limited. The said letter unequivocally verified the completion of the entire project and confirmed the construction of the Building consisting of

Basement + Ground + 6 Floors, thereby establishing the veracity of the Petitioner's past performance claim and disproving the inspection team's erroneous findings.

7. The counsel for the petitioner also submitted that, it later transpired that the aforesaid Completion Certificate dated 29.01.2025 was presented to some management personnel other than those who had originally issued it, resulting in the Procuring Agency's failure to properly verify its authenticity. In order to remove any ambiguity caused by this confusion and to rectify the misunderstanding arising from the unprofessional and incorrect conduct of the inspection team, the Petitioner obtained another clarificatory letter dated 28.04.2025 from Qazi Housing (Pvt.) Limited. This subsequent letter categorically reaffirmed that the Petitioner had executed the Infrastructure and Development works at Motorway City, Fateh Jhang, as well as the construction of the Building comprising Basement + Ground + 6 Floors in Ghouri Town, Islamabad.

8. At the last, the counsel for the petitioner further submitted that, despite the clear and convincing evidence furnished by the Petitioner, including the said clarificatory letter dated 28.04.2025, the Procuring Agency arbitrarily disregarded the same and acted solely on the basis of the faulty inspection report. The Procuring Agency, in complete disregard of due process, proceeded to pass the impugned *Blacklisting Order* dated 20.09.2025 published on 22.09.2025

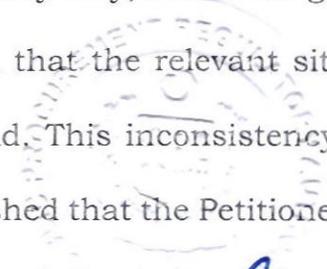


and received by the Petitioner on 29.09.2025 in a mechanical and haphazard manner, without appreciating the documentary proof and factual position on record. Hence, the instant Review Petition has been preferred against the said unlawful and arbitrary blacklisting order.

9. On the other hand, learned representative of the respondent i.e., National Database and Registration Authority (NADRA), submitted that the inspection team of the respondent department visited the premises and sites identified by the Petitioner as mentioned in its completion certificates and the summary of completed projects. During this inspection, NESPAK, the technical consultant engaged by the Respondent for bid evaluation, awarded zero marks to the Petitioner, as no such projects were found to exist at the locations claimed by the Petitioner. After the decision of the Grievance Redressal Committee (GRC), a subsequent on-ground verification was conducted, which reaffirmed the earlier findings. Prior to the inspection, the team contacted Qazi Housing (Pvt.) Limited, who provided the actual site addresses. It is significant to mention that the experience letter furnished by the Petitioner referred to "Building / Development / Infrastructure of Motorway City, Fateh Jang," whereas the Petitioner later contended that the relevant site was located in Ghouri Town, Islamabad. This inconsistency, being a matter of record, clearly established that the Petitioner did not actually execute any work at the claimed site.

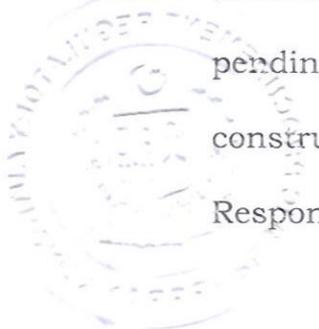
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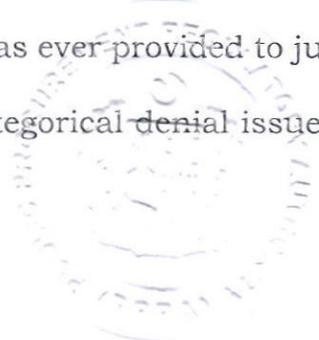
10. The representative of the respondent also submitted that the letter dated 29.01.2025, relied upon by the Petitioner as proof of its experience, was subjected to authentication and verification. Qazi Housing (Pvt.) Limited categorically denied issuing any such letter and informed the Respondent that the document in question was forged and tampered. This verification conclusively demonstrates that the Petitioner attempted to mislead the Respondent and the evaluation committee by submitting fabricated documentation, which amounts to a fraudulent act under the applicable procurement regulations.

