



GOVERNMENT OF KERALA

**Abstract**

Local Self Government Department – PMGSY 2004-05 (Phase IV) – Package No.KR 06-06, Vettikkavala Block – Standing Empowered Committee - constituted - orders issued.

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**LOCAL SELF GOVERNMENT (DD) DEPARTMENT**

GO(Rt.)No. 1932 /2015/LSGD

Dated,Thiruvananthapuram,25.6.2015

- =====
- Read:-
1. Judgment in WP(C)No.21933/13 dated 05.09.2013
  2. GO(Rt)No.3028/13/LSGD dated 09.12.2013
  3. Order No. PMGSY/DB1/79/14/CE/LSGD dated 12.03.2014
  4. Judgment in WP(C)No.34169/14 of 06.01.2015
  5. Letter No.Engg(DB3)-4423/04/CRD dated 23.04.2015 from Chief Engineer, KSRRDA.

**ORDER**

The work under PMGSY 2004-05 (Phase IV) Package No.KR 06-06 of Vettikkavala Block in Kollam District was awarded to the contractor Shri. K. Anil Kumar, Ambalakkara. While executing the work certain disputes arose between the contractor and the implementing agency. The contractor filed WP(C) 21933/13 before the Hon'ble High Court and based on the judgment read as 1<sup>st</sup> paper above filed an appeal petition to the Standing Empowered Committee. As per the Government Order read as 2<sup>nd</sup> paper above, a Standing Empowered Committee has been constituted and vide order read as 3<sup>rd</sup> paper above rejected the contractors argument for current SoR (2010) plus percentage above estimate rate for the completion of balance work. The Standing Empowered Committee also decided that if the contractor is willing to continue and complete the work within the period of six months from the order, the risk and cost and thereby revenue recovery proceedings will be stayed temporally and revenue recovery fully withdrawn only after completion of the work.

2) Considering the urgency of the case Government sanctioned the cost escalation @ 50% of the difference of SoR 2012 & 2014 rates for the balance work. By the time the contractor has filed another WP(C) 34169/2014 before the Hon'ble High Court against initiating the RR

proceedings and the Hon'ble High Court as per judgment read as 4<sup>th</sup> paper above found that the recovery proceedings need not be pursued any further for the time being and this is not barring the way of concerned respondents in proceedings with further steps in case the petitioner fails to honour the commitment. Chief Engineer, Local Self Government Department as per the letter read as 5<sup>th</sup> paper above has requested to place the matter before the Standing Empowered Committee and nominated Shri. R .Murukesan, Chief Engineer (Rtd.) as non-official member.

3) Government have considered the matter in detail and are pleased to constitute the Standing Empowered Committee with the following members for the purpose as stipulated under clause 24.3 of SBD for PMGSY.

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|--------------------------|---|--|
| I. Chairman              | - | Principal Secretary                              |
| II. Official Member      | - | Chief Engineer, Local Self Government Department |
| III. Non-official Member | - | Shri.R.Murukesan, Chief Engineer(Rtd.)           |

The Chief Engineer, KSRRDA is directed to present the case before the Standing Empowered Committee for redressal of grievances.

(BY ORDER OF THE GOVERNOR)

**J.Selvaraj**

**Deputy Secretary**

To

1. Shri. Anil Kumar, Ambalakkara House, Pulamon P.O., Kottarakkara
2. The Member Secretary, KSRRDA, Thiruvananthapuram.
3. Chief Engineer, Local Self Government Department.
4. Shri. R. Murukesan, Chief Engineer(Rtd) through Member Secretary, KSRRDA.
5. The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
6. The Accountant General (A&E), Kerala, Thiruvananthapuram.
7. The Director, Information Kerala Mission, Thiruvananthapuram.
8. Stock File/ Office Copy.

Forwarded By Order

  
Section Officer