



Minutes of the 394th meeting of KWA held on 10/08/2017
at 03.00 p.m. in the Conference Hall, Kerala Water Authority,
Thiruvananthapuram.

Minutes of the 394th meeting of KWA held on 10/08/2017 at 03.00 p.m. in the Conference Hall, Kerala Water Authority, Thiruvananthapuram.

Present:

1. Smt. Tinku Biswal IAS	Secretary (WRD), Chairman
2. Smt. A. Shainamol IAS	Managing Director
3. Sri. Murugadas	Member
4. Sri. Alex Kannamala	Member
5. Sri. T.V. Balan	Member
6. Sri. Raveendran T.	Technical Member
7. Sri. Sreekumar M.	Secretary

Item No. I (1) Minutes of the 393rd meeting held on 07/06/2017

The Authority confirmed the Minutes of the 393rd meeting held on 07/06/2017

Item No. II (1) Review of Action Taken in the Previous Meetings

The Authority reviewed the Action Taken in the Previous Meetings. The Managing Director informed that the status of action on previous Authority meetings has been reviewed and the long pending cases will be closed shortly.

Item No. III (1) Sustainability - NRDWP – Construction of 6.50m Height RCC weir across Kariangode river for Water Supply Scheme to Naval Academy, Ezhimala and Endosulfan Water Supply Scheme to Kayyur Cheemeni in Hosdurg Taluk of Kasaragod– Design, Construction and commissioning of 6.50m High RCC weir across Kariangode river at Kakkadavu – Suspension of contractor's license for 6 months

Res. No. 10543 The Authority discussed the agenda in detail. It is observed that in the 384th meeting held on 22/01/2016 vide item no. III (1) the Managing Director had been directed to start the procedure for blacklisting the contractor, Sri. T.M.Basheer after due process including hearing. Accordingly hearing was conducted on 09-06-2016 wherein the contractor Sri.T.M.Basheer explained his side and pleaded his innocence. Shri.G.Raghavendra, the chartered accountant of


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Sri.T.M.Basheer has now stated that the financial documents produced by the contractor are actually audited and prepared by him and due to short of memory and mix up of matters he could not recollect the same. The Superintending Engineer, PH Circle, Kannur after due verification has reported that the repeated statements of the Chartered Accountant Sri.G.Raghavendra along with affidavit attested by the Notary regarding the genuineness of the account may be accepted and the issue may be settled with a warning to the contractor. The HLC has noted the above reports and recommended before the Authority to settle the issue with a warning and a direction to the contractor to exercise more prudence while preparing and submitting tender documents in future. It is also observed that the license of Sri.T.M.Basheer has been suspended for six months from 20-11-2015 and already 19 months have elapsed since the suspension of license.

Under these circumstances the Authority **resolved to accept the recommendation of the High Level Committee to settle the issue with a warning and a direction to the contractor to exercise more prudence while preparing and submitting tender documents in future.**

Item No. III (2)


KIIFB- Special Investment Package – KIIFB- Augmentation of Water Supply Scheme to Dharmadam Panchayath Supplying and Laying 250mm DI K9 Pumping main, 250mm DI K9 Gravity Main, Distribution system with 200mm DI K9 to 90mm PVC Pipe, Construction of 13 LL OH Tank, Construction of 2 LL Sump cum Pump house and Supply and erection of 75 HP CF Pumpset

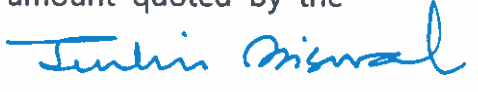
Res. No. 10544

The Authority discussed the agenda in detail. It is noted that this is the first retender and two bidders have submitted the bids and both are prequalified. The lowest tenderer is Sri.E.V.Raju joint venture with Sri.Paulose Abraham and their quoted amount is ₹13,00,00,000/- which is at 7.92% above the tendered PAC of ₹ 12,04,56,911/- based on KWA SoR & DSR 2014 and 12.52 % below the tendered PAC based on LMR rate. The first tender for the subject work was cancelled being single offer. The Authority also observed the following reports of the High Level Committee.

"The committee also noted that the amount quoted by the


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lowest bidder for transformer (404.41 % above) and construction of 13 LL OHSR (95.47% above) are very much on the higher side. The tendering authority clarified that the higher rates for construction of OHSR may be due to short construction period / shortages of water in and around the site, lack of working space and the construction is to be done on the rear side of Govt. Brennan College, Thalassery."

