



**No. PPRA/AP-04/2026**  
Government of Pakistan  
**Public Procurement Regulatory Authority**  
**(Appeal & Review Petition Secretariat)**  
1<sup>st</sup> Floor, FBC Building, G-5/2, Islamabad  
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**ORDER**

M/s ADR ODR International Pakistan

*...the "Appellant"*

Vs.

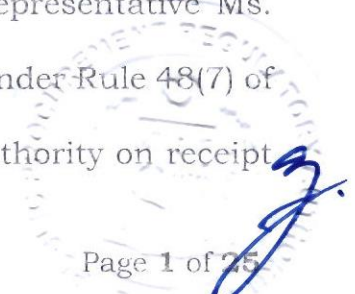
Convener Grievance Redressal Committee, Ministry of Law & Justice

*...the "Respondent"*

<b><u>Date of Hearing</u></b>  <b>19.02.2026</b>	Mr. Wajid Navid, Advocate  <p style="text-align: right;"><i>(On behalf of Appellant)</i></p> Mr. Muhammad Javed Director (P) GRC Mr. Gulfam Hameed, Additional Director  <p style="text-align: right;"><i>(On behalf of Respondent i.e., MoLaw&amp;J)</i></p> Mr. Ehsan Ullah Khan, Registrar  <p style="text-align: right;"><i>(On behalf of Respondent No. 2 i.e., IMAC, MoLaw&amp;J)</i></p>
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**APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004**

The Authority received an Appeal filed by M/s ODR ADR International through its authorised representative Ms. Sarah Tarar "the Appellant" on 06.01.2026 under Rule 48(7) of the Public Procurement Rules, 2004. The Authority on receipt



of the Appeal issued notices to M/s ADR ODR International (“Appellant”); Convenor Grievance Redressal Committee, Ministry of Law & Justice; and International Mediation and Arbitration Centre (IMAC), Ministry of Law and Justice (the “Respondents”), wherein it was directed to appear in person or through their nominated representatives or Counsel before the Authority on 19.02.2026 before the Appellate Committee in the Committee Room of Public Procurement Regulatory Authority (PPRA).

2. On the said date of hearing (19.02.2026), the representatives of the parties, i.e. M/s ODR ADR International “Appellant”; Ministry of Law & Justice; and International Mediation and Arbitration Centre (IMAC), Ministry of Law and Justice “Respondents” appeared before the Committee and presented their arguments at length. The Respondents provided written arguments to the Committee.

3. The representative of the Appellant submitted that the instant Appeal has been filed against findings and conclusions recorded in the Grievance Redressal Committee Report dated 19-12-2025, concerning the ADR/ODR tender process titled “Procurement of Services for Accredited Training of Arbitrators under the project “Strengthening and Capacity Enhancement of Legal Wings of Ministry of Law & Justice and Federal Ministries/Divisions (Revised). The said Report concluded in the rejection of our grievance, communicated on 26-12-2025.

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This Appeal is being exercised of our right under Rule 48(7) of the Public Procurement Rules, 2004 and clause 30.1 and 30.7 of the tender document and is based on serious procedural irregularities, undisclosed and incurable conflicts of interest, and violations of the fundamental principles of fairness and transparency, all of which have materially affected the outcome of the process.

4. The representative of the Appellant further submitted that as per clause 30.1 of the tender document, the procuring agency shall constitute a Grievance Redressal Committee (GRC) comprising off odd number of persons with proper power and authorisation to address the complaint. The GRC shall not have any of the members of procurement evaluation committee. The Committee must have one subject specialist depending upon the nature of the procurement. Further added that the composition of the committees is fundamentally flawed and contrary to both the tender framework and settled principles of public procurement. Members from the same team responsible for creating the tender document in the first place and later organizing, administering, and managing the trainings were also included in the Procurement Evaluation Committee and the Grievance Redressal Committee. Further highlighted that at least three members of the Evaluation Committee (Ehsan Ullah Khan, Gulfam Hameed and Rauf Ahmed) were working directly under Aisha Rasool who is the project Director of IMAC and who was also a part of Grievance

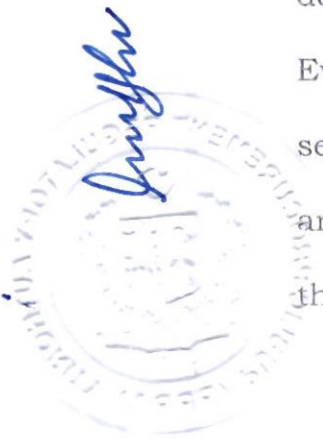
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Redressal Committee. This hierarchical relationship creates a clear and serious conflict of interest. In addition, Ehsan Mahsud, a member of the Evaluation Committee is related to Aisha Rasool, a member of the Grievance Redressal Committee. These overlaps destroy institutional independence and make it legally impossible for the Grievance Redressal Committee to adjudicate grievances arising from the actions of its own team or its subordinates.

