



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Kerala Municipality Building Rules 1999 – Order dated 04/11/2020 of Hon'ble High Court of Kerala in Contempt Case (C)No.751/2020(s) – Technical Expert Committee for Cochin Corporation – Reconstituted - Orders issued.

LOCAL SELF GOVERNMENT (RB) DEPARTMENT

G.O. (Rt) No.2270/2020/LSGD

Dated, Thiruvananthapuram, 03/12/2020

Read: - 1) G.O. (Rt) No.1503/2019/LSGD dated 17.07.2019.

- 2) Judgment of Hon'ble High Court dated 16.11.2019 in W.P.(C)3769/2018 filed by Sri. Sivanandan T.P.
- 3) Order dated 04.11.2020 of Hon'ble High Court in Contempt of Court Case (C) No.751/2020 filed by Sri. Sivanandan T.P.
- 4) Letter No.G2-18505/2020/DUA dated 25.11.2020 of Director of Urban Affairs, Thiruvananthapuram.

ORDER

The Hon'ble High Court in its judgment read as 2nd paper above, directed the Secretary, Cochin Corporation to refer the complaint of Sri.Sivanandan T.P. to the Technical Expert Committee, constituted as per the G.O. read as 1st paper above, for Corporation of Kochi, in terms of Rules 11A of the Kerala Municipality Building Rules, within a period of two weeks from the date of receipt of copy of the judgment. The Hon'ble Court also directed that the said Committee, on receipt of this requisition, will complete the process as are required under the Kerala Municipality Building Rules and furnish their report and recommendations to the Secretary of the Corporation, after affording necessary opportunities for hearing to the parties, as expeditiously as is possible, but not later than three months from the date on which they receive such requisition from the Secretary, and that the Secretary, on receipt of the report from the Technical Committee, will take necessary steps as are required under law with respect to the compensation and ensure that all such steps are completed without any delay thereafter.

2. Since the respondent has not initiate action as per the directions in the judgment of the Hon'ble High Court, Sri. Sivanandan T.P. filed Contempt of Court case, and when the case came of for hearing the Hon'ble High Court expressed its dissatisfaction in the report of the Technical Committee as it says that the Committee are unable to assess the damage and suggest protective measures, so as to fix the compensation because more structural and geo-technical investigations have to be taken under professional supervision, and that the facilities are not available in their institute at present. Further, the Hon'ble High Court in its order read as 3rd paper above, directed the Government Pleader to obtain instructions from the appropriate Authority of the Government as to whether another Expert

Technical Committee, who are competent unlike the present one, can be constituted so as to complete the directions in the judgment effectively.

3. As per the letter read as 4th paper above, the Director of Urban Affairs recommended to reconstitute the Technical Expert Committee for Cochin Corporation with experts in Structural as well as Geo-Technical Engineering from Engineering Department of Cochin University of Science and Technology (CUSAT), Kalamassery at least for this purpose.

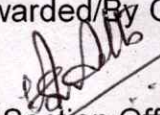
4. Government have examined the matter in detail and are pleased to reconstitute the Technical Expert Committee of Cochin Corporation, constituted as per the G.O. read as 1st paper above, by substituting the experts in Structural as well as Geo-Technical Engineering in Cochin University of Science and Technology, Kalamassery, to comply with the directions in the order of the Hon'ble High Court. All other operative part of the Government Order will remain the same.

5. The Government Order read as 1st paper above, is modified to the above extent. The directions of the Hon'ble High Court, as per the order read as 3rd paper above, are thus complied with.

(By Order of the Governor)
BISHWANATH SINHA IAS
Principal Secretary to Government

Advocate General, Kerala, Ernakulam (with C/L)
The Director of Urban Affairs, Thiruvananthapuram
The Chief Town Planner, Thiruvananthapuram
All concerned (Through CTP/Director of Urban Affairs)
The Registrar, Cochin University of Science and Technology, Kalamassery, Kochi
The Principal, College of Engineering, Thiruvananthapuram
The Principal, TKM Engineering College, Kollam
The Principal, Rajeev Gandhi Institute of Technology, Kottayam
The Principal, Government Engineering College, Idukki,
The Principal, Government Engineering College, Thrissur
The Principal, Government Engineering College, Kozhikode
The Principal, Government Engineering College, Kannur
Director, Information Kerala Mission, Thiruvananthapuram,
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Section Officer