"KWA is now facing difficulty in finalising such similar tenders where the lowest bidder has quoted item component amounts some of which are found to be unreasonably high. Two cases wherein abnormally very high quotes were seen for certain items already discussed in the Board and accordingly it was resolved to either limit the quoted amount to 10% above estimate rate or to eliminate such items which were found to be unreasonably high quoted. Even though work orders were issued to the lowest bidders it is understood that they are not willing to execute the agreement at the reduced amount due to the above conditions additionally made."

The contractors took a defiant stand that the tenders being floated for LS contracts the bid has to be evaluated in total and comparison of quotes against individual items is not justifiable or acceptable.

The High Level committee has presented the following options for the consideration.

- 1) Approve awarding the work to the lowest tenderer Sri.E.V.Raju joint venture with Sri.Paulose Abraham at their quoted amount of Rs.13,00,00,000/- which is at 7.92% above the T.PAC of ₹ 12,04,56,911 /- based on KWA SoR & DSR 2014 with direction to level the quote of different components in the billing break up since the subject tender is the first re-tender.
- 2) Since the amount quoted for construction of 13 LL capacity OH tank is found to be on the higher side, as done in similar previous two cases, the subject work may be awarded to the lowest tenderer Sri.E.V.Raju, joint venture with Sri.Paulose Abraham at reduced amount limiting to 10% above estimate rate for the particular item.

The Authority considered the above facts. It is observed that in many of the recent LS tenders, the contractors are allowed to quote for the breakup of items. This creates difficulty in evaluation and finalization of tenders. When there is item wise


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quote, the rates has to be compared. The Authority discussed the issue in detail and came to a conclusion that this practice of inviting LS tender and allowing to quote for itemwise breakup has to be stopped.

Considering the above facts and after detailed discussions on the matter the Authority **resolved to accord sanction for awarding the work "KIIFB- Special Investment Package – KIIFB- Augmentation of Water Supply Scheme to Dharmadam Panchayath Supplying and Laying 250mm DI K9 Pumping main, 250mm DI K9 Gravity Main, Distribution system with 200mm DI K9 to 90mm PVC Pipe, Construction of 13 LL OH Tank, Construction of 2 LL Sump cum Pump house and Supply and erection of 75 HP CF Pumpset"** to the lowest tenderer Sri.E.V.Raju joint venture with Sri.Paulose Abraham at their quoted amount of ₹13,00,00,000/- which is at 7.92% above the T.PAC of ₹ 12,04,56,911 /- based on KWA SoR& DSR 2014 with direction to level the quote of different components in the billing break up since the subject tender is the first re-tender.

- a) The tendering authority shall ensure that for pipe laying, the estimate amount plus the tender excess of working charges shall be recovered, if supplied pipes are not laid. All items as per estimate has to be included in billing break up.
- b) All the required details of electromechanical equipments including transformer, shall be collected by the tendering authority and it should be ensured that the same is of reputed/approved make and as per requirements and executed by a reputed 'A' class Electrical licensee.

The Authority also resolved that

1. For all Lumpsum contracts the bidders shall be allowed to quote only a single amount in the BoQ of e-tendering.
2. The price bid evaluation shall be the comparison of this amount with DSR/LMR estimate as per norms
3. Payment breakup shall be decided by the agreement executing Authority so that only progressive


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payments are made in relation to the sanctioned estimate and unbalanced quotes evened out.

4. The Scope of the work for the LS tender shall be detailed to include all necessary and essential items for the satisfactory completion and performance of the system.
5. In the tenders already floated, evaluation will be based on the overall quote and quote against individual item will not be reckoned. The billing breakup will be designed in such a way that unbalanced quote if any, are evened out.
6. A check list shall be prepared for tender evaluation with responsibilities at various levels clearly defined. This checklist shall be certified by the tendering Authority and submitted along with the tender.

