



**Review Petition No. PPRA/RP-02/2026**  
Government of Pakistan  
**Public Procurement Regulatory Authority**  
(Appeal & Review Petition Secretariat)  
1<sup>st</sup> Floor, FBC Building, G-5/2, Islamabad

**ORDER**

M/s Muhammad Usman & Co.

**...the "Petitioner"**

Vs.

Deputy Director Supply and Transport, Headquarter Logistics Area, Quetta.

**...the "Respondent"**

<b><u>Date of Hearing(s)</u></b>	<i>Mr. Jameel Hussain Qureshi (ASC), Mr. Muhammad Usman</i>
<b><u>05.03.2026</u></b>	<b><i>(On behalf of the Appellant)</i></b>
	<i>Maj. Waseem</i>
	<b><i>(On behalf of the Respondent)</i></b>

**REVIEW PETITION UNDER RULE 19(3) OF THE PUBLIC PROCUREMENT RULES, 2004**

The Authority received a Review Petition filed by M/s Muhammad Usman & Co. (The Petitioner) on 12.02.2026 under Rule 19(3) of Public Procurement Rules, 2004 against the order of Blacklisting / Cross Debar by the Deputy Director Supply and Transport, Headquarters, Quetta Logistic Area (Respondent) bearing Ref. No. 906 / ST-6A, dated 01-03-2025. The Authority on receipt of the Review Petition issued notices to (i) M/s Aamir Sohail Enterprises through its proprietor Mr. Amir Sohail (The Petitioner), (ii) Deputy Director Supply and Transport, Headquarters, Quetta Logistic Area, Quetta Cantt

**Review Petition No. PPRA/RP-02/2026**

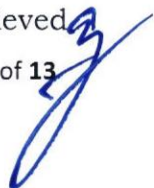


(Respondent), wherein it was directed to appear in person or through their nominated representatives or through an Advocate before the Authority on 05.03.2026 at 02:00 pm in the Committee Room of Public Procurement Regulatory Authority (PPRA).

2. In order to decide the matter as per law per se the Appellate Committee served notices to the parties for providing opportunity of hearing. The parties along with legal counsel attended the hearing and presented their arguments at length. In compliance of the notices issued, Mr. Jamil Hussain Qureshi (Advocate Supreme Court) and Mr. Muhammad Usman appeared on behalf of M/s Muhammad Usman & Co. (Petitioner), Mr. Waseem Akram (Army) appeared on behalf of Deputy Director Supply and Transport, Headquarters, Quetta Logistic Area, Quetta Cantt (Respondent).



3. The representative of the Petitioner submitted that the impugned letter / order was issued without prior issuance of show cause notice, without providing opportunity of hearing, devoid of merit and without conducting formal inquiry, and was issued in violation of Public Procurement Rules, 2004 and mechanism for Blacklisting and Debarment of Bidders or Contractors Regulations, 2024, hence the impugned order being illegal, unlawful and void order, the limitation does not run against such order, as per established judicial precedents. Further added that having been aggrieved

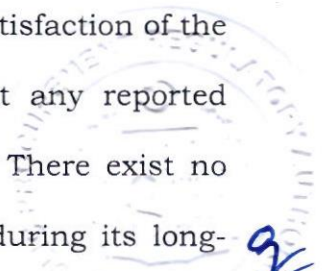


**Review Petition No. PPRA/RP-02/2026**

*2* and dissatisfied with the impugned order / letter dated 01-03-2025, wherein, the Respondent blacklisted and debarred the petitioner firm from participating in any ongoing and future bidding in Army's Tender / Contracts for 10 years, w.e.f. 19-11-2024, without any prior show cause notice, inquiry or opportunity to be heard, and against the Public Procurement Rules, 2004 and Mechanism for Blacklisting and Debarment of Bidders or Contractors Regulations, 2024, therefore, the Petitioner prefers this Review Petition as the impugned order / letter dated 01-03-2025 being illegal and unlawful.

4. The representative of the Petitioner further submitted that the Petitioner firm is registered as Government Contractor with Headquarters Quetta Logistics Area, and has been rendering services without any complaints or involvement in corrupt, fraudulent or illegal practices. However, vide letter dated 01-03-2025, the Petitioner was informed that his firm / company has been blacklisted w.e.f. 19-11-2024, without any prior notice, inquiry or opportunity to be heard and that too in contravention of Rules, 2004 and Regulations 2024. Further added that the Petitioner has completed all contractual obligations and completed all assignments entrusted to it under various contracts and bids to the full satisfaction of the Respondent / HQ Log Area Quetta, without any reported breach or violation of terms and conditions. There exist no adverse record or findings against the firm during its long-

*Amir Khan*



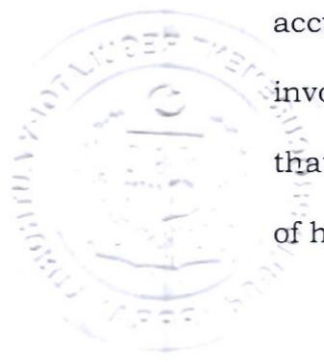
**Review Petition No. PPRA/RP-02/2026**

*2*

standing association with the Respondent / HQ Log Area Quetta.

