



KERALA STATE ELECTRICITY BOARD Ltd

(Incorporated under the Companies Act, 1956)

Registered Office: Vidyuthi Bhavanam, Pattom, Thiruvananthapuram – 695 004

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ABSTRACT

Execution of Maripuzha Small Hydro Electric Project (2x3MW, 14.84 Mu) - cancellation of tender and acquisition of Tribal land through RFCT LARR ACT, 2013 - Sanctioned - Orders issued.

Corporate office (SBU- G/C)

B.O. (FTD) No.406/2024 (DGC/AEEI/Maripuzha/2022)
Thiruvananthapuram.

Dated:27-09-2024

Read:

1. B.O.(DB) No.3373/2014 (DGC/AEE 1/MARIPUZHA/2014) dated 23.12.2014.
2. B.O.(FTD) No.3058/2015 (DGC/AEE 1/MARIPUZHA/2014) dated 10.12.2015.
3. B.O.(FTD) No.885/2019 (DGC/AEE 1/Maripuzha/2018) dated 02.12.2019.
4. B.O. (DB) No.180/2020 (DGC/AEE I/Maripuzha/2018) dated 13.03.2020.
5. B.O.(FTD) No.82/2021 (DGC/AEE 1/Maripuzha/2018) dated 29.01.2021.
6. B.O. (FTD) No.208/2022 (DGC/AEE 1/Maripuzha) dated 21.03.2022.
7. B.O.(DB) No.253/2022 (DGC/AEE 1/Maripuzha/2018) dated 30.03.2022.
8. G. O. (Rt) No.4062/2022/RD dated 07.10.2022.
9. Letter No. CECCN/DB02/Maripuzha/Land/2021-22/1037 dated 26.11.2022 of CE(CCN).
10. FTD minutes dated 23.06.2023.
11. Letter No. CECCN/DB03/MRAPZA/Gen/2018-19/2159 dated 27.03.2024 of CE(CCN).
12. Letter No.CECCN/DB03/MRAPZA/Gen/2018-19/148 dated 23.04.2024 of CE(CCN).
13. Letter No.CECCN/DB/09/2009-10/289 dated 14.05.2024 of CE(CCN).
14. Chronology of events of Maripuzha SHEP.
- 15.Note No.DGC/AEE1/maripuzha/2022 dated 13.08.2024 to the Full Time Directors (Agenda No.58/8/24).
- 16.Minutes of the meeting of Full Time Directors held on 24.08.2024 vide Resolution No.FTD/4/8/24/58.

ORDER

Maripuzha Small HE Project (2x3MW, 14.84 Mu) proposed in Kozhikode District is a run off the river scheme which envisages development of power by utilizing the inflow of Iruvanjipuzha of Chaliyar basin. KSEBL as per B.O. read as 1st above had accorded

administrative sanction for the implementation of Maripuzha SHEP (2x3MW) at an estimated cost of Rs.54.08 Cr based on PWD SOR 2012. KSEBL as per B.O. read as 2nd above had accorded sanction for acquisition of private land through negotiated purchase and to seek Government sanction for transfer of Government land and tribal land. As per B.O. read as 3rd above revised administrative sanction was accorded for the implementation of Maripuzha SHEP (2x3MW) at an estimated cost of Rs.80.9361 Cr based on DSR-2016 with cost index of 2019 and sanction to issue tender notice for the execution of the project within 15 days and work out the rate per unit on the price discovered for finalising the project.

Based on the above order, tender was invited on 12.12.2019. Since only one bidder had participated, the tender was cancelled and re-tender was invited on 24.02.2020. As per B.O. read as 4th above revised administrative sanction was accorded for the implementation of Maripuzha SHEP (2x3MW) at an estimated cost of Rs.80.9361 Cr based on DSR-2016 with cost index of 2019.

KSEBL as per B.O. read as 6th above also accorded sanction to purchase 53.52 cents of private land of Sri. Manoj Sebastian with a financial commitment of Rs.39,84,360/- as compensatory land to tribal land owners in lieu of 35.68 cents of tribal land to be transferred to KSEBL.

Sanction was accorded as per B.O. read as 7th above to award the work to M/s Anchor Structural - Sri Saravana Industries Pvt. Ltd. & Mecamidi HPP Pvt. Ltd. consortium for their negotiated price of Rs.64,70,95,258/- after completing the acquisition of all category of land required for the Scheme. Only 4.6 Ha against 6.0896 Ha of private land was acquired at that time and the forest land and tribal land were not transferred.