Item No. III (3) KIIFB WSS to Kadamakkudy Panchayath-strengthening of distribution system of Kadamakkudy Panchayath by supplying, laying various class & sizes of DI, PVC, HDPE pipes by zoning the distribution network in to 3 and interconnecting with the newly constructed OHSRs at Kothad, Pizhala, Paliyamthuruth and charging, commissioning and maintaining for a period of 3 years

Res. No. 10545 The Authority discussed the agenda in detail. It is noted that the subject tender is the first tender wherein four bidders participated out of which only three were pre-qualified. Sri. K.O Jose who have quoted an amount of Rs.6,61,82,389/- which is 4.86% below the revised Tendered PAC of Rs.6,95,66,038/- based on KWA SoR and DSR 2014 is the lowest. After discussion the Authority **resolved to accord sanction for awarding the work of KIIFB "WSS to Kadamakkudy panchayath - strengthening of distribution system of Kadamakkudy Panchayath supplying, laying various class & sizes of DI, PVC, HDPE pipes by zoning the distribution network in to 3 and interconnecting with the newly constructed OHSRs at Kothad, Pizhala, Paliyamthuruth and charging, commissioning and maintaining for a period of 3 years" to the lowest tenderer to Sri.K.O.Jose at his quoted amount of ₹.6,61,82,389/- which is 4.86% below the revised tendered PAC of ₹6,95,66,038/- based on KWA -SoR 2014 and DSR with directions to ensure that all required specials**


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are supplied for the work without any additional cost implication. The tendering authority should also ensure that the estimated quantity is executed for the item of construction of valve chamber and anchor block and the panchayath Resolution is obtained before street hydrants are provided.

Item No. IV (1) JICA Assisted Kerala Water Supply Project – Package I (Intake, Raw Water Pumping Main, Water Treatment Plant) - Operation and Maintenance Strategy – Extension of present O&M Contract

Res. No. 10546 The Authority discussed the agenda in detail. The Authority meeting held on 07.04.2017 had resolved to "approve the revised proposal for operation and maintenance of all 5 JICA Schemes (Thiruvananthapuram, Meenad, Cherthala, Kozhikode and Pattuvam) by deploying operators from KWA. Technical and maintenance support shall be outsourced through AMC with other manpower and materials. The tenders shall be invited by the Superintending Engineers so as to enter into O&M contracts for a period of 3 years before 31.07.2017 based on the estimates and guidelines approved by the regional Chief Engineers." Now the Superintending Engineers, PH Circle, Thiruvananthapuram, Alappuzha and Kozhikode reported that it will take some more time for finalizing the tender and requested to continue the present arrangement for two more months upto 30.09.2017. Considering the time line the request was allowed by the Managing Director. The Authority resolved to ratify the action taken by the Managing Director in giving extension of the present O&M contract arrangements upto 31.10.2017 for Thiruvananthapuram, Cherthala and Kozhikode Schemes.

Item No. V (1) കേരള വാട്ടർ അതോറിറ്റി നടപ്പിലാക്കിയ ശമ്പള പരിഷ്കരണത്തോടനുബന്ധിച്ചുണ്ടായ ന്യൂനതകൾ സർക്കാരിന്റെ പരിഗണനയ്ക്കായി സമർപ്പിക്കുന്നതിന് സംബന്ധിച്ച്.

Res. No. 10547 അജണ്ടയിലെ വിഷയം അതോറിറ്റി വിശദമായി ചർച്ച ചെയ്തു. പേരിവിഷൻ അനോമലി കമ്മിറ്റി സമർപ്പിച്ച തീരുമാനങ്ങൾ സർക്കാരിലേയ്ക്ക് സമർപ്പിക്കാൻ അതോറിറ്റി തീരുമാനിച്ചു.

Item No. V (2) Kerala Water Authority- Compassionate Employment Scheme


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Res. No. 10548 The Authority discussed the agenda and resolved to recommend to the Government the application of Sri. Shibu T.R S/o Late Sri. T.Rajan for consideration under Compassionate Employment Scheme.

Item No. V (3) KWA – Estt – The appointment of Special Officer (Electrical) on contract basis

Res. No. 10549 The Authority discussed the agenda item in detail and resolved to extend the period of contract of Sri. K.A.Sivadasan, Special Officer (Electrical) for a further period of one year with effect from 07.06.2017 with the same terms and conditions as before.

Item No. V (4) KWA – Estt – Compassionate Employment Scheme

Res. No. 10550 The Authority discussed the agenda and resolved to recommend to the Government the applications of Smt.Lakshmi Devi N.K. W/o Late Sri. Mohanan V. and Sri.Harikrishnan R. S/o Late Sri. M.M.Radhakrishnan for Compassionate Employment Scheme.

Item No. V (5) KWA – Estt – Enhancement of Special allowance to differently abled employees of Kerala Water Authority

Res. No. 10551 The Authority discussed the agenda and resolved to extend the benefit of the Government order vide G.O(Ms) No.282/2017/(60)/Fin dated, 30.05.2017 for raising the rate of Special Allowance to differently abled employees of State Government and Teachers from ₹800/-per month to ₹1000/-per month with effect from 01.06.2017 to the differently abled employees of Kerala Water Authority.