5. The representative of the Petitioner further contended that the Petitioner was called by the Respondent for some unknown inquiry matter against respondent's internal officials, with whom the Petitioner has no nexus whatsoever. It is further submitted that the Petitioner has not even knowledge of the outcome or fate of the said inquiry. The Petitioner shockingly received a letter dated 01-03-2025 citing "Blacklisting of Contractors involved in illegal gratification HQ Quetta Log Area" stating therein that the firm of the Petitioner has been blacklisted w.e.f. 19-11-2024, and was debarred from taking part in ongoing and future tenders / contracts of Army for a period of ten years. The said impugned order contains reference to letter no. 6308/606/Qta/ST-6A-8LPWDYA, dated 19-11-2024, on the basis of which the impugned letter was issued, however, no such letter was ever received by the Petitioner. Further added that the impugned order is miserably failed to disclose any allegation / reason for taking such harsh penal action of blacklisting and debarring the petitioner's firm. No specific charges or allegation was framed, nor was the firm accused of any failure to perform contractual obligation or involvement in corrupt or fraudulent practices. Further added that neither a show cause notice was issued nor opportunity of hearing was provided to the Petitioner before the imposition

*Impugned*



*2*

**Review Petition No. PPRA/RP-02/2026**



of major and harsh penalty of blacklisting. No independent inquiry or investigation was initiated or conducted specifically against the Petitioner firm / company.

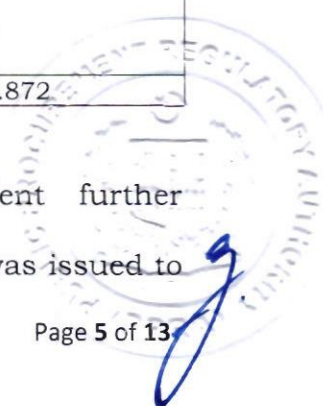
6. The representative of the Petitioner averred that the impugned order dated 01-03-2025 is issued in gross violation of Rule 19 of the PPRA Rules, 2004, Regulation 7 of PPR (Blacklisting and Debarment Regulations, 2024), as well as against the principle of natural justice, and against the General Clauses Act, 1897 specifically Section 24-A of the Act being non-speaking order, and appears to be based on assumptions rather than verified misconduct.

7. The representative of the Respondent submitted that the Petitioner firm namely M/s Muhammad Usman & Co is a registered Contractor as ASC Contractor. Their registration was done on 18-06-2022 as per prescribed procedure after fulfilling all the formalities. The firm has actively remained involved in tendering process since their registration, detail of year wise contracts acquired and run by the said firm is as under:



Ser	Contract Nomenclature	Financial Year	Value (Mn)	Performance
a.	Group Contract DP Gashkore Group Contract DP Gashkore	FY 2023/24	105.872	Satisfactory
Total Value of the Contracts:			105.872	

8. The representative of the Respondent further submitted that the letter regarding blacklisting was issued to



**Review Petition No. PPRA/RP-02/2026**

*[Handwritten signature]*

the firm in accordance with PPRA Rule 19 para (a) read in conjunction with SRO 834(i) 2021, clause (f) sub para (iii) which states as under:

“Corrupt practices” which mean the offering, giving, receiving or soliciting, directly or indirectly of anything of value to influence the act of another party for wrongful gain.

Further highlighted that after a thorough and detailed internal inquiry conducted at Quetta in which the board of officers established involvement of said firm in corrupt practice of illegal gratification to the individuals involved in contracting process from procuring agency. All 3 individuals involved in the said case have been terminated from service after the illegal gratifications were confessed by them. The impugned order refers to specific official communication dated 19-11-2024, relates to involvement in illegal gratification and was approved by the competent authority after review of material record. Regulations 6 & 7 of 2024 allow debarment where a contractor is found engaged in corrupt practices. There is no requirement of detailed judicial reasoning in administrative blacklisting orders. Further added that the Petitioner was examined during inquiry proceedings and had opportunity to explain during inquiry stage. The Honorable Supreme Court of Pakistan has consistently held that opportunity in administrative proceedings is contextual and not rigid. Furthermore, regulation 5 (2) of PPRA Blacklisting Regulations allows

*[Handwritten signature]*



*[Handwritten signature]*

**Review Petition No. PPRA/RP-02/2026**

*[Handwritten mark]*

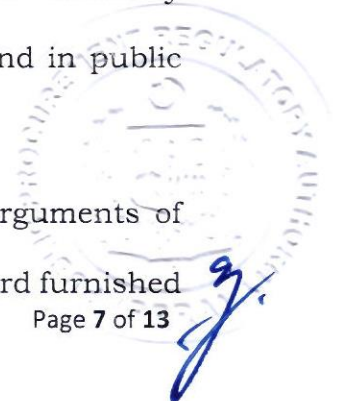
debarment in integrity cases upon satisfaction of competent authority.