5. The representative of the Appellant further averred that the composition of the Grievance Redressal Committee is in direct violation of Clause 30.1 of the tender document (page 11), which mandates inclusion of at least one subject specialist. No expert or specialist in arbitration was included in the Grievance Redressal Committee. In the absence of subject-matter expertise, the Committee lacked the technical competence required to assess issues relating to arbitration training standards, eligibility, comparative experience, and institutional credibility. Any conclusions reached by such a committee are therefore, legally and substantively unsustainable. The constitution of the Grievance Redressal Committee made in this manner is prohibited by the tender document itself. Clause 30 (Submission, Opening and Evaluation, Part C, page 11) clearly envisages a structural separation between the Procurement Evaluation Committee and the Grievance Redressal Committee. The overlap between these bodies defeats the very purpose of grievance redressal



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and renders the process illusory, as the same institutional interest were effectively judging their own decisions.

6. The representative of the Appellant further submitted that CIArb was itself a bidder in the process, while Aisha Rasool, a GRC member has previously been trained by CIArb. This creates a further and equally serious conflict of interest. In procurement law, a reasonable apprehension of bias is sufficient to invalidate a process; proof of actual favouritism is not required. Further added that the tender document itself is biased and exclusionary. It disproportionately and repeatedly refers to CIArb, thereby favouring a particular institution while effectively marginalising other equally competent and internationally recognised ADR bodies. The criteria seem to have been based on their courses only. There is no single global arbitration criteria or organization like IMI for mediation. Therefore, it does not make sense for a tender document to have been created keeping a single organization in mind. A public tender must be institution-neutral and competence-based. Selective emphasis on a single organization compromises competitive equality and violates the principle of a level playing field.

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7. The representative of the Appellant further contended that the conduct of the Grievance Redressal Committee was itself contrary to the basic requirements of natural justice. A Grievance Committee is supposed to listen to the grieving

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party. This seemed more like an appeal where both the parties were called. In addition, instead of approaching the matter with an open and impartial mind, a committee member seemed to have come prepared with a preconceived case against us. Rather than listening to our submissions, Aisha Rasool, a member of the Grievance Redressal Committee came prepared with research and arguments directed against international ADR ODR International. This approach fundamentally undermines the legitimacy of the grievance redressal mechanism.

8. The representative of the Appellant further submitted that the Committee raised an objection that Mr. Rahim Shamji does not possess the requisite five years of arbitration training and certificate experience. In response, it was specifically drawn to the committee's attention that, as stated on page 3 of Mr. Rahim Shamji's CV, he has been delivering arbitration courses internationally on a regular basis, almost every two months, since 2016. The Grievance Redressal Committee responded that there was no proof of this experience. It was then clarified that Mr. Rahim Shamji's qualifications and professional experience in arbitration were supported and verified through a separate letter and CV submitted by ADR ODR International, duly signed by Mr. Rahim Shamji in his capacity as Chief Executive Officer. The committee, however, took the position that the letter could not be signed by him. With respect, this position is difficult to reconcile with standard

corporate and professional practice, where verification letters are ordinarily signed by the Chief Executive or authorised head of the organization.

9. The representative of the Appellant further submitted that when the Appellant raised a legitimate query as to whether other bidders were subjected to the same level of scrutiny regarding proof of training and compliance with eligibility criteria, the committee responded that this does not concern the present case. With respect, this response did not address the substance of the concern raised. In a process governed by principles of transparency and equal treatment, such queries are relevant to ensuring consistency and fairness in evaluation. The absence of any clarification on this point gives rise to reasonable uncertainty as to whether uniform standards were applied across all bidders.

10. The representative of the Appellant further submitted that the Grievance Redressal Committee report is procedurally defective, suffers from incurable conflicts of interest, violates the express provisions of the tender document, and is legally unsustainable.

