No. PPRA/AP-40/2026
Government of Pakistan
Public Procurement Regulatory Authority
(Appeal & Review Petition Secretariat
1st Floor, FBC Building, G-5/2, Islamabad
<><><>

ORDER

M/s Technoflux (Pvt.) Limited

...the "Appellant"

Vs.

Capital Development Authority (CDA), etc.

...the "Respondents"

Date of Hearing	Mr. Muhammad Faisal (CEO)
15.07.2026	***(On behalf of Appellant)***
	M. Muhammad Waseem Sabir (DG E/M), Mr. Miskeen Shah Kazim (Dir. P&CA-II), Mr. Nasir Jamil Butt, Mr. Mehraj Tareen (ALA)
	(On behalf of Respondents)

APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004
[RE: TENDER NO. PID(1) 8836/25]

The Authority received an Appeal filed by M/s Technoflux (Pvt.) Ltd., through its Chief Executive Officer Mr. Muhammad Faisal on 29.06.2026, under Rule 48(7) of the Public Procurement Rules, 2004. The Authority on receipt of the Appeal issued notices to M/s Technoflux (Pvt.) Ltd., through its CEO Mr. Muhammad Faisal (the Appellant); Capital Development Authority (CDA), through its Chairman; CDA through its Director General (P&CA); CDA through its Deputy Director-E&M (P&CA), CDA through its Convener GRC Mr. Khalid Asif; CDA through its

Member GRC Mr. Nasir Jamil Butt, CDA through its Member / Secretary GRC Mr. Arshad Mehmood (the Respondents) wherein it was directed to appear in person or through their nominated representatives or Counsel before the Authority on 15.07.2026 before the Appellate Committee in the Committee Room of Public Procurement Regulatory Authority (PPRA).

2. On the said date of hearing (15.07.2026), the above-mentioned representatives of the parties 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 Appellant, M/s Techno flux (Pvt.) Ltd. is a legal entity, registered under the laws of Pakistan, is a reputed private limited company engaged in the field of Engineering Services, having a long-standing professional working relationship with various government departments, autonomous bodies and public sector organizations, including but not limited to the Capital Development Authority (CDA). The Appellant is duly registered with the E-PAD system and has consistently maintained a credible business reputation, demonstrating compliance with applicable procurement rules, transparency standards and good governance practices.

4. The representative of the Appellant submitted that the respondent Capital Development Authority works under the administrative control of Ministry of interior and is responsible for

planning, developing and providing municipal services in the Islamabad Capital territory. That, on 06.05.2026, the respondent Capital Development Authority (CDA), acting as the Procuring Agency, published a tender through the E-PAD system for the following work:

> *i. Providing/Replacement of existing LED lights with up-Graded new LED lights at VVIP routs Islamabad Highway from Sohan to Gulberg (lic Interchanges). Islamabad.*

5. Further submitted that upon review of the bidding documents and evaluation criteria prescribed for the said procurement, the Appellant observed certain eligibility and qualification requirements relating to work experience, annual turnover and credit line facilities which appeared unusually stringent and disproportionate to the nature, scope and estimated value of the procurement. That being a prospective bidder and having a direct interest in participating in the procurement process, the Appellant examined the prescribed qualification criteria and compared the same with criteria previously adopted by the Procuring Agency in tenders of a similar nature and scope.

6. Further submitted that during such review, the Appellant noted that previous procurements involving road lighting systems and LED replacement works, including projects having comparatively higher estimated values, were advertised with relatively balanced qualification requirements, thereby

allowing wider participation of qualified firms. Some of which are given as below:

Sr.#	Name of Work	EPAD Tender No.	NIT Amount (Rs.)	Published Date
1	Improvement/Up-gradation/Rehabilitation of Road Light System at Srinagar Highway from Zero Point, Sector G-8 to Sector G-12, Islamabad	F-25085224	122,352,697/- (122.35 Million)	06-08-2025
2	Providing Replacement of Existing 120-Watt LED Lights with High-Lumen 180-Watt LED Lights at Srinagar Highway from NUST Gate to N-5 and M-1/M-2 Interchange to New Airport, Islamabad	F-25085227	(107. Million) 107,094,839/-	06-08-2025
3	Rehabilitation/Renovation and Replacement of Old/Defective Existing HPS Lights with New LED Lights at Diplomatic Enclave, Including Security Lights of Boundary Wall and PM Staff Colony, Sector G-5, Islamabad	-	81,941,920/- (81. Million)	04-09-2025

7. Further submitted that in contrast, the qualification criteria prescribed in the impugned tender, despite having a notified estimated cost of approximately Rs. 92.14 Million, contained requirements relating to experience, turnover and financial arrangements that were substantially more stringent than those adopted in comparable procurements undertaken by the same Procuring Agency.