11. The representative of the respondent further submitted that the inspection team, during its physical verification, did not find any building or construction work on the site as alleged by the Petitioner. During the hearing held on 02.05.2025, the Petitioner's representatives undertook to furnish further proof substantiating the existence of the alleged project. However, no such evidence was ever produced. Subsequently, the Petitioner voluntarily withdrew its grievance by way of a written communication. It is respectfully submitted that such withdrawal was entirely a conscious decision of the Petitioner, made while proceedings were pending before the Blacklisting Committee, and cannot be construed as any procedural fault or omission on part of the Respondent.



12. The representative of the respondent further added that throughout the proceedings, it strictly adhered to the principles of natural justice. The Petitioner was afforded ample opportunity and sufficient time to present his case, produce evidence, and defend his position. However, the Petitioner chose not to avail these opportunities and instead abandoned its claim. Furthermore, it was observed that the signatures appearing on the letters dated 29.01.2025 and 28.04.2025 were identical, raising serious doubts about the authenticity of the documents. When this discrepancy was brought to the attention of the Petitioner's representatives before the Board, they failed to offer any satisfactory explanation and remained silent.

13. The representative of the respondent also submitted that the entire process, including site inspections and hearings, was conducted with transparency and fairness. The experience letter dated 29.01.2025 formed a principal piece of evidence, and any confusion or ambiguity therein could have been clarified by the Petitioner during the proceedings. Instead, the Petitioner submitted an undertaking and subsequently withdrew its stance, which reflects mala fide intent and an attempt to evade scrutiny. No credible explanation or documentary proof was ever provided to justify the discrepancies or to rebut the categorical denial issued by Qazi Housing (Pvt.) Limited.



14. The representative of the respondent also submitted before the Committee and denied the Petitioner's assertions regarding alleged procedural irregularities. The show-cause notice issued was lawful, free from any material defect, and fully compliant with the requirements prescribed under the applicable procurement regulations. The proceedings were not conducted *ex parte*, the Petitioner's duly authorized representatives attended and participated throughout the process, thereby waiving any alleged procedural deficiencies.

15. The representative of the respondent further submitted and also denied the Petitioner's contention under Regulation 5(a) of the Mechanism for Blacklisting and Debarment of Bidders or Contractors Regulations, 2024 (*the blacklisting regulations*). The said regulations authorized the procuring agency to blacklist a bidder or contractor found to be engaged in corrupt or fraudulent practices. As defined in Rule 2(b) of the Public Procurement Rules, 2004, a "bidder" means any person who submits a bid. The Petitioner squarely falls within this definition. The act of submitting forged or falsified documents constitutes serious misconduct that undermines the integrity of the procurement process, hence request for dismissal of the instant review petition.

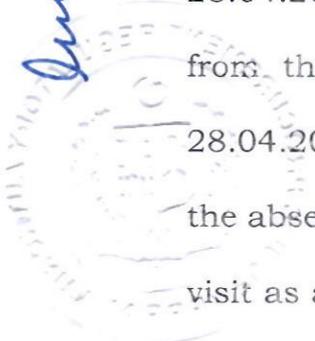
16. After perusal of all relevant record and arguments made by both the parties, the Committee observed that the Petitioner was initially declared disqualified in the pre-qualification process for the project titled "Construction of

NADRA Regional Head Office, Multan.” Subsequently, upon filing a grievance, the Grievance Redressal Committee (GRC) allowed the same and directed a re-evaluation of the Petitioner’s bid. Thereafter, an inspection was undertaken by the Respondent to verify the authenticity of the projects claimed by the Petitioner in its experience documents. The inspection team, comprising NADRA’s officers and NESPAK as technical consultant, reported that no such projects existed at the locations indicated by the Petitioner. The Petitioner alleged that the inspection was conducted without prior intimation and at an incorrect site, leading to an erroneous conclusion. In rebuttal, the Respondent maintained that the addresses were obtained directly from Qazi Housing (Pvt.) Limited and that the team visited the actual sites mentioned therein.