11. The representative of the Appellant further submitted that the Appeal was filed in appeal of the Grievance Redressal Committee's ("GRC") order dated 26.12.2025 ("Impugned Order") and to impugn the illegal actions/omissions of Ministry of Law and Justice acting through International Mediation &

Arbitration Centre ("Procuring Agency). Therefore, it is in the interests of justice that the Procuring Agency be impleaded as party/defendant/respondent in the Appeal. That the Appellant filed an Appeal dated 05.01.2026 before the Public Procurement Regulatory Authority ("PPRA"). The first hearing was held on 21.01.2026 and the Respondent No. 1 sought an adjournment and the Appeal was adjourned to 28.01.2026 (2nd Hearing"). The Appellant sought an adjournment for 2nd Hearing on the grounds that she intended to appear in person but was out of the country. Therefore, the titled Appeal was adjourned to 10-02-2026. ("3" Hearing"). That on the 3rd Hearing the Appellant appeared through its legal counsel, M/s Cornelius, Lane & Mufti, Advocates & Solicitors, and the Convener of the Grievance Redressal Committee, Ministry of Law & Justice appeared through Mr. Muhammad Javed.

12. Further submitted that the representative of the Appellant further submitted that the Procuring Agency issued a Technical Evaluation Report dated 12-12-2025 ("Technical Evaluation") and disqualified the Appellant on the technical ground that the lead member did not, allegedly, meet the mandatory criteria of having past 05 (five) years' experience of training of arbitrators and subsequent certification thereof.

13. Further submitted that the Appellant filed a complaint dated 17.12.2025 to GRC ("Complaint") against the Technical Evaluation on the ground that the Appellant had categorically

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declared in Form Tech-4 of its Technical Bid that Mr. Rahim Shamji ("Lead Member") had 18 (eighteen) years of extensive experience in teaching and training, particularly with 07 (seven) years of expertise in training arbitrators globally. That the Procuring Agency failed to act within the scope of Rule 31 of Rules, which mandates the Procuring Agency to seek clarification which do not change the substance of the bid, if such clarification does not amount to alteration or modification. Even if there are obvious mistakes which are clerical or arithmetical in nature, occasioned on account of accidental steps or omissions which crop in any judgement or decree, the same can be corrected.

14. Further submitted that the Procuring Agency had already notified the grievance redressal committee vide its notification available on the website and the following officers had been nominated to hear grievances: (a) Mr. Haider Ali Shikoh, Sr. Joint Secretary; (b) Mr. Iftikhar Anjum, Deputy Secretary (Dev); and (c) Mr. Muhammad Kamran, Section Officer (G), however, the GRC for the Subject Tender was reconstituted and no notification of the reconstitution was issued or shared with the Appellant. The Procuring Agency's letter bearing No. 5(26)2025-IMAC, dated December 18, 2025 informed the Appellant that the hearing had been fixed for December 19, 2025 but the letter remained silent regarding the change in the composition of the grievance redressal committee. Further added that the composition of the GRC is

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fundamentally flawed and contrary to both the tender framework and settled principles of public procurement. Members from the same team responsible for creating the tender document in the first place and later organising, administering, and managing the trainings were also included in the Procurement Evaluation Committee and the GRC. Project Director for International Mediation & Arbitration Centre, the project for which the Procuring Agency is procuring the services was chairing the GRC without any prior notification, however, the subordinates of the Project Director namely, Registrar and Assistant Registrar were part of the Procurement Evaluation Committee. This hierarchical relationship creates a clear and serious conflict of interest and is violative of the statutory framework in place.

15. Further added that the Procuring Agency's actions violate Article 4 of the Constitution of Pakistan (the right to be dealt with in accordance with law), Article I OA (the right to a fair trial), Article 18 (the freedom to trade and conduct business), and Article 25 (protection against discrimination). In light of these grave constitutional violations, the award for tender should be set aside and declared void ab initio. The Appellant has serious concerns regarding the integrity of the grievance proceedings in the tender, and the above-mentioned grounds provide a strong indication that Rule 4 of the Rules has been violated; the procurement proceedings have not been conducted in a fair and transparent manner, and the object of

the procurement bring value for money, efficiency and economical has been severely hampered by the actions of Procuring Agency. Further argued that in light of the above issues raised, the actions of Procuring Agency were in complete and utter disregard of the Rules, and their actions also amount to a violation of Rule 50 of the Rules. The Procuring Agency failure to adhere to procedural requirements and to provide a reasoned decision clearly demonstrates that the Impugned Order must categorically be construed as 'mis-procurement' and is liable to be set aside.

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16. The representative of the Respondent submitted that the instant appeal is based on conjectures, assumptions, and colourful exaggerations, which do not attract the provisions of law. Further added that the allegations are misconceived, incorrect. The GRC has been constituted in accordance with Rule 48 (1) of the Public Procurement Rules, 2004. No member of the Procurement Committee is part of the GRC. The allegations to the contrary are factually incorrect and misleading. Rule 48 of the Public Procurement Rules, 2004 does not render the constitution of the GRC invalid merely on the basis that an official has an administrative or functional association with project execution. Such association does not, per se, amount to bias or conflict of interest. The composition of Evaluation Committee was neither challenged during the GRC proceedings nor at the time of opening of technical bids which were participated by the Appellant. Consequently, the

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Appellant estopped under the doctrine of estoppel from raising this objection at a subsequent stage.