8. Further submitted that in view of the aforesaid concerns, the Appellant submitted a written representation/grievance, vide letter bearing reference TF/260507, dated 07.05.2026, before the Deputy Director E&M P&CA-II, CDA, Islamabad, seeking clarification and review of the

qualification criteria contained in the bidding documents. That through the said complaint, the appellant specifically requested the Procuring Agency to reconsider and rationalize the requirements relating to work experience, annual turnover and credit line facilities and further requested that the evaluation criteria be reviewed so as to encourage broader participation of qualified firms in the procurement process. The Appellant submitted the said Grievance well before the bid submission deadline with the bona fide intention of obtaining clarification and ensuring participation in a fair and competitive procurement process.

9. Further submitted that similarly, the Appellant submitted a complaint, dated 07.05.2026, bearing reference No. TF/260507, before the Managing Director, PPRA, bringing the aforementioned concerns regarding the impugned qualification and evaluation criteria to the notice of the Authority and seeking appropriate intervention in accordance with the Public Procurement Rules, 2004.

10. Further submitted that no response was received from the procuring agency nor GRC as under 48(2) any aggrieved person aggrieved by the terms and conditions of the bid may file a complaint against the procuring agency and the same is to be decided by the competent authority that is the GRC within 10 days. That thereafter, the Appellant, vide reminder letter bearing Ref. No. TF/260507/1/R dated 14.05.2026, again approached

the Deputy Director E&M P&CA-II, CDA, Islamabad, reiterating its earlier grievance dated 07.05.2026 regarding the evaluation criteria and requesting an urgent response, keeping in view the imminent bid opening date scheduled for 19.05.2026. That despite the aforesaid reminder and the urgency communicated therein, no response, clarification, or decision was received from the concerned office, nor was any update provided regarding the constitution or proceedings of the Grievance Redressal Committee (GRC) in respect of the Appellant's complaint. That despite the pendency of the Appellant's grievance and without any decision being communicated on the representations dated 07.05.2026 and 14.05.2026, the Respondent proceeded to open the technical bids on 19.05.2026, wherein, the Appellant was declared disqualified and/or awarded deficient marks in the technical evaluation.

11. Further submitted that during the evaluation process, the Appellant was denied marks under the evaluation criteria which were already the subject matter of the Appellant's pending grievance, in addition to Condition 3(ii) - Bank Certificate for credit line (Equal or More than the cost of work applied for) total marks 20, against which the Appellant was duly eligible and met the requisite requirement, however marks were not awarded, resulting in adverse marking against the Appellant. That consequently, the Appellant was declared disqualified in the technical evaluation process, whereafter the Appellant, vide letter dated 02.06.2026 bearing Ref. No. TF/260507/2, approached the

Chairman, CDA, Islamabad, seeking his urgent intervention regarding the non-response to the Appellant's repeated clarification requests and the continued processing of the subject tender despite unresolved grievance.

12. Further submitted that in the said letter, the Appellant reiterated that prior to submission of bids it had duly sought clarification from the concerned office of DD P&CA-II regarding certain evaluation criteria, particularly the work experience requirement, which appeared inconsistent with criteria adopted in previous CDA procurements of higher value and requested that the same be reviewed for consistency, reasonableness and fair competition.

13. Further submitted that thereafter, the Appellant, M/s Technoflux (Pvt.) Ltd., submitted another grievance dated 03.06.2026 before the Grievance Redressal Committee (GRC), Capital Development Authority (CDA), Islamabad, under Rule 48 of the PPRA Rules, challenging its disqualification in the subject tender and the application of restrictive, unclarified and allegedly discriminatory eligibility criteria. That in the said grievance, the Appellant reiterated that prior to bid submission it had submitted a grievance for clarification regarding the eligibility and evaluation criteria, particularly relating to work experience, annual turnover and credit line requirements, followed by a reminder and also brought the matter to the attention of PPRA, however, no response or clarification was provided by the Procuring Agency before

proceeding with the evaluation process. That the Appellant further placed on record that despite submission of documentary evidence confirming availability of a credit facility of approximately Rs. 130 million, the Appellant was not awarded the 20 marks allocated for the credit facility criterion, which materially affected its overall evaluation score and resulted in its disqualification. That the Grievance Redressal Committee (GRC), CDA Islamabad convened a meeting on 05.06.2026 at 1430 hours under the convenorship of DG (P&C), wherein the Appellant's grievance dated 03.06.2026 was placed for consideration and deliberation.

