



No. PPRA/AP-19/2025
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 Badar Expo Solutions

...the “Appellant”

Vs.

Trade Development Authority of Pakistan (TDAP)

...the “Respondent(s)”

<u>Date of Hearing</u> 17.07.2025	Mr. Zohair Naseer (CEO), Col. (R) Abdul Qayyum Anjum, Mr. Rameez (Manager) <p style="text-align: right;">(On behalf of Appellant)</p> Mr. Khurram Ikram (Director), Mr. M. Ismail <p style="text-align: right;">(On behalf of Respondent)</p>
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APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004

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

2. At the very outset, the learned counsel of the appellant i.e., M/s Badar Expo Solutions submitted that they challenged the decision of the Grievance Redressal Committee (GRC) of the Trade Development Authority of Pakistan (TDAP / the Respondent) concerning the tender for “Hiring the Services of Fashion Show Event Manager for Gems and Jewelry Fashion Show (April 17th, 2025) at Lahore”. The Respondent initiated the said tender process

and the Appellant participated in the tender and submitted a comprehensive bid, fulfilling all the stipulated requirements.

3. The representative of the appellant also submitted that they became aware of serious irregularities in the evaluation process, specifically concerning the bids of two other bidders i.e., M/s Take II Events and PR, and HUM TV Network. Further submitted that being aggrieved, the Appellant filed a formal grievance with the Grievance Redressal Committee ("GRC") of the Respondent. However, the GRC failed to address the concerns adequately and rendered a decision that, the Appellant believes, is biased and unjust.

4. The representative of the appellant further submitted that the score sheet clearly specified that to qualify for a score in this category, the company must have at least ten years of experience in event management. However, M/s Take II Events and PR was formed only in 2023 as evidenced by the Taxpayer Registration Certificate. This clearly indicates that the company had only two years of operation at the time of the tender. Moreover, the score sheet further requires a company to have held events in Lahore over the last 3 years to qualify for certain points. However, M/s Take II Events and PR was only established in 2023, they could not have held events in Lahore in the last 3 years.

5. The representative of the appellant also submitted that the evaluation report fails to substantiate the necessary supporting documents for these claims. Based on the submitted documentation, it appeared that the documents provided by M/s Take II Events and PR are either forged or incorrect. The Appellant further submitted that as per the Public Procurement Rules, 2004 ("PP Rules"), all documents must be submitted on the EPADAs. However, HUM TV

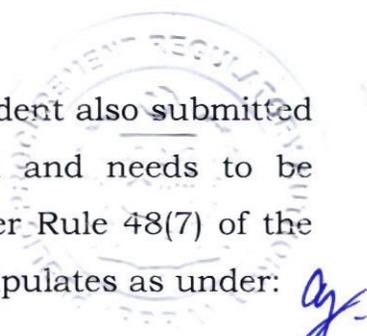
Network did not upload their documents on EPADS, which is a clear violation of Rule 31 of the PPRA Rules, 2004.

6. The representative of the appellant further argued and submitted that the respondent / TDAP's Tender Management Committee (TMC) requested additional documents from HUM TV Network via email, this is explicitly prohibited under Rule 31 of the PP Rules, 2004. Moreover, the Appellants' submission was comprehensive and addressed all the stipulated criteria. However, the points awarded in several categories were disproportionately low and did not reflect the quality of the submission.

7. At the last, the representative of the appellant also submitted that as per their stance the GRC failed to take any meaningful action on the Appellant's grievance, effectively condoning the violations of the PP Rules, 2004, hence, filed this instant Appeal.

8. On the other side, learned representative of the respondent i.e., Trade Development Authority of Pakistan (TDAP) raised preliminary objection and submitted that the appeal filed by the appellant (M/s. Badar Expo Solutions) is hopelessly time barred and liable to be dismissed as the appeal has been filed after the timeline i.e., filed on 06.05.2025, while under the Rule 48(7) of the Public Procurement Rules, 2004, the appeal must have been filed within thirty (30) days of communication of the decision of GRC which was announced and uploaded on E-PADS on 27.03.2025.