17. The Committee also observed that the letter dated 29.01.2025 submitted by the Petitioner as completion certificate issued by Qazi Housing (Pvt.) Limited, was later verified by the Respondent and found to be unauthentic. Qazi Housing (Pvt.) Limited, in its written confirmation, categorically denied issuing such certificate and termed that forged and tampered. The Petitioner, however, contended that a clarificatory letter dated 28.04.2025 was later issued to reaffirm the authenticity of its earlier claim, though the Respondent disputed its veracity. Moreover, the Committee also observed the discrepancies in the signatures and letterheads of the documents submitted by the Petitioner and

the absence of corroborating third-party evidence demonstrating that the claimed project construction of a building comprising Basement + Ground + 6 Floors and related infrastructure was actually executed. The contradictions between the addresses mentioned in the Petitioner's documents and those verified by the inspection team also remained unexplained.

18. The Committee further observed that the primary basis for the blacklisting of the Petitioner was the completion certificate dated 29.01.2025, which was allegedly issued by Qazi Housing (Pvt.) Ltd. The said certificate was initially not verified by Qazi Housing (Pvt.) Ltd., which instead treated it as forged and tampered. However, it is an admitted fact that subsequently, through its letter dated 28.04.2025, Qazi Housing (Pvt.) Ltd. acknowledged the execution of the project titled "*Construction / Infrastructure Development of Motorway City, Fateh Jang*" by the Petitioner. The said letter was duly submitted by the Petitioner to the Respondent, i.e., the President, Blacklisting Board, NADRA before the issuance of blacklisting order. Nevertheless, without taking into consideration the subsequent clarification letter dated 28.04.2025, without resolving the factual controversy arising from the two contradictory letters dated 29.01.2025 and 28.04.2025 issued by Qazi Housing (Pvt.) Ltd., as well as in the absence of any evidence substantiating on-ground project visit as asserted by the Petitioner, the Respondent proceeded



to blacklist the Petitioner for a period of five (05) years vide letter dated 22.09.2024.

19. The Committee is of the considered view that blacklisting, being a serious penal consequence, requires strict compliance with due process and must rest upon substantive and conclusive evidence, as held by the Hon'ble Supreme Court in **PLD 1999 SC 1126 (New Jubilee Insurance Co. v. NBP)** and **2003 SCMR 341**. In the instant matter, however, it is evident that the Respondent, i.e., National Database and Registration Authority (NADRA), proceeded to blacklist the Petitioner despite being cognizant of the factual controversy surrounding the said two letters purportedly issued by Qazi Housing (Pvt.) Ltd.

20. In view of the foregoing reasons and observations, the Review Petition Committee hereby **remands** the impugned blacklisting matter to the Respondent's Blacklisting Committee for the purpose of verification and determination of the authenticity of the aforementioned letters. The Respondent's Blacklisting Committee shall ensure to undertake physical inspection / on-ground project visit for the purpose of verification and to substantiate the respondent's claim. The exercise of site verification shall be undertaken with a well-coordinated advance intimation to the Petitioner, within fifteen (15) days from the date of receipt of this Order. Furthermore, if the said letters are verified and found to be genuine, the blacklisting order dated 22.09.2025 shall stand

set-aside. Conversely, if the letters are found to be non-genuine or fabricated, the said blacklisting order shall remain operative and intact. The Respondent is further directed to communicate the outcome of the proceedings to this Authority accordingly.

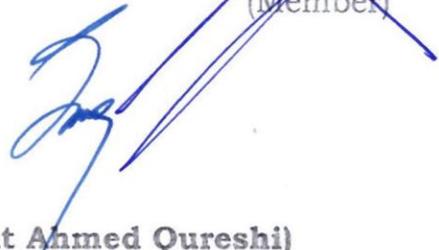
21. In light of the directions made above, the instant review petition is hereby **disposed of**.



(Dr. Muhammad Aslam Waseem)
Director General (Legal)
(Member)



(Sheikh Azaal Raza)
Director (M&E)
(Member)



(Hasnat Ahmed Qureshi)
Managing Director (PPRA)
(Chairman of the Committee)

Note: A copy of this order is being forwarded to Director-IT, PPRA, Islamabad) for information.

Each page of the order has been signed by all members of the Review Petition Committee. The order comprises of twelve (12) pages.