9. Further submitted that the Petitioner has previously rendered services under contracts. But the past performance certificate does not grant immunity and nullify subsequent misconduct and does not stop procuring agency from acting in public interest. Integrity violations or involvement in illegal gratification override prior satisfactory performance. Further added that mere allegation without proof cannot invalidate administrative action.

*[Handwritten mark]*

10. The representative of the Respondent further contended that Rule 19 of the Public Procurement Rules, 2004 empowers procuring agencies to take appropriate measures in cases of misconduct/non-complying bidders. Regulations 7 of PPRA (Blacklisting and Debarment) Regulation 2024 permits debarment where a contractor is found involved in corrupt or fraudulent practices. Regulation 8 allows determination of period of debarment based on gravity of misconduct. Further submitted that ten years debarment is proportionate considering integrity breach and the impugned order is a reasoned administrative decision taken within statutory authority. The Respondent acted in good faith and in public interest.

11. The Review Petition Committee heard arguments of the Parties at length and perused all available record furnished



**Review Petition No. PPRA/RP-02/2026**

by the Parties to the subject Review Petition. In the instant Petition, the Petitioner (M/s Usman & Co.) assailed the Blacklisting order dated 01.03.2025 under Rule 19 (3) of the Public Procurement Rules, 2004. The said Rule is reproduced as under:

*The bidder may file the review petition before the Authority within thirty days of communication of such blacklisting or barring action after depositing the prescribed fee and in accordance with procedure issued by the Authority, and the Authority shall evaluate the case and decide within ninety days of filing of review petition. The decision of the Authority shall be considered as final.*

In terms of Regulation 5 (a) "Reasons for Blacklisting and debarment" of the Regulations on "Mechanism for Blacklisting and Debarment of Bidders or Contractors Regulations, 2024", which states:

*"If a procuring agency has sufficient reasons to believe that a bidder or contractor is involved in the corrupt and fraudulent practices as mentioned in Rule-2(f)(i) to (v) of the Public Procurement Rules, 2004, the Procuring agency shall blacklist and henceforth cross debar the bidder or contractor for participation in any public procurement or disposal proceedings for the period of not more than ten (10) years".*

In terms of Regulation 7 "Initiation of proceedings by the Committee" of the Regulations on "Mechanism for Blacklisting and Debarment of Bidders or Contractors Regulations, 2024", which states:



**Review Petition No. PPRA/RP-02/2026**



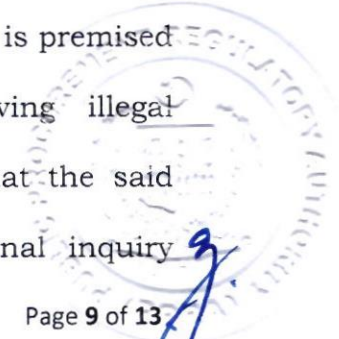
(1) Within a period of ten (10) days after receiving the complaint of blacklisting or debarment from the respective sources, the Committee shall examine the complaint and issue show cause notice informing the bidder or contractor about the alleged charges and shall provide an opportunity to defend said charges.

(2) The show cause notice shall contain: - (a) precise allegation against the bidder or contractor; (b) the maximum period for which the procuring agency proposes to debar the bidder or contractor from participating in any public procurement; and (c) time limit for filing of response against the show cause notice.

12. The instant Review Petition has been filed by M/s Muhammad Usman & Co. (hereinafter referred to as “the Petitioner”) assailing the blacklisting and debarment order dated 01.03.2025 issued by the Respondent, whereby the Petitioner firm was blacklisted with effect from 19.11.2024 and debarred from participation in ongoing and future tenders/contracts of Army for a period of ten (10) years on account of involvement in corrupt practice of illegal gratification.