14. Further submitted that the Appellant's grievance, inter alia, stated that prior to bid opening it had made grievance regarding the work experience, turnover and credit facility requirements but no response was provided and further challenged the requirement of a single similar work of approximately Rs. 90 million, contending that similar tenders of the same department during the same financial year carried a lower threshold of Rs. 50 million and that despite submission of bank letters confirming a credit facility of approximately Rs. 130 million, the Appellant was not awarded the 20 marks allocated for the credit facility criterion.

15. Further submitted that in its deliberations, the GRC recorded that no clarifications were sought on EPADS prior to technical bid opening and further observed that the procuring

agency had evolved the criteria in accordance with PEC guidelines to assess appropriate level of experience and capacity and that the criteria were framed keeping in view the scope, complexity and importance of the project, while also stating that the criteria did not discriminate between bidders and applied uniformly under Rule 32 of the PPRA Rules, 2004. That the GRC further noted that the requirement of completed work of similar nature worth not less than Rs. 90 million was included to ensure participation of firms possessing relevant expertise to execute the project within the stipulated timeframe and recorded that four (04) out of seven (07) bidders were declared technically qualified furthermore, observed that the Appellant's firm obtained no marks in the "Expense Section" and that, consequently, the marks in the credit facility criterion had a material effect on the Appellant's qualification.

16. Further submitted that the GRC, on the basis of the above deliberations, recorded its final finding that "the criteria has been evolved by the execution formation in accordance with the scope of work and to ensure timely completion of the important assignment," and accordingly held the grievance to be not maintainable and disposed of the same.

17. Further submitted that despite submission of timely clarification requests dated 07.05.2026 and reminder dated 14.05.2026 and non-response from the Procuring Agency thereon, the Appellant was ultimately subjected to

disqualification through the impugned evaluation process and the subsequent decision of the Grievance Redressal Committee, CDA Islamabad, which is now being assailed on the following grounds, inter alia:

i. That the impugned procurement process and subsequent decision of the Grievance Redressal Committee are vitiated due to the failure of the Procuring Agency to respond to the Appellant's timely clarification requests dated 07.05.2026 and 14.05.2026, which were submitted prior to bid submission and were material for understanding the eligibility and evaluation criteria, thereby depriving the Appellant of a fair, transparent and informed opportunity to participate in the procurement process.

ii. That the evaluation criteria prescribed in the bidding documents, particularly the requirement of a two (2) similar work of approximately Rs. 90 million, along with other financial thresholds including turnover twice the tender amount and credit facility requirements, are arbitrary, excessive and disproportionate to the nature, scope and value of the subject procurement and thus violate the mandate of Rule 29 of the PPRA Rules, 2004 requiring evaluation criteria to be clear, relevant and proportionate.

iii. That the said criteria further impose restrictive and discriminatory conditions, including the requirement of annual turnover equal to twice the Engineer's Estimate and a credit line facility equivalent to 100% of the project cost, which operate as unjustified barriers to competition and are inconsistent with Rule 32 of the PPRA Rules, 2004.

iv. That despite the Appellant having submitted documentary evidence in the form of bank-issued letters confirming availability of a credit facility amounting to approximately Rs. 130 million, the evaluation committee arbitrarily failed to award the 20 marks allocated for the credit facility criterion, without providing any cogent justification, rendering the evaluation process non-transparent, arbitrary and contrary to settled principles of fair assessment.

v. That the evaluation committee further failed to properly consider and appreciate the material documentary evidence placed on record by the Appellant regarding its financial capacity, resulting in incorrect and prejudicial marking which materially affected the Appellant's qualification outcome.

vi. That the criteria applied in the impugned tender are inconsistent with previous tenders of similar and even higher value issued by the same department, wherein comparatively lower work experience thresholds were prescribed, thereby demonstrating arbitrariness, lack of uniformity and absence of rational nexus in the application of eligibility standards.

vii. That the findings of the Grievance Redressal Committee are based on incorrect appreciation of record, including the observation that no clarification was sought prior to EPADS bid opening, despite documentary evidence to the contrary and further rest on generalized reliance on PEC guidelines without addressing the specific grievances raised by the Appellant regarding proportionality and fairness of the criteria.

