



No. PPRA/AP-05/2026
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 Haseen Habib Trading (Pvt.) Ltd.

...the "Appellant"

Vs.

State Bank of Pakistan, Banking Services Corporation

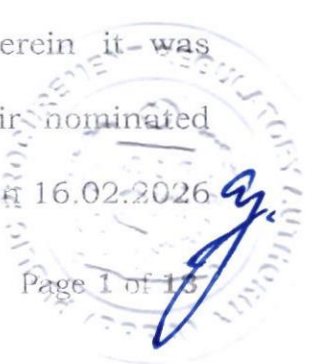
...the "Respondent"

Date of Hearing	Mr. Habibullah
16.02.2026	(On behalf of Appellant)
	Mr. Haq Nawaz, SJD
	Mr. Mehmood Nazir Rana, Joint Director
	(On behalf of Respondent i.e., SBP BSC)

APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004

The Authority received an Appeal filed by M/s Haseen Habib Trading (Pvt) Ltd., through its authorised representative Mr. Habibullah "the Appellant" on 09.01.2026 under Rule 48(7) of the Public Procurement Rules, 2004. The Authority on receipt of the Appeal issued notices to M/s Haseen Habib Trading (Pvt) Ltd ("Appellant"); State Bank of Pakistan, Banking Services Corporation, (the "Respondent"), wherein it was directed to appear in person or through their nominated representatives or Counsel before the Authority on 16.02.2026.

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before the Appellate Committee in the Committee Room of Public Procurement Regulatory Authority (PPRA).

2. On the said date of hearing (16.02.2026), the representatives of the parties, i.e. M/s Haseen Habib Trading (Pvt) Ltd "Appellant"; State Bank of Pakistan "Respondent" appeared before the Committee on the said date of hearing and presented their arguments at length. The Respondents provided written arguments to the Committee.

3. The representative of the Appellant submitted that the Respondent No. 01 issued a Notice dated 10-04-2025, inviting electronic bids through e-Pak Acquisition and Disposal System (EPADS) for e-procurement from suppliers duly registered with the Public Procurement Regulatory Authority (PPRA) and appearing on the Active Taxpayers List (ATL) of the Federal Board of Revenue (FBR). In accordance with the stipulated terms and conditions, the bidding process was to be conducted under Rule 36 (b) of the Public Procurement Rules, 2004, namely the Single Stage Two Envelope Procedure, accompanied by a bid security in the sum of PKR 68,000/- and was open to all eligible bidders and prospective bidders. Further added that the electronic bids were required to be submitted exclusively through E-PADS on or before Monday, 05, 2025 at 11:00 AM. Manual bids were not to be accepted. The electronic bids were to be opened through E-PADS on the same day at 11:30 AM in the meeting room of the General Services Department.

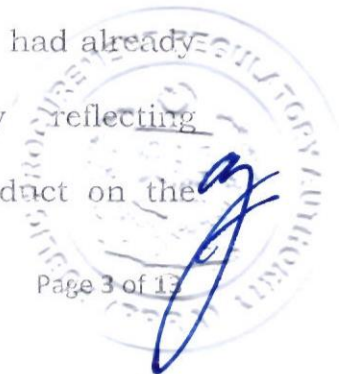


4. The representative of the Appellant further submitted that the Appellant being an eligible and qualified bidder, duly participated in the tender process for the supply, installation, testing and commissioning of fire alarm sounders (Horn Strobes) at BPAS sites of the State Bank of Pakistan Banking Services Corporation under invitation no. GSD(PROC-III)/240848/Horn Strobe/2024-25, and duly submitted its bid security in accordance with the prescribed terms and conditions, along with a pay order in the sum of Rs. 68,000/- towards requisite bid security, on 05-02-2025. Further submitted that the Appellant was the sole bidder for the subject tender and was technically qualified in accordance with the prescribed evaluation criteria, as evident through Technical Evaluation Report dated 19-06-2025. However, despite having fully complied with all mandatory requirements, Respondent No. 01 failed to award the tender to the Appellant.

5. The representative of the Appellant averred that vide e-mail dated 15-08-2025, the Appellant was vaguely informed that its bid has been rejected under Rule 33 of the Public Procurement Rules, 2004 and the bidding process had been terminated. Further added that subsequently, vide email dated 30-10-2025, the Appellant was informed on behalf of Respondent No. 1 that the entire bidding process had already been re-tendered on 16-09-2025, thereby reflecting contradictory, inconsistent, and misleading conduct on the

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part of the Respondents. Further added that in view of the said illegalities and procedural improprieties, the Appellant was constrained to file a complaint dated 04-11-2025 before Respondent No. 2, duly raising its serious concerns regarding the conduct of the tender process and the failure to award the contract in accordance with law. Further argued that despite the Appellant's grievances and participation in the proceedings before the Grievance Redressal Committee (GRC), Respondent No. 02, vide letter summarily rejected the said complaint by merely stating that "your concerns are not tenable under the rules", without assigning any cogent reasons.