Item No. VI (1) KIIFB Works -WSS to Koyilandy Municipality and adjoining Panchayaths phase-I- Package-I(WRD-002) Supplying, laying, testing and commissioning of clear gravity main and renovation of existing GL service Reservoir.

Deferred


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Item No. VII (1) Repair of departmental vehicle KL-13-S-219 attached to PH Division, Kasaragod

Res. No. 10552 The Authority discussed the agenda in detail and **resolved to accord sanction for the repair works of departmental vehicle KL-13-S-219 attached to PH Division, Kasargode for an amount of ₹56,853/- as requested by the Chief Engineer.**

Item No. VII (2) Kochi City open space developments - walkway along Ernakulam Hospital Road connecting boat jetty and Maharajas College Metro Station - Sharing 109 square metre Kerala Water Authority land

Res. No. 10553 The Authority discussed the agenda in detail. It is reported that in order to improve public transportation facilities in the Kochi region, KMRL has taken up the development of certain walkways in the city, with a view to encourage walking in the city, as well as other forms of non motorised transport. As part of this initiative, KMRL propose to take up a pilot project in the form of a model footpath along the Ernakulam Hospital Road, connecting Boat Jetty and the Maharajas College metro station. The proposal is to have a modern, wide pathway, with proper shelter and lighting as well as street furniture. For the implementation of this scheme, KMRL requested to share an area of 109m² in front of the office of the Chief Engineer, KWA adjoining the existing footpath for the purpose of making the walkway. Chief Engineer (CR) has reported that permission may be granted to KMRL for sharing an area of 109 m² from Kerala Water Authority premises in front of the office of the Chief Engineer's office adjacent to the existing public footpath for the Metro open space development of walkway connecting boat jetty with Metro Station of Maharajas College. The Authority discussed the matter in detail and **resolved to accord permissive sanction to KMRL for sharing an area of 109 m² from Kerala Water Authority premises in front of the Chief Engineer's office adjacent to the existing public footpath for the Metro open space development of walkway connecting boat jetty with Metro Station of Maharajas College subject to the following conditions.**

1.The ownership of the land spared will be vested with Kerala Water Authority


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2. KMRL shall construct a new compound wall in the portion in which the existing compound wall is to be demolished.

3. A new watchman shed will be constructed by KMRL in the suitable place available with KWA.

4.A new gate is to be constructed in the extreme east end position of the compound with necessary bell mouth for allowing vehicular movement towards the backside of the building for parking

5. The KMRL will execute an agreement with KWA in this regard.

Item No. VII (3) തൃക്കാക്കര നഗരസഭ 39-ാം മത് വാർഡിൽ കേരള വാട്ടർ അതോറിറ്റി പൈപ്പ് ലൈൻ റോഡിൽ കാമ്പ നിർമ്മാണത്തിന് എൻ.ഒ.സി നൽകുന്നത് - സംബന്ധിച്ച്

Res. No. 10554 അജണ്ടയിലെ വിഷയം അതോറിറ്റി വിശദമായി ചർച്ച ചെയ്തു. ഹൈലൈവൽ കമ്മിറ്റിയുടെ അഭിപ്രായവും അതോറിറ്റി പരിശോധിച്ചു. ഇതിൻപ്രകാരം പൈപ്പ് ലൈൻ റോഡിന്റെ വശത്ത് സ്ഥിതി ചെയ്യുന്ന ഫ്ലാറ്റിന്റെ കോമ്പൗണ്ടിൽ നിന്നുള്ള മഴവെള്ളം, ട്രീറ്റ് ചെയ്ത് മലിനജലം എന്നിവ ഏകദേശം 100 മീറ്റർ അകലെയുള്ള പ്രധാന കാനയിൽ എത്തിക്കുന്ന പണികൾ പൈപ്പ് ലൈനിന്റെ സുരക്ഷിതത്വത്തെ വളരെയധികം ബാധിക്കുമെന്നതിനാലും പൈപ്പ് ലൈനിന്റെ അറ്റകുറ്റപ്പണികൾ വേണ്ടിവരുന്ന സന്ദർഭങ്ങളിൽ മലിനജലം ശുദ്ധജലവുമായി കലരാനുള്ള സാധ്യത ഉണ്ടാകാനിയുള്ളതിനാലും ഇത് പൊതുജനങ്ങളുടെ ആരോഗ്യത്തെ ബാധിക്കാൻ സാധ്യതയുള്ള വിഷയമായതിനാലും പൈപ്പ് ലൈൻ റോഡിൽ നിർമ്മാണ പ്രവർത്തനങ്ങൾ "Kerala Water Authority (Eviction of Unauthorised Occupation and Removal of Unauthorised Construction) Regulations 2014" പ്രകാരം നിരോധിച്ചിരിക്കുന്നതിനാലും കാമ്പ നിർമ്മാണത്തിനുള്ള എൻ.ഒ.സി നൽകേണ്ടതില്ല എന്ന് തീരുമാനിച്ചു.