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17. The representative of the Respondent further averred that the allegations levelled against the GRC/Evaluation Committee are neither substantiated nor supported by any documentary evidence in the instant appeal, which is a clear violation of the Qanoon-e-Shahadat, 1984, i.e., burden of proof lies upon the person who asserts a fact. Further added that the instant appeal fails to demonstrate the existence of any conflict of interest among the bidders or members of the committees. The decision of the GRC was unanimous; therefore, any allegation of partially or bias on the basis that one member headed the team is misconceived, baseless, and untenable in law. Further added that the allegation is based on mere presumptions, conjectures, and exaggerated assertions, which distort the true facts. The Grievance Redressal Committee (GRC) comprises the following senior-most and experienced officers of the Ministry of Law and Justice:

- Mr. Owais Nauman Kundi (BPS-21), Additional Secretary, Ministry of Law and Justice Chairman
- Ms. Aisha Rasool (MP-1), Senior Consultant (Research/Project Director), International Mediation and Arbitration Centre (IMAC) and case assignment & management system Member



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- Mr. Muhammad Javed (MP-111), Director (Planning) Member.

18. All members possess extensive experience in technical, legal, policy, and project-related matters, fully satisfying the intent and spirit of Clause 30.1 of the tender document.

19. The representative of the Respondent further submitted that Ms. Aisha Rasool, one of the members of the GRC, is a duly qualified and competent subject specialist, having the following credentials:

Senior Consultant (Research & Legal Opinion);

Project Director, International Mediation and Arbitration Centre (IMAC);

Project Director, Case Assignment & Management System;

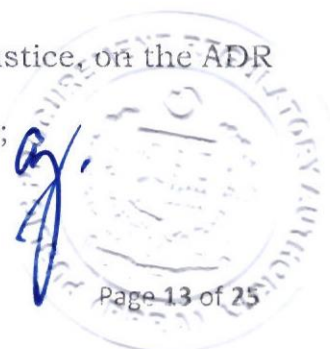
Internationally accredited Member;

LL.M. from the University of York, United Kingdom;

Representative of Pakistan as a member of the Expert Working Group on the Convention for the Establishment of the International Organization for Mediation (IOMed), an inter-governmental organization comprising of 37 members;

Representative of Pakistan as a Member Expert Working Group on scoping emerging practices in the use of Artificial Intelligence (AI) under the Common wealth;

Represents Secretary, Ministry of Law and Justice, on the ADR Committee of the Supreme Court of Pakistan;



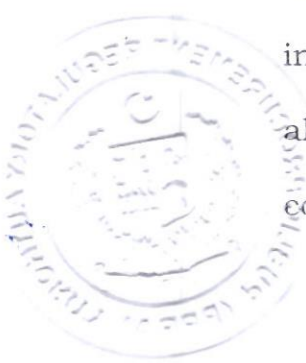
Member of the Ministry of Law and Justice team involved in drafting the Arbitration Bill, 2024, proposed amendments to the ADR Act, 2017 etc.;

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20. Further added that the Appellant has failed to demonstrate any loss, prejudice, or legal injury arising from the alleged composition of the GRC, which is a mandatory requirement to sustain the instant appeal. The decision of the GRC was not that of a single member, but a unanimous decision of the Committee; therefore, the allegation regarding absence of subject expertise is untenable, unfounded, and devoid of merit.

21. The representative of the Respondent further contended that merely attending professional trainings or capacity-building programs conducted by a particular institution does not ispo- facto establish bias or conflict of interest. A conflict of interest must be founded on a direct, pecuniary, or decision-linked interest, none of which has been demonstrated in the instant case. Further submitted that one of the members of the GRC, namely Mr. Muhammad Javed, and two members of the procurement committee, namely Mr. Ehsan Ullah Khan and Mr. Gulfan Hameed, have received professional training from ADR ODR International. Therefore, if training from a particular institution is to be construed as a conflict of interest, the allegation becomes self-defeating and untenable, as three committee members are certified mediators trained by ADR

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ODR International, as opposed to only one member trained by CIArb. The objections raised was never agitated before the Grievance Redressal Committee (GRC), Consequently, the Appellant is barred from raising this issue at the Appellate stage, being hit by the principles of waiver and estoppel.

