**F. No. PPRA/AP-71/2026**
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 Cititek (Pvt.) Ltd.

***...the "Appellant"***

*Vs.*

The Chief Commissionerate for Afghan Refugees & Others

***...the "Respondent"***

| **Date of Hearing** | Mr. Nouman Khan Kundi (Advocate) |
|---|---|
| **10.11.2026** | ***(On behalf of Appellant)*** |
| | Ms. Tehmeena Furqan (Sr. Engr. NESPAK), Engr. Muhammad Arif (Project Director), Mr. M Adnan Rashid |
| | ***(On behalf of Respondents)*** |

**APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004 AGAINST RESPONDENT'S FOR DISMISSING THE APPELLANT COMPLAINT DATED 16.10.2026, REGARDING ILLEGAL DIS-QULIFICATION IN THE PRE-QUALIFICATION EVALUATION PROCESS, AND AGAINST ILLEGAL AWARD OF MARKS AND SHORTLISTING OF UN-QUALIFIED FIRMS. FURTHERMORE, TO CANCEL / STOP ALL THE ON GOING PROCEEDINGS TILL THE DECISION OF INSTANT CASE.**

The Authority received the titled Appeal on 22.10.2026, filed by M/s Cititek (Pvt.) Ltd. (the "Appellant") under Rule 48(7) of the Public Procurement Rules, 2004 (the "PP Rules, 2004"). On the date fixed for hearing, the learned counsel and representatives of the Appellant as well as the Respondents appeared before the Appellate Committee (the "Committee").

2. Through the instant Appeal, the Appellant challenged its disqualification from the procurement process

titled *"Pre-Qualification for Solarization Works in the Education, Health, Water Supply, Irrigation and Renewable Energy Sectors in Four Provinces under the Hosting Community Support Program."* The principal grounds of challenge included the legality of its disqualification on account of its FBR Sales Tax registration being inactive at the time of technical evaluation conducted on 25.08.2026, despite being active on the bid submission closing date; failure of the Procuring Agency to invoke the clarification provision under Clause 19 of the Pre-Qualification Document before disqualification, alleged inconsistent application of the pre-qualification criteria in respect of other bidders who were reportedly qualified despite non-compliance with mandatory financial requirements and alleged failure of the Grievance Redressal Committee (GRC) to adequately examine the Appellant's objections and supporting documentary evidence while deciding its grievance dated 29.09.2026.

3. At the very outset of hearing, the Appellate Committee ("the Committee") sought clarification from the learned counsel for the Appellant regarding the deficiency in the Appeal Fee, as communicated by the Respondent / Procuring Agency vide its letter dated 04.11.2026. In the said letter, the estimated cost of the procurement in question was stated to be PKR 2,135.5 million. In response, the learned counsel for the Appellant submitted that the Appellant was unaware of the estimated cost of the procurement. However, the counsel sought some time to obtain fresh instructions from their client regarding the payment of the deficient Appeal Fee.

4. After a brief interval, learned counsel for the Appellant informed the Committee, upon instructions from the client, that the Appellant was not willing to deposit the outstanding Appeal Fee as required under Regulation 7, read

with Schedule-II, of the Regulations. Learned counsel further stated that, in view of the foregoing, the Appellant did not wish to press the instant Appeal any further.

5. Rule 48(7) of the Public Procurement Rules, 2004 states that; 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.

6. Regulation 7 of the Redressal of Grievances Regulations, 2021 states that; the Appellant shall append with every Appeal a Demand Draft / Pay Order of *non-refundable fee as per Schedule II of these Regulations*. The Authority **shall not entertain** any Appeal which is filed without the prescribed fee.

7. In view of the foregoing statutory provisions, the Committee observed that deposit of the prescribed appeal fee constitutes a mandatory statutory requirement for the entertainment of an appeal before the Authority. Such requirement is neither discretionary nor amenable to waiver. In the instant case, despite having been afforded an opportunity to explain its position and deposit the deficient appeal fee, the Appellant, through its learned counsel, expressly declined to deposit the outstanding amount and further stated that it did not wish to press the instant Appeal. In these circumstances, the Appellant has failed to comply with the mandatory requirement prescribed under Regulation 7 of the aforesaid Regulations and has, moreover, expressly declined to pursue the instant Appeal. Accordingly, the instant Appeal is not maintainable for non-compliance with the mandatory statutory requirement prescribed under the aforesaid Regulations.

8. Accordingly, the Committee, without entering into the merits of the grounds raised in the Appeal, holds that the instant Appeal is not maintainable for want of deposit of the prescribed Appeal Fee. Consequently, the Appeal in hand is hereby **dismissed as not maintainable**.

**(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:** 13th November, 2026

*Each page of the order has been signed by all members of the Committee. The order comprises four (04) pages.*