Item No. VIII (1) Advocate Fee- Smt. SumathiDandapani, Senior Advocate-Fee and other expenses for conducting W.A.No. 1922/2016 and CCC.No. 1224/2016

Res. No. 10555 The Authority discussed the agenda in detail and resolved to sanction an amount of ₹ 3,05,000 (Rupees Three Lakhs and Five Thousand Only) to Senior Advocate Smt.Sumathy Dandapani towards Advocate Fee and expenses for conducting W.A.No.1922/2016 and CCC No.1224/2016.

Item No. IX (1) Electricity Charges Payable to KSEB Ltd – Settlement of Rs.500


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Crores by Government of Kerala and direction to Escrow 25% of Monthly Water Charges Collection


Res. No. 10556 The Authority discussed the matter in detail and **resolved to exempt the internal ESCROW requirement based on the decision taken in the meeting held at Niyamasabha Complex on 02.05.2017 with the Hon'ble Finance Minister.**

Item No. IX (2) Improvements to Ramanattukara water supply by interlinking with WSS to Cheekode and adjoining villages –Package 1-Supplying Laying Testing and Commissioning 250mm DI K9 Clear water pumping main to Ithilamkunnu GLSR, 250mm DI K9 Clear water pumping main to OHSR near Feroke college including Distribution system Zone I-(Ithilamkunnu GLSR)

Res. No. 10557 The Authority discussed the agenda in detail. It is noted that this is the first retender wherein three no of bidders participated and all the three were prequalified by the tendering authority in accordance with the directions of the Special Technical Committee meeting held by CE(NR). The lowest offer was received from Sri.Poulose Abraham who has quoted an amount of ₹ 9,22,88,800/- which is 7.40% below the tendered PAC of ₹ 9,96,67,116/- The Authority **resolved to accord sanction to award the work of "Improvements to Ramanattukara water supply by interlinking with WSS to Cheekode and adjoining villages –Package 1-Supplying Laying Testing and Commissioning 250mm DI K9 Clear water pumping main to Ithilamkunnu GLSR, 250mm DI K9 Clear water pumping main to OHSR near Feroke college including Distribution system Zone I-(Ithilamkunnu GLSR)" to the lowest tenderer Sri.Paulose Abraham, Kadayiruppu, Kolenchery at his quoted amount of ₹ 9,22,88,800/- which is 8.02% below the revised tendered PAC of ₹10,03,38,562/- based on the DSR 2014. The tender schedule includes the item of supplying laying and spreading of quarry muck and the lowest bidder has quoted 113.43% above. The tendering authority shall avoid executing the above item as far as possible. The working charges for pipe laying quoted by the L1 tenderer is much below the estimate and hence the tendering authority shall ensure that the estimated amount**


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envisaged for pipe laying work is available for recovery in case when the supplied pipes are not laid by the contractor. The difference in EMD amount and tender fee is to be additionally collected from the L1 bidder and the amount of revised tender fees of the other two bidders may be waived since the amount is only ₹ 9000/-. The tendering authority should ensure that all the provision in the working estimate for anchor block and for providing MS pipe is seen executed.

Item No. IX (3) KIIFB – SIP - WSS to Koyilandy Municipality and Adjoining Panchayaths (Phase I) - Package II in Kozhikode District – Supplying, laying, testing clear water transmission mains, construction of service Reservoirs and construction of Booster pumping station.- Tender

Deferred

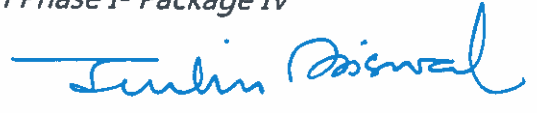
Item No. IX (4) JICA Assisted Kerala Water Supply Project- KWA - JICA Assisted Kerala Water Supply Project – Pattuvam, Kozhikode & Meenad Schemes – O.S. No. 1390 of 2010, 9 of 2011 and 4 of 2014 pending before Ird Additional Sub Court, Thiruvananthapuram- filing of Writ in the Hon'ble High Court of Kerala

