



GOVERNMENT OF KERALA

Abstract

LSGD - PMGSY 2004-05 (Phase-IV) - Package No.KR 06-06, Vettikkavala Block, Kollam District - Dispute Redrassal System - Standing Empowered Committee - Constituted - Orders issued

LOCAL SELF GOVERNMENT (DD) DEPARTMENT

G.O.(Rt)No.328/2020/LSGD Dated,Thiruvananthapuram, 07/02/2020

Read Letters No.Engg(DB3).4423/2004/CRD dated 19.11.2019 from the Chief Engineer, KSRRDA

ORDER

The work under PMGSY 2004-2005(Phase IV) Package No.KR-06-06 Vettikkavala Block in Kollam District was awarded to Sri.K.Anil Kumar, PWD Contractor at 11.11% below estimate rate. The Package consists of 3 works and all the works are completed as on 08/04/2016. During execution, time of completion was extended many times and since the progress of work was not satisfactory, 10% Liquidity Damages (LD) was imposed. Since the completion was prolonging again, the work was terminated at the risk and cost of the contractor. The Contractor obtained a judgement to form Standing Empowered Committee as per agreement condition. The thus constituted Standing Empowered Committee decided to allow 50% of difference in SOR 2004 and SOR 2012 for balance work and the work had to be completed within 6 months. The contractor executed supplementary agreement on 20/11/2014. But the quarry strike and material shortage during that period, extension of time of completion was granted and the work was completed in all respects on 08/04/2016 and final bill was paid. But the LD withheld was not released.

2. The contractor had requested to release the LD amount already levied (Rs. 18,88,951/-) from him earlier on 2010 while processing final bill from PIU. Since there was no mention in this regard in the minutes of Standing Empowered Committee, KSRRDA rejected his request. Again he has submitted a request for releasing the LD and requested to put up the matter before the Standing Empowered Committee. The Chief Engineer as per the letter read above has recommended to constitute a Standing Empowered Committee to settle the dispute between the contractor and KSRRDA as

per clause 24 of Standard Bidding Document (SBD) of PMGSY.

3. Government have examined the matter in detail and are pleased to constitute a Standing Empowered Committee for the purpose of settling the dispute with the contractor of the work PMGSY 2004-2005 (Phase-IV) - Package No.KR 06-06, Vettikkavala Block, Kollam District, invoking the provisions under clause 24 of SBD for PMGSY with the following composition.

- 1) Additional Secretary, LSG (DD) Department - Chairman
- 2) Chief Engineer, KSSRDA - Official Member
- 3) Sri.R.Murukeshan, Chief Engineer (Rtd) - Non-official Member

4. The Chief Engineer, KSSRDA is directed to take necessary steps to present the details of the case before the Standing Empowered Committee for settling the dispute.

(By order of the Governor)

SREEKALA T.P.

UNDER SECRETARY

To: The Member Secretary, KSSRDA, Thiruvananthapuram

The Chief Engineer, KSSRDA, Thiruvananthapuram

Shri.R.Murukesan, Chief Engineer(Rtd) (through the CE, KSSRDA)

Sri.K.Anil Kumar, PWD Contractor (through the CE, KSSRDA)

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram

The Accountant General (A&E), Kerala, Thiruvananthapuram

Web & New Media, I&PRD

✓ The Director, Information Kerala Mission, Thiruvananthapuram

Stock File

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Signature valid

Digitally signed by NISHANT
Date: 2020.02.07 11:00:18 IST
Reason: Approved

Section Officer