viii. That the Grievance Redressal Committee, instead of conducting a meaningful review of the legality, proportionality and reasonableness of the evaluation criteria and the marking process, has merely endorsed the view of the procuring formation without addressing the core issues raised, thereby failing to exercise its jurisdiction in the manner contemplated under Rule 48 of the PPRA Rules, 2004.

ix. That the impugned decision of the Grievance Redressal Committee is non-speaking in nature as it fails to address the specific objections raised by the Appellant, including the proportionality and reasonableness of the evaluation criteria, the denial of marks under the credit facility criterion despite documentary evidence and the non-consideration of pre-bid clarification requests.

x. That the Grievance Redressal Committee failed to exercise its independent jurisdiction under Rule 48 of the PPRA Rules, 2004, as it did not conduct a meaningful, reasoned and independent assessment of the procurement process and instead merely endorsed the position of the Procuring Agency without examining the legality, proportionality and fairness of the criteria and evaluation.

xi. That the procurement process is vitiated by violation of the principles of transparency, fairness and competition as embodied in Rule 4 of the PPRA Rules, 2004, as the impugned criteria and their application resulted in unjustified restriction of competition and denial of equal opportunity to the Appellant.

xii. That evaluation criteria though were objected well in time by the appellant and it was into notice of the respondents, however, no formal and substantial proceedings was initiated by the respondents in order to redress the grievance of the appellant viz a viz marks allocation in the impugned bid. The criteria and allocation is contrary to principles laid down in Rule 4 and 32 of the Public Procurement Rules, 2004, therefore, same is liable to be set aside.

xiii. That the denial of marks under the credit facility criterion despite submission of valid bank-issued documentary evidence evidencing availability of credit facility renders the evaluation process arbitrary, inconsistent and contrary to the requirement of objective and evidence-based assessment under public procurement law.

18. The representative of the Respondents (CDA) submitted that the Appeal is baseless and without concrete evidences. The Bidding Documents were prepared in lines with Rule-4, Rule-29 & Rule 32 of the Public Procurement Rules-2004, the Procurement Process has been carried out in accordance with PPRA Rules & Regulations through the EPADS. The PPRA through S.R.O. 296(1)/2023 dated 27-02-2023, PPRA has notified 'E-Pak-Procurement Regulations, 2023', which deals with the Public Procurement carried-out through e-Pak Acquisition and Disposal System (EPADS), to ensure transparency in the public procurement process. The description of Rule-4, Rule-29 & Rule 32 of the Public Procurement Rules-2004, is re-produced as under:

Rule- 4. "Principles of procurements"

Procuring agencies, while engaging in procurements, shall ensure that the procurements are conducted in a fair and transparent manner, the object of procurement *brings value for money to the agency, and the procurement process is efficient and economical.*

(1) "value for money" means best returns for each rupee spent in terms of quality, timeliness, reliability, after sales service, up-grade ability, price, source, and the combination of whole-life cost and quality to meet the procuring agency's requirements.

Rule-29. "Evaluation criteria"

Procuring agencies shall formulate an appropriate evaluation criterion listing all the relevant information against which a bid is to be evaluated. Such evaluation criteria shall form an integral part of the bidding documents. Failure to provide for an unambiguous evaluation criteria in the bidding documents shall amount to mis-procurement.

Rule-32. "Discriminatory and difficult conditions"

Save as otherwise provided, no procuring agency shall introduce any condition, which discriminates between bidders or that is considered to be met with difficulty. In ascertaining the discriminatory or difficult nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related.

19. Further submitted that Criteria vary as per nature, complexity, location and importance of each project. Criteria framed by the execution formation in accordance with nature, complexity, location and importance of each project. Further submitted that the clarification was required to be uploaded on EPADS for consideration of the GRC. As evaluation criteria was framed as explained, hence grievance, if any, were required to be uploaded on EPADS. Further submitted that the grievances were not submitted through EPADS, hence, GRC has not taken up the same for redressal. With regard to information about reminder to written representation/ grievance, it is submitted that Grievances

were not uploaded on EPADS. Due to non-submission of grievances on EPADS, GRC meeting could not be convened for its redressal.

20. With regard to information about appellant declared disqualified, it is submitted that evaluation has been carried out in accordance with the criteria, stipulated in bidding document & submittal of the firm. Concerning information about deserving marks in financial capability, this has no material effect on appellant's qualification as firm was required to secure 50% marks in each category.

