



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Settlement of disputes between Government Departments/Public Sector Undertakings /Corporations/Boards etc. with Local Self Government Institutions - Constitution of High Power Committee - Orders issued.

LOCAL SELF GOVERNMENT (RD) DEPARTMENT

GO (Ms) No. 06/2011/LSGD Dated, Thiruvananthapuram, 07/01/2011

Read:- G.O.(Ms) No.27/96/P&ARD dated 23/08/1996.

ORDER

As per the G.O read above Government have constituted a High Power Committee consisting of senior officials of Government to settle amicably the disputes between State Government Departments and Public Sector Undertakings/Corporations/Boards/Autonomous Bodies and the State Government Departments and Government owned undertakings themselves, as directed by the Hon'ble High Court of Kerala in their judgment in O.P.No.4740/90.

Disputes often arise, between Government Departments, and agencies, Public Sector Undertakings etc. and Local Governments and among Local Governments. When such disputes are raised in the Hon'ble High Court, the Court invariably asks Government to call the parties and issue orders after hearing them. This leads to unnecessary wastage of time as well as Government funds. The situation warrants a permanent mechanism for the amicable settlement of such disputes.

After examining the matter in detail Government are pleased to order the Constitution of High Power Committee with immediate effect for dealing with the disputes between Government Departments, and agencies, Public Sector Undertakings etc. with Local Governments and among Local Governments. The composition of the Committee is as follows:

Chief Secretary	- Chairman
Additional Chief Secretary/Secretary (LSGD)	- Member
Law Secretary	- "
Principal Secretary (Industries)	- "
(In the case of disputes with PSUs only)	
Secretary, Finance (Expenditure)	- "
Principal Secretary/Secretary of the Department concerned	- "

Any dispute pending or that may arise between Government Departments and agencies, PSUs, etc. with Local Governments and among them will be placed before the High Power Committee for examination and settlement. All disputes pending before any courts, tribunals and such other forums could also be referred to the High Power Committee and the Committee will look into all aspects and arrive at a fair and an amicable solution, after directly interacting with both parties, verification of records, conduct of site verifications through authorized committees/officers.

In cases where the Committee cannot come to an amicable settlement it is open to the committee to give clearance to the parties to proceed with the litigation. Where the committees find that they are unable to resolve the disputes they should record their reasons in detail thereof.

The disputes referred to the High Power Committee should be disposed of within a period of three months from the date of receipt of the case by the committee.

All authorities may adhere to the above instructions scrupulously.

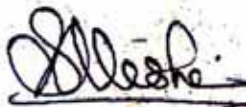
By Order of the Governor,
S.M.VIJAYANAND
Additional Chief Secretary

To

1. All Additional Chief Secretaries/Principal Secretaries/Secretaries to Govt.
2. All Heads of Departments
3. All District Collectors
4. All District /Block/Grama Panchayats (Through Director of Panchayats)
5. All Corporations/Municipalities (through Director of Urban Affairs)
6. The Director Information Kerala Mission.
7. All Departments officers and sections in Government Secretariat including Law and Finance
8. The Advocate General, Ernakulam
9. The Chief Executives of all PSUs
10. The Chief Executives of all Autonomous Bodies
11. The Director Information & Public Relations Department.
12. Stock File/OC

Copy to: Additional Secretary to Chief Secretary
PS to Minister (LSGD)
PA to Additional Chief Secretary (LSGD)
PA to Secretary (LSGD)

Forwarded/By Order


Section Officer