Res. No. 10558 The Authority discussed the agenda item in detail and resolved to engage Advocate Benjamin Paul, Standing Counsel, KWA for filing new writs in all the three cases of Meenad, Kozhikode and Pattuvam in the Hon'ble High Court of Kerala. Considering the stake involved a one-time payment of ₹ 25,000/- at the time of filing each writ towards expenses such as court fees, clerical expenses, printing copy etc. and ₹ 5000/- for each effective appearance is approved. If the Writ Petition/appeals are heard together and disposed off the fee for effective appearance payable shall be as per the norms prescribed for the same. The action taken by the Managing Director in this regard is also ratified.

Item No. IX (5) KIIFB- Special Investment Package – WSS to Kasaragod Municipality and Chemnad Panchayath Phase I- Package IV


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Res. No. 10559 The Authority discussed the agenda in detail. It is noted that this is the first tender call, where in two offers were received. The lowest tenderer is Sri.K.Kannan, Amrutham, Chirakkal, Kannur and his quoted amount is ₹8,86,42,650/- which is 9.96% above the tendered PAC of ₹ 8,06,16,254/-based on DSR2014 (KWA SoR Version 7). The Authority after detailed discussions **resolved to accord sanction to award the work of - KIIFB- Special Investment Package –WSS to Kasaragod Municipality and Chemnad Panchayath Phase I- Package IV, Construction of 21 LL, 5 LL and 8 LL capacity OHSR at Vidyanagar and Pulikkunnu, Supplying and laying Gravity Main from OHSR at Vidhyanagar to Pulikkunnu to Sri.K.Kannan, Amrutham, Chirakkal, Kannur and his quoted amount is ₹8,86,42,650/- which is 9.96% above the tendered PAC ₹ 8,06,16,254/-based on DSR2014 (KWA SoR Version 7), subject to the condition that the agreement authority shall make available estimate rate plus tender excess towards the working charges for laying pipes in case the contractor does not execute the item.**

Item No. IX (6) KIIFB Works - CWSS to Ponnani Municipality and adjoining Villages –Package- I Design, Construction & Commissioning of 12M Dia RCC Well cum pump house and allied works; Supplying, Laying, testing and Commissioning (1016 mm OD, 10mm thick) MS Raw water pumping main; Design, Construction & Commissioning of 50 MLD (2200 m³/ Hr) WTP, 2200 m³ CW Sump and allied works with Data Acquisition and Monitoring; Construction of Retaining wall/compound wall; Design, Construction & Commissioning maintenance of Staff Quarters (8 Nos.), Conference Hall, Store Building etc including demolition of old structure etc.

The Authority noted the contents of the item. The Authority also observed that the reason for the discrepancy has to be enquired into. The Managing Director clarified that explanation has been already called for from the concerned officials and appropriate action will follow.

Item No. IX (7) Service Connection to flats and multi storey buildings

Res. No. 10560 The Authority noted the legal opinion given by the standing


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counsel. The Authority also observed that the amendment of Act is to be taken up. The Authority after detailed deliberations **resolved to allow service connections to Multistoried buildings and Flats from 160 mm PVC/150 mm non-PVC pipes using service pipes of maximum diameter 20 mm with bore size not exceeding 20 mm till the amendment is enacted**

Item No. IX (8) Raising the storage capacity of Peppara Reservoir

Res. No. 10561

The Authority discussed the agenda in detail. Till recently Trivandrum city was considered to have a reliable water supply system with many parts of the city boasting of 24x7 water supply. But the recent drought has proved the vulnerability of Trivandrum water supply scheme. The city was on the verge of a water supply emergency and Kerala Water Authority had to enforce rationing of water, putting the citizens to untold miseries.

The Authority noted that during 1976 vide G.O Rt. No.616/76/LA SWD dated 12-3-1976, sanction was issued for the construction of dam at Peppara on top priority as a permanent solution for mitigating the water scarcity in Trivandrum city. Out of 45.49 hectares of forest land required for the implementation of the dam project, 18.49 hectares of forest land was leased out to PHED vide G.O Ms No:272/77/AD dated 22-9-1977 and remaining 27 hectares vide G.O Ms No:298/77/AD dated 10-10-1977.