21. With regard to information about grievance on EPADS, further submitted that the grievances were properly redressed by GRC on EPADS within stipulated time. The grievances were required to be submitted through EPADS

22. Further submitted that Grievances were not submitted through EPADS and criteria related requirement has been explained. As per GRC decision that marks of credit facility has no effect on overall qualification as firm was required to secure 50% marks in each category. Eith regard to the information about appellant declared disqualified, further submitted that the GRC has decided grievances after going through the record.

23. Further submitted that the Criteria in the bidding document was framed to assess appropriate level of experience and capacity of firms expressing interest in undertaking a particular Contract. Keeping in view the nature, complexity and

importance of the project. The criteria framed is listed and made an integral part of the bidding documents which is in accordance with Rule 29 of PPRA. The subject procurement processed through EPADS, all clarifications and grievances were required to be uploaded/ submitted through EPADS. The appellant has not submitted clarifications on EPADS relating to evaluation criteria in bidding document prior to submissions of bids on EPADS. The appellant has submitted grievance on technical evaluation criteria on June 04, 2026. The grievance has been examined by the GRC and the decision of GRC has been uploaded on EPADS on June 08, 2026. As per bidding document it was compulsory to obtain 50% marks in each component of Technical Evaluation Criteria i.e.,

1. Standing of firm,
2. Work experience
3. Financial capability

and overall, 60% marks to technically qualify for the work. The appellant could not obtain any marks in the experience category and failed to fulfill minimum marking requirement particularly in work experience. However, the marks oversighted with respect to credit line facility have no material effect on overall appellant's qualification.

24. Further submitted that as per EPADS record the bidding document was downloaded by 40 prospective bidders and 07 Nos of bidders submitted bids on EPADS, wherein, four (04) bidders were declared as technically qualified. The financial bid of

most advantageous bidder was accepted by the Employer with quoted/ offered rates i.e., 10.11% Below on MRS and 9.11% Below on Non-Schedule rates. Foregoing in view, it is evident that the criteria formulated was acceptable to all other bidders and is not discriminatory.

25. Further submitted that the appeal is requested to be rejected as procurement has been processed through EPADS after framing criteria applicable for all prospective bidders, having requisite capability stipulated in bidding document and as the firm did not fulfill the requirements in particularly the work experience.

26. The Appellate Committee has heard the learned representatives of the Appellant and the Respondent/Procuring Agency at considerable length and has carefully examined the record, the impugned decision of the Grievance Redressal Committee (GRC), the bidding documents, the Technical Evaluation Report, and the relevant provisions of the Public Procurement Rules, 2004.

27. In terms of Rules 29 & 30 of the Public Procurement Rules, 2004, which is reproduced as under:

29. Evaluation criteria: -

Procuring agencies shall formulate an appropriate evaluation criterion listing all the relevant information against which a bid is to be evaluated. Such evaluation criteria shall form an integral part of the bidding documents. Failure to provide for an unambiguous evaluation criteria in the bidding documents shall amount to mis-procurement.

30. Evaluation of bids. -

(1) All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents. Save as provided for in sub-clause (iv) of clause (c) of rule 36 no evaluation criteria shall be used for evaluation of bids that had not been specified in the bidding documents.

28. It is pertinent to mention that no deviation from the specifications, terms and conditions specified in the bidding documents & evaluation criteria is permissible. The procuring agency shall proceed strictly in accordance with terms and conditions set forth in the bidding documents. All participants in the bidding process are bound by the terms and conditions of tender documents and cannot go beyond the purview and ambit of the tender documents.

29. In accordance with clause 4 "Qualification Criteria & Requirements" of the Bidding Document, which states:

> a. The Applicant must secure at least 50% marks in each category except Standing of firm otherwise they will be considered disqualified.
>
> b. Firms/Contractors passing the minimum criteria of overall 70% shall be considered Technically Qualified.

30. In terms of clause 6 of Invitation for Bids, which states: "Notification of the GRC constituted in terms of Rule 48 of the Public Procurement Rules, 2004 is provided on EPADS at www.eprocure.gov.pk.

31. The principal grievance of the Appellant is that the qualification and evaluation criteria incorporated in the bidding

documents, particularly those relating to work experience, annual turnover and credit line facility, were arbitrary, disproportionate and restrictive in nature, thereby limiting competition and resulting in its technical disqualification. The Appellant has further contended that despite submitting representations prior to bid opening seeking clarification and rationalization of the criteria, no meaningful response was furnished by the Procuring Agency and that marks were wrongly denied under the credit facility component.