Based on the decision of Board, the registration of 95% of private lands by spending Rs.6.55 Cr in favour of KSEBL was completed as on 05.09.2022 except for 2 land owners, who approached the Hon'ble Court raising legal / forest issues. The Government, as per G.O. read as 8th above, had accorded sanction to take over the balance 2 pieces of private land as per RFCTLARR Act, 2013.

For acquisition of tribal land, as the tribal land owners were reluctant to hand over their land documents even after taking concerted efforts by the District Collector, Tribal Development Officer and KSEBL officials, the District Collector suggested that the compensatory land against tribal land need not be purchased based on negotiation, instead proceed for acquisition by invoking the provisions contained in RFCTLARR Act, 2013. The District Collector also directed to make available the necessary Government Orders for acquisition of tribal land, as early as possible so as to proceed with the acquisition of both private land and tribal land in one stretch to avoid administrative inconveniences ie. Case of Social Impact Assessment Study, Establishment Cost etc.

The Chief Engineer (Civil-Construction) North (CECCN), vide letter dated 26.11.2022, had requested sanction to acquire 0.144 Ha of tribal land through RFCTLARR Act, 2013.

The work could not be awarded till date, as the land acquisition is incomplete after a lapse of 25 months since the decision of Board to award the work. Now, the CECCN has reported that the contractor has expressed their unwillingness to extend BG as well as firm period of tender. The CECCN has again reported that the extended date of expiry of BG was 08.11.2023 and the contractor has not further extended the BG.

Hence the tender is no more valid.

As the validity of BG and firm period of tender have expired and the contractor has not extended the BG further, the tender may be cancelled by observing the formalities and fresh tender may be invited at the time of completion of land acquisition and KSERC approval.

Given that

- 95% of the private land (5.76 Ha out of 6.0895Ha) has already been acquired by spending Rs.6.55 Crores.
- the transfer of forest land is imminent
- SERC approval is being expected
- The District Collector has also agreed to fast-track the acquisition process for tribal land, subject to receiving orders from the Revenue Department.
- Validity of BG and firm period of tender have expired.

Considering the above, the matter has been placed before the Full Time Directors, as per note read as 15th above, requesting sanction to proceed for acquisition of 0.144 Ha of tribal land through RFCTLARR Act, 2013, so that the process of acquisition of balance Private land and the acquisition of required tribal land can be completed simultaneously and further delay in re tendering and awarding the work can be avoided.

Having considered the matter in detail the Full Time Directors in its meeting held on 24.08.2024 passed the following resolutions.

1. Resolved to accord sanction to cancel the E-tender No. CECCN/05/2019-20 dated 24.02.2020 invited by the Chief Engineer (Civil-Construction) North for "Execution of Maripuzha SHE Project (6 MW), by observing formalities, as the validity of BG and firm period of tender have expired and the contractor has not extended the BG further.
2. Further resolved to accord sanction to proceed with acquisition of tribal land through RFCTLARR Act, 2013.
3. Further resolved to place the details of projects which are held up due to land related issues before the Full Time Directors.

Orders are issued accordingly.

By Order of the Full Time Directors

Signed by
Lekha Geetha

Date: 27-08-2024 16:29:23

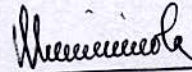
COMPANY SECRETARY

To: 1. The Chief Engineer (Projects).
2. The Deputy Chief Engineer (Civil Construction North).

Copy to:

The Company Secretary / Chief Engineer (IT,CR&CAPS) for publishing in the website
/ Financial Advisor / Chief Engineer (Commercial & Tariff) / LA&DEO /
Chief Internal Auditor / Chief Vigilance Officer
The Chief Personnel Officer / Public Relations Officer
The TA to the Chairman & Managing Director / Director (Generation-Civil) /
Director (Distribution, Safety, SCM & IT) / Director (Transmission, SO & Planning) /
Director (Generation - Electrical, REES, SOURA, Sports & Welfare)
The PA to the Director (Finance & HRM)
The Sr.CA to the Secretary (Administration)
The RCAO/ RAO
Stock File.

Forwarded / By Order



Assistant Executive Engineer