

**Appeal Petition No. 051 of 2024**

**M/S N.S Enterprise, 311/3, Ahmed Nagor, Paikpara, Mirpur-1, Dhaka  
(Represented by Md. Anisur Rahman, Proprietor)**

**----Complainant**

**Versus**

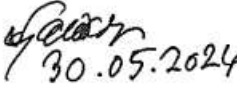
**Project Director, Pabna University of Science and Technology  
(PUST) Development Project**

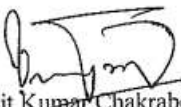
**---Respondent**

The complainant filed an appeal petition to Review Panel-4 of the Bangladesh Public Procurement Authority(BPPA) as per Rule 56 of the Public Procurement Rules 2008 (PPR 2008) wherein he stated that his firm M/S N.S Enterprise participated in an e-GP tender (Tender /Proposal ID: 939628) floated by the PUST Project Office for "Supplying-Fitting-Fixing and Commissioning with necessary accessories of Laboratory Equipment(Lot-3) for Different Departments at Pabna University of Science and Technology under Pabna University of Science and Technology Development Project. FY 2023-24" and became the second lowest responsive bidder. While invoking the grounds for his appeal he stated that the Procuring Entity(PE) issued the Notification of Award(NOA) to Global Technology which became the lowest bidder, but the technical sub-committee engaged by the PE found their technical specification not completely aligned with the technical specification given in the tender documents. This made Global Technology a technically non-responsive bidder. M/S N.S Enterprise being the second lowest responsive bidder was therefore, the legitimate recipient of the NOA but the PE refrained from issuing it in favour of his firm.

**Hence it is ordered that-**

*The appeal petition be allowed. The PE be asked to cancel the contract with Global Enterprise and re-evaluate the bid proposal and award NOA to the technically responsive bidder. The security money deposited by the complainant be refunded.*

  
30.05.2024  
(Md. Sadeeque Golam Sarwar)  
Member  
Review Panel-4

  
30.05.2024  
(Ranjit Kumar Chakraborty)  
Chairperson  
Review Panel-4