32. Conversely, the Respondent/Procuring Agency has maintained that the procurement process was conducted strictly in accordance with the Public Procurement Rules, 2004 through the EPADS platform, that the qualification criteria were formulated keeping in view the nature, complexity and importance of the project, and that the same were uniformly applicable to all prospective bidders without discrimination. It has further been submitted that the Appellant failed to secure the minimum qualifying marks in the work experience component, which constituted an independent ground for technical disqualification, and that any alleged omission in awarding marks under the credit facility criterion had no bearing on the ultimate outcome of the evaluation.

33. The Appellate Committee has examined Rules 29 and 30 of the Public Procurement Rules, 2004, which unequivocally require that evaluation criteria shall form an integral part of the

bidding documents and that all bids are to be evaluated strictly in accordance with such pre-disclosed criteria. Once the bidding documents are issued and the procurement process has commenced, the Procuring Agency cannot substitute, alter or relax the prescribed evaluation criteria for the benefit of any bidder. It is a settled principle of public procurement that all participants are bound equally by the terms and conditions of the bidding documents, provided such conditions are uniformly applicable and have been disclosed in advance.

34. The record further reflects that the qualification criteria formed part of the bidding documents made available to all prospective bidders through EPADS and that the technical evaluation was carried out on the basis of those pre-notified criteria. The Appellant admittedly failed to obtain the minimum qualifying marks in the work experience component, which was a mandatory requirement under the bidding documents. Consequently, even if the Appellant's contention regarding allocation of marks under the credit facility criterion is assumed in its favour, the same would not materially alter its technical qualification status in view of its failure to satisfy the mandatory threshold prescribed for the work experience category.

35. The Appellate Committee observed that the procurement process has substantially been conducted in accordance with the evaluation criteria given in the bidding documents and the applicable provisions of the Public

Procurement Rules, 2004. Accordingly, no case is made out for setting aside the technical evaluation or directing re-evaluation of the Appellant's bid.

36. The Appellate Committee considers it appropriate to observe that the underlying objective of the public procurement regime, as embodied in Rule 4 of the Public Procurement Rules, 2004, is to promote fairness, transparency, economy, value for money and healthy competition. While the Procuring Agency possesses the discretion to prescribe qualification and evaluation criteria commensurate with the nature, complexity and importance of a project, such discretion must always be exercised in a manner that bears a rational nexus with the procurement requirements and does not unnecessarily restrict competition.

37. Accordingly, while upholding the procurement process in the present case, the Committee directs that, in future procurements, the Procuring Agency shall formulate qualification and evaluation criteria with due regard to the principles enshrined in Rules 4, 29 and 32 of the Public Procurement Rules, 2004, ensuring that such criteria remain reasonable, proportionate, objective and directly relatable to the scope of work, so as to encourage maximum participation of competent bidders, foster wider and healthier competition, and secure value for public money without compromising the legitimate requirements of quality, experience and execution capability.

38. In terms of Rule 48(2) of the Public Procurement Rules, 2004, any party may file its written complaint against the eligibility parameters, evaluation criteria or any other terms and conditions prescribed in the bidding documents if found contrary to the provisions of the procurement regulatory framework, and the same shall be addressed by the grievance redressal committee (GRC) well before the proposal submission deadline. Thereafter, if the bidder is dissatisfied with the GRC's decision, he may file an appeal before this Authority under Rule 48(7) of the PP Rules, 2004.

39. In the present case, the Appellate Committee noted that a proper legal remedy was fully available to the Appellant under the said rules. However, instead of following the official grievance process, the Appellant simply sought clarification from the Respondent and raised concerns regarding the disproportionate eligibility criteria that deviated from the procuring agency's precedent in earlier tenders, relying on manual letters rather than using the proper legal channel i.e., EPADS. Submission of bid by the Appellant means that the bidder has accepted the terms and conditions prescribed in the bidding documents.

40. For the foregoing reasons, the present Appeal, being devoid of merit, is hereby ***dismissed***. However, the above observations and directions shall be kept in view by the Procuring Agency while framing qualification and evaluation criteria for

future procurements in order to promote greater competition and wider participation in accordance with the spirit and objectives of the Public Procurement Rules, 2004.

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

(Abdul Majeed)
Sr. Specialist (M&E)
(Member)

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

Dated: 21st July, 2026

Each page of the order has been signed by all members of the Committee. The order comprises twenty-three (23) pages.