

IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

**Present:**

Mr. Justice Arbab Ali Hakro,  
Mr. Justice Muhammad Hasan (Akber).

**Constitutional Petition No.D-742 of 2025**

ARK Society for the Protection of Fundamental Rights,  
Through its Chairman Abdul Nasir Khan.

..... Petitioner

**Vs.**

The Sindh Public Procurement Regulatory Authority Board through its  
Chairman, Province of Sindh 04 others

..... Respondents

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Petitioner Abdul Nasir Khan in person.

Mr. Ayaz Ali Rajpar, Assistant A.G Sindh.

**Date of Hearing**                      **25.02.2026.**

**Date of Order**                        **25.02.2026.**

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**ORDER**

**Muhammad Hasan (Akber), J:-** Through this petition, the petitioner has approached this court with the following relief:-

- a. Direct that the Respondents' failure to implement the new E-Pak Acquisition and Disposal System (EPADS) in accordance with law, and their arbitrary permission for continued use of the obsolete Public Procurement Management System (PPMS), are illegal, without lawful authority, and contrary to the Sindh Public Procurement Act, 2009 and the Sindh Public Procurement Rules, 2010.
- b. Direct the Respondents to publish and maintain on the SPPRA website all notifications, circulars, letters, and decisions of the SPPRA Board, and to ensure that the website is regularly updated with complete and current information regarding the activities and functions of the Authority.
- c. Direct the Respondents to ensure that the EPADS platform on the SPPRA website is fully accessible for public research,

monitoring, and civil society oversight equivalent to the access previously available under the PPMS system in order to uphold transparency and the citizens' right of access to information guaranteed under Article 19-A of the Constitution.

- d. Direct the respondent to immediately discontinue the use of the obsolete PPMS system and ensure full uniform implementation of the EPADS e-procurement platform across all department attached bodies and public-sector organization in the province of Sindh.
- e. Declare that the persistent non-disclosure of information sought by the Petitioner under the Sindh Transparency and Right to Information Act, 2016 is unlawful and direct the Respondents to provide the requested information forthwith.
- f. Pass such further or consequential orders as this Honourable Court may deem just and proper in the circumstances of the case, in the interest of justice, transparency, and good governance.

2. Notice of this petition was issued to the respondents and in response thereto, respondents No.1 to 4 have filed comments which reflects that the Procurement Performance Management System (PPMS) was introduced in the year 2018 and subsequently the E-Procurement Acquisition and Disposal System (EPADS) was launched in December, 2023 and that it has been stated that during the transitional phase, a hybrid mechanism was adopted permitting limited use of PPMS for smooth transition in view of technical, operational and capacity constraints. It is further submitted that with effect from 30.05.2025, the old PPMS system has been discontinued for new procurements and presently all procuring agencies are exclusively utilizing EPADS.

3. The petitioner contended that the failure of the respondents to immediately and uniformly implement EPADS across all departments is contrary to the Sindh Public Procurement Act, 2009 and the Sindh Public Procurement Rules, 2010. He further contended that the arbitrary continuation of the obsolete PPMS system undermined transparency, accountability and equal access to procurement information. He further contended that non-publication of Board decisions, notifications and procurement data on the SPPRA website violates the spirit of transparency

and the fundamental right of access to information guaranteed under Article 19-A of the Constitution of the Islamic Republic of Pakistan, 1973.

4. Learned Assistant A.G Sindh contended that EPADS has already been implemented in phases throughout the Province and that the transitional use of PPMS was an administrative decision taken to ensure smooth migration to the new system. He further submits that at present all new procurements are being initiated exclusively through EPADS and therefore the grievance of the petitioner has become infructuous. Lastly, he prayed that petition be dismissed.

5. Heard petitioner in person, learned A.A.G Sindh and gone through the material available on record.

6. Apparently, the Procurement Performance Management System (PPMS) was launched in the year 2018 and then came E-Procurement Acquisition and Disposal System (EPADS) which was launched in December 2023. Further, the EPADS has been rolled out in phases to different procuring agencies in the Province of Sindh and a hybrid mechanism was put in place during the transition when limited use of PPMS was temporarily allowed for ensuring smooth migration to new system-taking into consideration technical, operational and capacity constraints. In addition, it has been stated that the old PPMS System was ceased with effect from 30.05.2025 for initiation of new procurements and at present all procuring agencies are using EPADS only for new procurements. The respondents have also clarified that the temporary permission granted to use PPMS was for a limited time and has now been completed.

7. Keeping in view the categorical stand of respondents that EPADS has now been implemented throughout the Province and PPMS is now not operational for the fresh procurements, the primary grievance raised in the petition qua continuation of PPMS does not survive for adjudication at this stage. As regards the grievance of petitioner concerned with publication of notifications, circulars and information on website as well as alleged violation of 19-A of the Constitution, it may be observed that in so far possible, petitioner if so advised may avail appropriate remedy under the

Sindh Transparency and Right to Information Act 2016 in accordance with law.

8. In view of above, the instant Petition merits no consideration which is accordingly **dismissed**.

**JUDGE**

**JUDGE**