Considering the crisis faced by the capital city during the past drought period and the increasing demand of drinking water in Capital city, the Authority **resolved to request to Government to grant permission to increase the water level of the dam upto its designed capacity thereby ensuring adequate supply of water to the people of capital city**

Item No. IX (9) കമലേശ്വരത്ത് പുതുതായി പണികഴിപ്പിച്ച ചീഫ് ഹൈഡ്രോ ഗ്രാഹറുടെ ഓഫീസിലേയ്ക്കുള്ള വാട്ടർ കണക്ഷൻ സംബന്ധിച്ച്.

Res. No. 10562

അജണ്ടയിലെ വിഷയം അതോറിറ്റി വിശദമായി ചർച്ച ചെയ്തു. ഹൈഡ്രോ ഗ്രാഫിക്സ് സർവ്വേ വിഭാഗത്തിനു വേണ്ടി കമലേശ്വരത്ത് പുതുതായി പണികഴിപ്പിച്ച ഓഫീസ് മന്ദിരത്തിന്റെ ഉദ്ഘാടനം 18/05/2017 ൽ ബഹുമാനപ്പെട്ട തുറമുഖ വകുപ്പ് മന്ത്രി നിർവ്വഹിച്ചിരുന്നു. ഈ കെട്ടിടത്തിലേയ്ക്ക് വാട്ടർ കണക്ഷനു വേണ്ടി ചീഫ് ഹൈഡ്രോഗ്രാഫർ


Secretary


Managing Director


Chairman

16/06/2017 ന് വാട്ടർ വർക്സ് സൗത്ത് സബ് ഡിവിഷൻ അസിസ്റ്റന്റ് എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർക്ക് അപേക്ഷ നൽകുകയുണ്ടായി. ഇതനുസരിച്ച് സ്ഥലപരിശോധന നടത്തിയപ്പോൾ കെട്ടിടത്തിന്റെ വിസ്തൃതി 500 m² ൽ കൂടുതലുള്ളതിനാൽ കേരള വാട്ടർ സപ്ലൈ ആന്റ് സിവിൽ (അമെന്റ്മെന്റ്) ആക്ടിൽ Definitions (xva) പ്രകാരം “മൾട്ടി സ്റ്റോറീഡ് ബിൽഡിംഗ്” വിഭാഗത്തിൽപ്പെടുന്നതിനാലും പ്രസ്തുത ആക്ടിന്റെ തന്നെ 38(A) പ്രകാരം 150 mm നു മുകളിൽ Diameter ഉള്ള ഒരു പൈപ്പ് ലൈനിൽ നിന്നു മാത്രമേ പ്രസ്തുത കെട്ടിടത്തിന് വാട്ടർ കണക്ഷൻ നൽകാൻ കഴിയുകയുള്ളൂ.

ചീഫ് ഹൈഡ്രോഗ്രാഫറുടെ കാര്യാലത്തിൽ നിലവിൽ ആകെ 25 ജീവനക്കാരാണുള്ളതെന്നും പ്രവൃത്തി ദിനങ്ങളിൽ 10 മണിമുതൽ 5 മണി വരെയുള്ള സമയത്ത് ഓഫീസിലെ ജീവനക്കാർക്ക് കൂടിക്കുന്നതിനും കൈകഴുകുന്നതിനും ടോയിലറ്റ് ഉപയോഗത്തിനുമുള്ള വെള്ളം മാത്രമേ ഉപയോഗിക്കേണ്ടിവരികയുള്ളൂ എന്നത് പരിഗണിച്ച് ഗവൺമെന്റ് ഉടമസ്ഥതയിലുള്ള കെട്ടിടമായതിനാൽ നിലവിലെ നിയമ പ്രകാരം 150 mm ൽ കുറഞ്ഞ ലൈനിൽ നിന്നും കണക്ഷൻ നൽകാൻ ആവില്ല എന്ന് ആക്ടിയിലെ വ്യവസ്ഥയിൽ ഇളവു നൽകി കെട്ടിടത്തിനു സമീപത്തു കൂടെ കടന്നു പോകുന്ന 100 mm പൈപ്പിൽ നിന്നും കണക്ഷൻ കൊടുക്കുവാൻ തീരുമാനിച്ചു.