9. The representative of the respondent also submitted that the instant appeal is time barred and needs to be dismissed on this sole ground only as per Rule 48(7) of the Public Procurement Rules, 2004 which stipulates as under:



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“Any bidder or party not satisfied with the decision of the GRC, may file an appeal before the Authority within thirty days of communication of the decision subject to depositing the prescribed fee and in accordance with the procedure issued by the Authority. The decision of the Authority shall be considered as final”.

10. The representative of the respondent further submitted that the appeal filed by M/s. Badar Expo Solutions has been notarized at Karachi on 02.05.2025 and filed in this Authority on 06.05.2025, whereas decision of the Procuring Agency's Grievance Redressal Committee was filed / submitted on the EPADS on 27.03.2025. As per the Rule 48 (7) of the Public Procurement Rules, 2004, the appeal must have reached before the Authority on or before 27.04.2025. However, the appeal has been notarized at Karachi on 02.05.2025 and filed before the Authority on 06.05.2025, hence not maintainable.

11. The representative of the respondent further added that since the appeal of the appellant has been filed without depositing the prescribed fee, therefore, the appeal in hand is liable to be dismissed due to non-adherence to the Regulations No. 5, 7 and 8 of the Redressal of Grievances Regulations, 2021. Moreover, it is pertinent to mention that there was no grievance received from any other bidder against the subject tender except from M/s. Badar Solution, hence, requested for dismissal of the instant appeal.

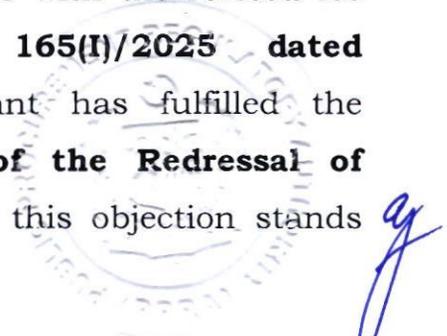
12. The representative of the respondent further submitted that as per the bidding documents, the company must possess a minimum of ten years' experience in event management, specifically in organizing bridal shows. M/s Take II Events and PR meets this requirement, having over ten years of relevant experience. Moreover, the firm's owner is well-known in the field and has re-registered the business under a new name. As such, her prior experience in

managing bridal shows cannot be disregarded. Accordingly, the Tender Management Committee (TMC) took her previous experience into account and awarded marks on that basis.

13. After perusal of all relevant record and arguments made by both the parties, the Appellate Committee observed that it is an undisputed fact that the instant appeal was filed on **06.05.2025**, whereas the decision of the Grievance Redressal Committee (GRC) was announced and uploaded on **EPADS on 27.03.2025**. This clearly demonstrates that the appeal was filed well beyond the statutory limitation period prescribed under **Rule 48(7)** of the **Public Procurement Rules, 2004**, which allows a period of thirty (30) days from the date of communication of the GRC decision.

14. The Committee also observed that the appellant had previously availed remedies under the same regulatory framework and was fully aware of the procedural timelines. Therefore, the explanation offered regarding awaiting a detailed decision was not acceptable. The onus was on the appellant to act in accordance with Rule 48(7), which mandates that appeal must be filed within 30 days of the communication of the decision of GRC.

15. With regard to the objection raised by the respondent concerning deficiency in the appeal fee, the Committee found the said objection to be factually incorrect and untenable. The record shows that the appellant submitted a Pay Order of an amount Rs. 200,000/- along with the instant appeal in compliance with the revised fee structure notified vide **S.R.O. 165(I)/2025 dated 13.02.2025**. Therefore, the appellant has fulfilled the requirement under **Regulation 7 of the Redressal of Grievances Regulations, 2021**, and this objection stands rejected.



16. With respect to the respondent's justification for awarding marks to M/s Take II Events and PR based on the owner's prior experience under a re-registered business name, the Committee expresses no opinion in light of the bar of limitation. However, the matter may be reviewed by the procuring agency internally if any procedural discrepancies are later substantiated by documentary proof.

17. For what the reasons and observations mentioned above, the Appellate Committee is of the considered view that the appeal filed by M/s Badar Expo Solutions is barred by limitation under Rule 48(7) of the Public Procurement Rules, 2004, having been filed beyond the prescribed 30-days period from the date of communication of the decision of the GRC, therefore, the appeal in hand is hereby **dismissed** being time barred and disposed of accordingly.



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



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



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

Each page of the order has been signed by all members of the Appellate Committee. The order comprises of six (06) pages.