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6. The representative of the Appellant further submitted that the Respondents have infringed upon the fundamental rights of the Appellant in particular, Article 4, 18 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973. If the work order in relation to the tender in question is granted pursuant to no findings whatsoever, the Appellant shall be illegitimately and unlawfully deprived of the lawful right to participate in the tender in question and get work order in pursuance thereof. Further added that under the Public Procurement Rules, 2004, every bidder is legally entitled to be informed of the outcome of the procurement process in a transparent and timely manner. Respondent No. 01 has miserably failed to communicate any proper decision or outcome with reasoning of the tender proceedings to the Appellant, despite the Appellant being the sole and technically

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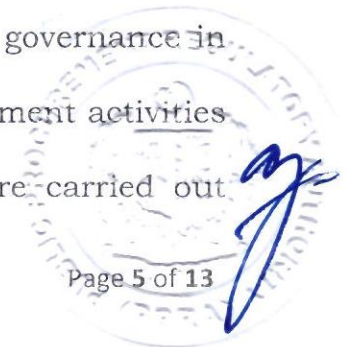
qualified bidder. Such failure constitutes a clear denial of transparency, violates the mandatory requirements of openness and fair dealing, and amounts to serious procedural illegality. Further argued that this fundamental lapse was completely ignored by the Respondent No. 02, which, instead of addressing illegality, proceeded to uphold the impugned action in a cursory manner, thereby, rendering its decision biased, arbitrary, and contrary to law.

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7. The representative of the Appellant contended that the alleged rejection of the Appellants bid, conveyed vide e-mail dated 15-08-2025, was communicated merely through an e-mail without assigning any cogent reasons, without reference to the specific provisions allegedly violated, and without issuance of a reasoned or speaking order. Further added that the absence of a formal written award or rejection order constitutes a clear non-compliance with Rules 31, 33 and 47 of the Public Procurement Rules, 2004, rendering the entire procurement process undocumented, unreasoned, and legally unsustainable.

8. The representative of the Respondent (State Bank of Pakistan - SBP) submitted that the SBP in discharge of its statutory and institutional function, adheres to the highest standards of transparency, fairness, and good governance in all matters relating to procurement. All procurement activities undertaken by the State Bank of Pakistan are carried out

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strictly in accordance with the rules, regulations, and guidelines prescribed by the Public Procurement Regulatory Authority (PPRA), ensuring open and fair competition, equal treatment of all prospective bidders, and due accountability at every stage of the procurement process.

9. The representative of the Respondent further submitted that the instant appeal is not maintainable against the Respondent as the same is contrary to law and facts of the case. The Appellant being the sole bidder and having qualified technically as per the Technical Evaluation Report dated 19-06-2026. The assertion that the Respondent failed to award the tender despite compliance with mandatory requirements is misleading and legally unsustainable. That since the Appellant was the sole bidder, the procurement process attracted the application of Rule 38 B of the PPR, which requires determination of price reasonability before award of contract.

10. The representative of the Respondent further submitted that the matter was referred to the concerned Business Department for assessment of price reasonability. The Business Department, after comparison with the official cost estimates, reported that the prices quoted by the Appellant were higher than the approved / estimated cost and were therefore not considered reasonable. Further argued that the competent authority recommended re-tendering of the procurement in order to ensure better competition and the



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possibility of obtaining more competitive and economical rates, in line with the principles of transparency and value for money under the procurement framework. Subsequently, after completion of the relevant approval process, the procurement proceedings were lawfully terminated, and the decision was duly communicated to the Appellant vide e-mail dated 15 August, 2025 pursuant to Rule 33(1) of the PPR, 2004. Further highlighted that the Appellant was duly and formally informed vide e-mail dated 15 August, 2025 that its bid has been rejected and that the bidding process has been terminated in accordance with Rule 33 of the Public Procurement Rules 2004. The communication was clear and in line with procedural requirements. Further added that as per Rule 33(1) of the Public Procurement Rules, 2004, "the procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals but is not required to justify those grounds". That the Respondent is under no obligation to automatically furnish detailed grounds unless such request is made by the concerned bidder. The Appellant never sought from the SBP BSC (Respondent) any clarification or detailed reasons for the termination or rejection of its bid. The allegation that the Appellant was not informed of the basis of rejection is unfounded and arises solely due to the Appellants own failure to invoke the available under the Rules.

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11. The representative of the Respondent further submitted that the allegation of summary rejection without reasons is incorrect and denied in its entirety. Further added that upon receipt of the complaint dated 04-11-2024, the Grievance Redressal Committee duly examined the grievance within its mandate, afforded the Appellant full opportunity of hearing, and apprised it of the applicable procurement framework, including that technical qualification alone does not confer any vested right to award in single-bid procurements governed by Rule 38 (b) of the Public Procurement Rules, 2004 and that termination was carried out under Rule 33 of the PPR, 2004 after due approval. The Respondent has acted strictly in accordance with the Public Procurement Rules, 2004, and the applicable procurement framework. The Appellant was the sole bidder, the procurement process squarely attracted the application of Rule 38 B of the PPR, which mandates determination of price reasonability prior to award of contract. Upon evaluation, the prices quoted by the Appellant amounting to Rs. 3,900,726/- were found to be significantly higher than the Respondent's approved cost estimate of Rs. 3.38 million and therefore could not be considered reasonable or economical. The competent authority, in the interest of transparency, competition, and value for money, lawfully decided to re-tender the procurement.

