



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Judgment of the Hon'ble High Court of Kerala dated 10.08.2017 in WP(C) No. 2391/2017 – Complied with-Orders issued.

LOCAL SELF GOVERNMENT (DA) DEPARTMENT

G.O.(Rt)No.3804/2017/LSGD

Dated, Thiruvananthapuram, **25.11.2017**

Read :- 1. G.O.(Rt)No.3299/2016/LSGD Dated 02.12.16
2. Judgment of the Hon'ble High Court of Kerala dated 10.08.2017 in WP(C) No. 2391/2017

ORDER

As per Government Order read as 1st paper above, Government have issued orders restricting the Local Self Government Institutions from purchasing materials without tender, only from the institutions where the materials are produced by themselves. Shri. K.P Ahammed Kutty & others filed WP(C) No. 2391/17 before the Hon'ble High Court of Kerala praying to quash the Government Order read as first paper above and to direct the Executive Engineer, Kozhikode Jilla Panchayat to permit the petitioners to utilise the bitumen procured by them pursuant to Exhibits P3 to P9 in the Writ Petition for undertaking the works awarded to them.

2) The Hon'ble High Court of Kerala in its judgment read as second paper above has directed the Government to issue necessary modifications in the Government Order read above and issue direction to the Executive Engineer, LSGD, Kozhikode Jilla Panchayat to take further action in the bills of the petitioners.

3) Government have examined the matter in detail. In compliance to the direction of the Hon'ble High Court of Kerala in the above Writ Petition, Government are pleased to amend the Government Order read as first paper to the effect that when small quantities of materials are purchased by the Contractors from intermediaries, including SIDCO which expenditure is included in the contract amount, then there could be no restriction placed on the sanction of such amounts.

4) The Government order read as first paper above stands modified to the above extent only.

By Order of the Governor

N.Visruthan Achary

Joint Secretary to Government

To

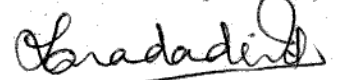
Shri.K.P.Ahammedkutty, S/o. Ahmed Haji, Kodassery Parambil House,
Neeleswaram (P.O.), Omassery, Kozhikkode
Shri.P.P.Ibrahim, S/o. Ahamedkutty Haji, Parappurath House, Vennacode, Malayamma,
Kozhikode
Shri.K.P.Narayanan, S/o Krishnankutty Nair, Kallipurath House, Malayamma, Kozhikode
The Advocate General, Ernakulam (with Covering Letter)
The Director of Panchayats, Thiruvananthapuram,
The Director of Urban Affairs, Thiruvananthapuram.
The Commissioner for Rural Development, Thiruvananthapuram.
All District Collectors
All District Planning Officers (through the Director of Panchayats)
All District Panchayath Presidents/Secretaries (through the Director of Panchayats)

All Presidents/Secretaries of Grama Panchayats (through Director of Panchayats)
All Bolck Panchayath Presidents/Secretaries- through the Commissioner for Rural Development
All Mayor/Chairmen/ Secretaries of Urban local bodies (through the Director of Urban Affairs)
The Chief Engineer, Local Self Government Department, Thiruvananthapuram
The Executive Engineer, Kozhikode Jilla Panchayat, Kozhikode
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram
The Accountant General (A & E), Kerala, Thiruvananthapuram
The State Performance Audit Officer (SPA0)
The Director, Kerala State Audit Department, Thiruvananthapuram
The Executive Director, IKM, Thiruvananthapuram
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Copy to :-

The Private Secretary to M(LSG&WM)
The Personal Assistant to Principal Secretary, LSGD
The Personal Assistant to Secretary, LSGD
The Personal Assistant to Special Secretary, LSGD

Forwarded/By order,



Section Officer