

**PROCEEDINGS OF THE PROJECT DIRECTOR
PROJECT MANAGEMENT UNIT, REBUILD KERALA INITIATIVE
LOCAL SELF GOVERNMENT DEPARTMENT, THIRUVANANTHAPURAM
Present: Vishnukumar G**

Sub: Project Management Unit - Rebuild Kerala Initiative – Improvements to Puthed Anoothode Footbridge Road – Arakkulam G.P, Idukki – Nonperformance of contract - Termination of the contract at the risk and cost of contractor – Orders issued.

- Read: 1. Agreement No: 155/2021-22/PMULSGD, dt: 24/03/2022.
2. Work order No. T-2/128/PMU- LSGD/22, dt:24 /03/2022 of Project Director
3. Lr No E1-82/2020/PIU-KTM/1788, dt: 09/10/23 of the Executive Engineer, PIU - Kottayam.
4. Lr. No. T-2/128/PMU- LSGD/22, dt: 10/10/2023 of Project Director.
5. Minutes of the hearing dt: 18/10/23 with the contractor.
6. Lr No E1-82/2020/PIU-KTM/1788, dt: 10/11/23 and 12/12/23 of the Executive Engineer, PIU - Kottayam.
7. Lr No. Nil, dt:19/12/23 with the contractor.
8. Lr No E1-82/2020/PIU-KTM/1788, dt: 27/12/23 of the Executive Engineer, PIU - Kottayam.
9. Lr. No. T-2/128/PMU- LSGD/22, dt: 08/01/24 of Project Director
10. Judgement on WP (C) No. 4133/2023, dt: 16/02/24
11. Lr No. JL/PA/02/22-23, dt:20/02/23 of the contractor.
12. Lr. No. T-2/128/PMU- LSGD/22, dt: 30/03/24 of Project Director
13. Representation submitted by the contractor on 11.04.24.
14. Lr. No. T-2/128/PMU- LSGD/22, dt: 02/05/24 of Project Director
15. Minutes of the hearing conducted by the Project Director on 10/05/24 with the contractor.

Order No: T2/128/PMULSGD/22 Dated: 24/06/2024

The work "Improvements to Puthed Anoorthode Footbridge Road in Arakkulam G.P, Idukki LAC in Idukki District" including maintenance for five years after construction" was awarded to Sri. Jaison Luckose vide first paper read above with a time of completion of 9 months from the date of handing over of site.

Executive Engineer vide 3rd paper above reported that the contractor did not attempt to commence the work and hence the Project Director invited the contractor for a hearing. It was decided to conduct a site inspection by Executive Engineer, PIU and take further action. The Project Director also took opinion from expert technical committee members by arranging joint field inspections. Executive Engineer vide 6th papers read above reported that the contractor still have not done anything to commence the work even after adequate assurances and directions were issued and also recommended to initiate actions against the contractor. Contractor vide 7th paper read above requested to foreclose the contract stating various reasons. Project Director examined the request in detail and the report submitted by Executive Engineer vide vide 8th paper read above and did not approve the request. Further notice was issued to the contractor vide 9th paper read above to start the work immediately.

However, the contractor approached court and Hon. High Court of Kerala vide its judgment read 10th above directed the contractor to furnish explanation to the 9th paper read above (Ext. P13 as per the WP) and directed the Project Director to examine the same in proper perspective and take a favorable decision for the contractor. Accordingly, project director issued communications to the contractor to submit application for extension of Time of Completion (TOC) and also to furnish any other matter need consideration. The contractor did not apply for extension of TOC through proper channel, but submitted a representation stating repetitive and baseless arguments vide 13th paper read above seeking foreclosure of the agreement and release of securities. Project Director 14th paper read above invited contractor for hearing. Vide 15th paper read above (minutes of the hearing), the contractor refused to carry forward the work.

Project Director examined all the aspects of the matter and arguments of the contractor and learned that the contract could not be materialized due to the default of the contractor, and as effect the public is severely aggrieved and cause damage to the deputation of the Government.

Superintending Engineer, Project circle Muvattupuzha (It is requested to cancel the licence and blacklist the contractor)

Superintending Engineer, Irrigation, South circle, Central circle and North circle

Superintending Engineer, Minor Irrigation, South circle, Central circle and North circle

Superintending Engineer, PWD N H, South circle, Central circle and North circle

Superintending Engineer, PWD (R&B), South circle, Central circle and North circle

Superintending Engineer, PWD (Buildings) South circle, Central circle and North circle

Superintending Engineer, LID & EW, South circle and North circle.

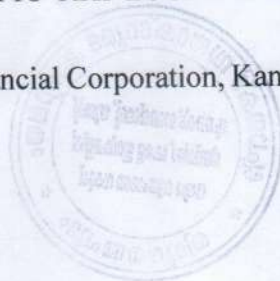
They are requested to withhold payments if any due to the above contractor so as to recover the risk and cost liability from the contractor.

The Executive Engineer, PIU RKI LSGD Kottayam for information and necessary action

The Assistant Executive Engineer, PIU RKI LSGD Kottayam for information and necessary action

The Assistant Engineer, PIU RKI LSGD Kottayam for information and necessary action

The Manager, Kerala Financial Corporation, Kannur branch for information and necessary action.



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