



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

CIN:U40100KL2011SGC027424

Vydyuthi Bhavanam, Pattom, Thiruvananthapuram – 695004, Kerala

Tel:+914712448720 Email: dgkseb@kseb.in

Web site: www.kseb.in

ABSTRACT

Dam Rehabilitation and Improvement Project (DRIP) - Improvement of basic facilities under Kuttiady Augmentation Scheme (Part II) Metaling and chipping carpet of replacement road No, II and protective works-Contract with Sri V. Govindankutty, Govt.Contractors, Vellamkandathu House, Engakkad PO, Trissur -Arbitration- Advocate Fees and Incidental Expenses - Sanctioned- Orders issued.

CORPORATE OFFICE (SBU-G/C)

BO(FTD)No.262/2021(DGC/AEE-II/DRIP/KAS/2016)Thiruvananthapuram, dtd.22.04.2021

- Read: - 1. BO (DB) No.372 / 2019 (LD.1 / Adv.Fee / Revision / 2018) dated 07.05.2019
2. BO (FTD) No.53 / 2021 (DGC / AEEII / DRIP / KAS / 2016) dated 22.01.2021
3. BO (FTD) No.55 / 2021 (DGC / AEEII / DRIP / KAS / 2016) dated 22.01.2021
4. Note No.LAII.4640/2019 dated 03.03 .2021 of the LA & DEO
5. Note No.CE(C-DS&DRIP/KAS-II/2015-16/380) dated 25.03.2021 of the Chief Engineer(C- DS&DRIP)
6. Note No. DGC/AEE-II/DRIP/KAS/2016 dated,15.04.2021 of the Director(Generation-Civil) (Agenda Item No.33/4/2021)

ORDER

The agreement for the work "DRIP - Improvement of basic facilities under Kuttiady Augmentation Scheme (Part II)- Metaling and chipping carpet of replacement road No.II and protective works"was executed with Sri.Govindankutty, Govt.Contractors, Vellamkandathu House, Enkakad P.O, Trissur on 26.05.2016. Subsequent to some disputes, he had filed a case before the Hon'ble High Court of Kerala and vide judgment dated 18.06.2020, the Court had closed the writ petition directing the contractor to invoke Arbitration clause.

As per BO read as 2nd above , sanction was accorded to appoint Sri. M.V George, District & Sessions Judge (Retd), Vellaramkunnil, TC3/2574, Marappalam Junction, Pattom PO, Thiruvanthapuram,695004 as the sole Arbitrator for settling the disputes in the subject work and the fee for the arbitration shall be in accordance with the Arbitration and Conciliation Act, 1996. As per BO read as 3rd above , sanction was also accorded to appoint Sri Sakthidharan Nair, Advocate, City Chambers, Vanchiyoor, Thiruvananthapuram to present the case on behalf of KSEBL before the sole arbitrator.

The Chief Engineer(C- DS&DRIP) as per note read as 5th above has reported that the first sitting of the subject case was on 06.03.2021 at Paruthippara IB, Thiruvananthapuram and the petitioner's representative had submitted their claim statement to the arbitrator. The Arbitrator had summed up the approximate claim of the petitioner as Rs 1,45,89,972 / -. Adv. Sakthidharan Nair also attended the first sitting on behalf of KSEBL .

The Legal Adviser & Disciplinary Enquiry Officer as per note read as 4th above has opined that as Sri Sakthidharan Nair is from outside the panel of advocates, his fees is to be decided in

Nair was requested by the Chief Engineer(C- DS&DRIP) to intimate his fee for presenting the case before the sole arbitrator and he has requested an amount of Rs 3,61,200/ - towards advocate fees (senior & Junior) and clerical & incidental expenses.

The Chief Engineer(C- DS&DRIP) has reported that the fee raised by the advocate is in line with the Board Order except for the amount claimed for the clerical & incidental expenses amounting to Rs.10,000/-and requested to accept the total fee of Rs 3,61,200 / -claimed by the Advocate for presenting the case before the sole arbitrator in stages as stipulated in the BO read as 1st above.

The matter was placed before the Full Time Directors as per note read as 6th above. Having considered the matter in detail, the Full Time Directors in the meeting held on 16.04.2021 resolved to accord sanction to the Advocate fee including clerical and incidental expenses amounting to Rs 3,61,200 / - (Rupees Three lakh Sixty one Thousand and Two Hundred only) for presenting the case before the Sole Arbitrator for settling the disputes in connection with the work "Improvement of basic facilities under Kuttiady Augmentation Scheme (Part II) - Metaling and chipping carpet of replacement road No.II and protective works ".

The Chief Engineer (Civil –Dam Safety & DRIP) shall take further action in this regard. Orders are issued accordingly.

By Order of the Full Time Directors

Sd/-

Lekha .G

Company Secretary i/c

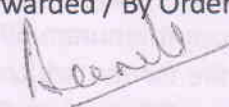
To

The Chief Engineer(Civil -Dam Safety & DRIP)

Copy to:

1. The Deputy Chief Engineer (Research & Dam Safety Organisation), Pallom
2. The Financial Adviser 3. The Chief Internal Auditor
4. The RCAO/RAO 5. The Deputy Chief Engineer(IT)
6. TA to CMD /TA to Dir(GC) /Dir(GE&SCM) /Dir(T&SO) / Dir(D&HRM)/Dir(Plg&S)
7. PA to Dir (F) / Company Secretary i/c
8. FC Supt/ Librarian 9. Stock file / File

Forwarded / By Order


Assistant Executive Engineer