13. After perusal of the entire record and consideration of the submissions advanced by both parties, the Review Petition Committee (“the Committee”) observed that the impugned action of blacklisting for a period of ten (10) years is premised upon allegations of corrupt practices involving illegal gratification. The Respondent has contended that the said allegation was substantiated through an internal inquiry



**Review Petition No. PPRA/RP-02/2026**

conducted by a duly constituted Board of Officers, wherein the concerned official allegedly confessed to receiving illegal gratification and was subsequently terminated from service along with other officials. The Committee further observed that although the Respondent has asserted that the Petitioner was called and questioned during the inquiry proceedings, the record does not reflect that the Petitioner was formally apprised of the specific charges, provided with the documentary material relied upon, or afforded a structured opportunity of personal hearing in accordance with the mandatory statutory framework governing blacklisting. The Committee also observed that learned counsel for the Petitioner has placed reliance upon an earlier decision of this Authority in Review Petition No. **PPRA/RP-11/2025**, titled **M/s Khan Enterprises Vs. Headquarter Logistics Area, Quetta**, which is stated to have been decided on identical facts and legal issues involving blacklisting by the same Respondent.

14. The Committee further observed that blacklisting of an entity entails serious civil and commercial consequences, including deprivation of the right to participate in public procurement, reputational damage, and restrictions on lawful business activities. Accordingly, such action must strictly comply with the requirements of due process as mandated under Rule 19 of the Public Procurement Rules, 2004 and Regulation 7 of the Mechanism for Blacklisting and Debarment

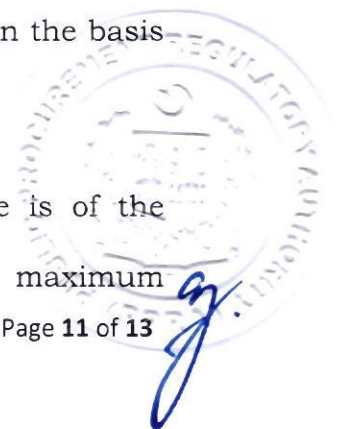


**Review Petition No. PPRA/RP-02/2026**

12 Regulations, 2024. The Committee further noted that Regulation 7 of the 2024 Regulations expressly requires the initiation of formal proceedings through issuance of a show cause notice or charge sheet, clear disclosure of the allegations, conduct of a proper inquiry, and provision of an opportunity of hearing prior to the issuance of any blacklisting order. These procedural safeguards are mandatory in nature and not merely directory.

15. The Review Petition Committee further observed that while allegations of corruption are undoubtedly serious and warrant due consideration, any punitive action, particularly one resulting in the blacklisting of a firm must be undertaken in strict adherence to the principles of natural justice and established procedural safeguards. In the present case, the record indicates that no show cause notice was issued to the Petitioner prior to the issuance of the impugned blacklisting order, nor was any formal inquiry conducted in accordance with a duly notified procedure ensuring independent and impartial adjudication. It is further noted that the Petitioner has not, to date, challenged the said inquiry report before any competent forum of law, wherein allegations of illegal gratification were recorded against the Petitioner on the basis of the confession of the then Procurement Officer.

16. In view of the foregoing, the Committee is of the considered view that the imposition of the maximum



**Review Petition No. PPRA/RP-02/2026**


permissible penalty of blacklisting for a period of ten (10) years, without strict adherence to the mandatory procedural safeguards and in the absence of any reasoned determination reflecting the principle of proportionality, cannot be sustained in law. While the Respondent has sought to justify the impugned action by relying upon the relevant contractual provisions and applicable procurement rules. It is a well-settled principle that blacklisting, being a penal measure entailing serious civil consequences, must be preceded by the issuance of a fair notice, the conduct of a proper inquiry, and the provision of an opportunity of hearing in accordance with law. The record placed before the Committee does not demonstrate compliance with these essential procedural requirements. At the same time, the Committee has taken note of the confessional statement of the then concerned officer and the inquiry report referred to by the Respondent, neither of which has, to date, been challenged by the Petitioner before any competent forum.

17. In light of the procedural infirmities identified hereinabove, on the one hand, and the seriousness of the allegations as reflected in the statement and inquiry report relied upon by the Respondent, on the other, the Committee is of the considered view that the imposition of blacklisting upon M/s Muhammad Usman & Co. for a period of ten (10) years is excessive and disproportionate. Accordingly, the Review


**Review Petition No. PPRA/RP-02/2026**

Petition is partially allowed, and the period of blacklisting imposed upon M/s Usman & Co. is hereby reduced from ten (10) years to two (02) years, effective from the original date of blacklisting, i.e., 19.11.2024. Upon expiry of the said period, the Petitioner firm shall stand automatically delisted from the list of active blacklisted/debarred firms maintained on PPRA's website.

18. The Procuring Agency is further advised that, in all future cases involving debarment or blacklisting, strict compliance shall be ensured with the Public Procurement Rules, 2004, as well as the principles of natural justice, so that all actions are undertaken in a fair, transparent, and legally sustainable manner.

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

  
**(Sheikh Arzaal 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.*