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22. The representative of the Respondent further submitted that if the tender document were biased or exclusionary, the same ought to have been raised at the time of its publication on the PPRA Website. However, no clarification request, representation, or grievance was submitted by any bidder or prospective bidder prior to the submission of bids. Further added that the reference to the term "CIArb" inter alia appears only twice in the tender document and solely for illustrative and benchmarking purposes. The relevant excerpts are reproduced below:

Objectives:

.....In addition, train and certified arbitrators to be capable of handling cross-border and international arbitration proceedings in accordance with internationally recognised standards, i.e., UNCITRAL, CIArb, ICC, AAA, SIAC, LCIA, and HKIAC". Page 29 of the Tender Document.

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23. At no point does the tender document mandate affiliation with any specific organization, including CIArb. Rather, it prescribes objective, neutral, and internationally recognised standards, compliance with which is open to all

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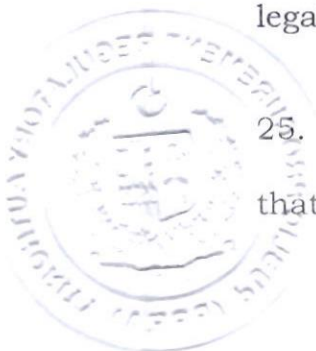
firms meeting the stipulated criteria. The allegation of bias is therefore speculative, unfounded, and directly contradicted by the structure and wording of the mandatory requirements of the tender document.

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24. The representative of the Respondent further submitted that upon submission of a grievance before the Grievance Redressal Committee (GRC), both parties, namely the Procurement Committee and the aggrieved party, are afforded an opportunity to submit their clarifications and defence in response to the grievances. In terms of Rule 48(6) of the Public Procurement Rules, 2004, the GRC shall investigate and decide upon the complaint within ten days of its receipt. The said Rule expressly contemplates an investigation and decision by the Committee. Accordingly, the process of preparation, including reviewing the record, examining the relevant benchmarks, and assessing compliance, falls squarely within the scope of investigation and does not, in itself, establish any prejudice or violation of the principles of natural justice. Further added that the allegation is baseless and misconceived, and reflects an attempt by ADR ODR International to raise peripheral issues that serve only to delay the procurement process and consume the time of the procuring agency, without demonstrating any legal infirmity.

*Justice*

25. The representative of the Respondent further submitted that as per the Curriculum Vitae (CV) submitted with the bid



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documents, Mr. Rahim Shamji does not possess the requisite experience as prescribed under the mandatory criteria of the tender document. The tender document expressly requires a minimum of five-years-experience in arbitration training and certification. However, a review of the submitted CV indicates that the experience cited by Mr. Rahim Shamji predominantly relates to mediation-related training, which cannot be equated with or substituted for arbitration-related training certification experience as required by the procuring agency. The procurement committee correctly applied the mandatory eligibility criteria, and upon review of the grievance, the Grievance Redressal Committee (GRC) duly examined the matter and upheld the decision, finding no infirmity in the application of the tender requirements.

26. The representative of the Respondent (Procurement Evaluation Committee) submitted that the allegation of overlap between the Grievance Redressal Committee (GRC) and the Procurement Evaluation Committee (PEC) is factually incorrect and legally misconceived. The constitution of both committees was entirely distinct as under:

Grievance Redressal Committee:

- Mr. Owais Nauman Kundi, Additional Secretary (MoLJ)
- Ms. Aisha Rasool, Senior Consultant (Research)
- Mr. Muhammad Javed, Director (Planning)

Procurement Evaluation Committee:

- Mr. Ehsan Ullah Khan, Registrar-IMAC
- Mr. Gulfam Hameed, Additional Director – L&M
- Mr. Usman Afzal, Procurement Expert
- Mr. Rauf Ahmed, Assistant Registrar – IMAC

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27. Further added that it is evident that no individual served simultaneously on both committees, nor was there any duplication of membership at any stage of the procurement process. The separation of functions was rigorously maintained in accordance with Clause 30.1 of the Tender Document and the requirement of Rule 4 of the Public Procurement Rules, 2004, which mandates “Procuring Agencies, while engaging in procurement, shall ensure that the procurements are conducted in a fair and transparent manner, the object of procurement brings value for money to the procuring agency and the procurement process is efficient and economical”.

28. The assertion of overlap or conflict of interest is unfounded. The Procuring Agency ensured full compliance with the governing procurement framework, and the independence of the grievance mechanism was preserved through-out.

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29. The representative of the Respondent further submitted that the allegation of a purported relationship between Mr. Ehsan Ullah Khan (Registrar IMAC) and Ms. Aisha Rasool (Senior Consultant – Research) is irrelevant to the procurement process and unsupported by any evidence that it caused



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