12. The representative of the Respondent further submitted that the decision to terminate the bidding process and proceed

with re-tendering was taken in accordance with Rule 33(1) of the Public Procurement Rules, 2004, and was duly communicated to the Appellant vide e-mail dated 15-08-2025. Further added that re-tendering process has now been successfully concluded, and a Notification of Award has been issued to the successful bidder on 28-01-2026 at a bid price of Rs. 3,221,440/- which is substantially lower than the Appellant's quoted price and below the Respondents estimated cost of Rs. 3.38 million. Further averred that the outcome of the re-tender conclusively establishes that the Respondent's decision was justified, reasonable, and in the best financial interest of the public exchequer, fully aligned with the principles of efficiency, economy, and value for money enshrined in the Public Procurement Rules, 2004.

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13. The Appellate Committee heard arguments of the Parties at length and perused all available record furnished by the Parties to the subject Appeal.

14. In terms of Rule 33 "Rejection of Bids" of the Public Procurement Rules, 2004, which is reproduced as under:

(1) The procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the

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grounds for its rejection of all bids or proposals but is not required to justify those grounds.

(2) The procuring agency shall incur no liability, solely by virtue of its invoking sub-rule (1) towards suppliers or contractors who have submitted bids or proposals.

(3) Notice of the rejection of all bids or proposals shall be given promptly to all suppliers or contractors that submitted bids or proposals.

15. In terms of Rule 38B "Single responsive bid in goods, works and services" of the Public Procurement Rules, 2004, which is reproduced as under:

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(1) The procuring agency shall consider single bid in goods, works and services if it-

a) meets the evaluation criteria, ensures compliance of specifications and other terms & conditions expressed in advertisement or bid solicitation documents;

b) is not in conflict with any provision of the Ordinance;

c) conforms to the technical specifications;

d) has financial conformance in terms of rate reasonability:

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Provided that except unsolicited proposal, in case of pre-qualification proceedings single bid shall not be entertained.

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(2) The procuring agency shall make a decision with due diligence and in compliance with general principles of procurement like economy, efficiency and value for money.

16. The Appellate Committee has carefully examined the record and considered the submissions of both parties. It is an admitted position that the Appellant was the sole bidder. In such circumstances, Rule 38B of the Public Procurement Rules, 2004 squarely governs the situation. The Rule explicitly mandates that a single bid may be considered only if it meets the evaluation criteria, conforms to technical specifications, and has financial conformance in terms of rate reasonability. Furthermore, sub-rule (2) obliges the procuring agency to make its decision with due diligence and in compliance with the general principles of procurement, namely economy, efficiency and value for money.

17. The Appellate Committee observed that the record reflects that the quoted price of the Appellant exceeded the approved estimate by a substantial margin. The determination of price reasonability falls squarely within the domain of the procuring agency, subject to compliance with the Rules. No material has been produced before this Committee to establish mala fide, discrimination, or arbitrariness in such determination.

18. Rule 33(1) of the Public Procurement Rules, 2004 empowers a procuring agency to reject all bids at any time prior

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to acceptance of a bid. The provision further stipulates that the procuring agency shall, upon request, communicate the grounds for rejection but is not required to justify those grounds. In the present case, the decision of cancellation was communicated to the Appellant vide e-mail dated 15-08-2025. The Appellant did not invoke its right under Rule 33(1) by formally requesting detailed grounds from the procuring agency prior to initiating further proceedings. Therefore, the allegation of non-communication of reasons is not sustainable under the scheme of the Rules.

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19. It is a settled principle of procurement law that technical qualification alone does not create a vested or indefeasible right to award of contract. Award is subject to overall compliance with the statutory framework, including financial evaluation and public interest considerations. The discretion exercised by the procuring agency under Rule 33, read with Rule 38B, has been shown to be within lawful bounds. The record further indicates that the re-tendering process has since been concluded and a contract has been awarded at a price of Rs. 3,221,440/-, which is substantially lower than the Appellant's quoted price and below the approved estimate. This subsequent outcome lends support to the Respondent's position that the earlier decision to cancel and re-tender was guided by the principles of economy and value for money enshrined in the Public Procurement Rules, 2004.


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20. In view of the foregoing findings, this Committee holds that the procurement process was conducted in accordance with Rule 36(b) of the Public Procurement Rules, 2004. The case of single bid was rightly examined under Rule 38B of the Public Procurement Rules, 2004. The determination of price unreasonableness was within the lawful competence of the procuring agency. The rejection of bids and cancellation of procurement proceedings under Rule 33(1) was legally valid. No violation of the Public Procurement Rules, 2004 or any principle of transparency, fairness, or equal treatment has been established.

21. For the reasons recorded above, the Appeal is hereby dismissed, being devoid of merit. The impugned decision of Respondent No. 01 to terminate the bidding process and proceed with re-tendering is upheld as lawful and in consonance with the Public Procurement Rules, 2004.


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


(Sheikh Atsal 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 Committee. The order comprises thirteen (13) pages.