Item No. IX (10) അരുർ ഗ്രാമ പഞ്ചായത്തുവകസ്ഥലത്ത് അതോറിറ്റിയുടെ കൈവശമുള്ള ജീർണ്ണിച്ച് അപകടാവസ്ഥയിലുള്ള വാട്ടർടാങ്ക് പൊളിച്ചു നീക്കി ആസ്ഥലംകമ്മ്യൂണിറ്റിഹാൾ നിർമ്മിക്കുന്നതിന് പഞ്ചായത്തിന് വിട്ടു നൽകുന്നതു സംബന്ധിച്ച്.

Res. No. 10563 അജണ്ടയിലെ വിഷയം അതോറിറ്റി വിശദമായി ചർച്ച ചെയ്തു. ജീർണ്ണിച്ച ജലസംഭരണി പൊളിച്ചു നീക്കി ഭൂമികൈമാറാനായി അരുർ ഗ്രാമ പഞ്ചായത്ത് ആവശ്യപ്പെട്ട 3 സെന്റ്സർവ്വെ നം.36/8 ൽപ്പെട്ട പഞ്ചായത്ത് വകയായുള്ള പുറമ്പോക്ക് ഭൂമിയാണ്. ജപ്പാൻ കൂടിവെള്ള പദ്ധതിക്കു വേണ്ടി പുതുതായി നിർമ്മിച്ച ജലസംഭരണിയുടെ സമീപത്ത് സ്ഥിതിചെയ്യുന്ന ഈ ഭൂമിയിലൂടെ പുതിയ സംഭരണിയിൽ നിന്ന് പൈപ്പ് ലൈനുകൾ കടന്നു പോകുന്നതിനാൽ പൈപ്പ് ലൈനുകൾ കടന്നു പോകുന്ന ഭാഗം പുതിയ ടാങ്കിലേക്കുള്ള വാഹന ഗതാഗതത്തിനുള്ള വഴിയായി നിലനിർത്തി അവ ശേഷിക്കുന്ന ഭാഗം പഞ്ചായത്തിന് വിട്ടുകൊടുക്കാൻ തീരുമാനിച്ചു.

Item No. IX (11) Onam Celebration 2017 pageantry and illumination sanction – request

Res. No. 10564 The Authority discussed the agenda in detail and resolved to sanction an amount of ₹9,02,000/- (Rupees Nine Lakhs Two Thousand only) for the preparation of pageantry float and illumination of buildings of Jalabhavan campus in connection with Onam celebrations 2017 (₹5,02,000/- for electrical illumination and ₹4,00,000/- for pageantry float).


Secretary


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Chairman

The theme for the pageantry float shall be "Conservation of Water"

Item No. IX (12) കേരള വാട്ടർ അതോറിറ്റിയുടെ പരിധിയിലുള്ള അരുവിക്കര ഡാം സൈടിൽ ഹൈമാസ്റ്റ് ലൈറ്റ് സ്ഥാപിക്കുന്നതു സംബന്ധിച്ച്.

അജണ്ടയിലെ വിഷയം അതോറിറ്റി വിശദമായി ചർച്ച ചെയ്തു. ഹൈമാസ്റ്റ് ലൈറ്റ് സ്ഥാപിച്ച ശേഷമുള്ള ആവർത്തന ചിലവും നിലവിൽ വൈദ്യുതി ഇനത്തിൽ ചിലവാകുന്ന തുകയും താരതമ്യം ചെയ്ത് വിഷയം അടുത്ത യോഗത്തിൽ അവതരിപ്പിക്കുവാൻ അതോറിറ്റി നിർദ്ദേശിച്ചു.

Item No. IX (13) Kerala Water Authority – Accommodation for Board Members attending Authority Meetings – rooms to be allotted in Centre for Water Education.

Res. No. 10565 The Authority discussed the agenda in detail and **resolved to allot rooms free of rent for the Board Members in the Centre for Water Education/KWA Guest house, Thiruvananthapuram during their visit to the Head Office for attending Authority Meetings subject to the following conditions**

- 1. The room shall be allotted free of rent only to the Board Members coming for attending Authority Meetings
- 2. If AC rooms are not available, the non AC rooms shall be allotted
- 3. Not more than one room shall be allotted to a Board Member


This facility shall be in force until another better arrangement of accommodation is made for the members of the Authority

Item No. IX (14) Kerala Water Authority- Compassionate Employment Scheme

Res. No. 10566 The Authority discussed the agenda and **resolved to recommend to the Government the application of Smt.Reshmi.K.R.G D/o Late Sri.Ramachandran Nair.P for Compassionate Employment Scheme.**

Item No. IX (15) SAARK – Augmentation of UWSS to Neyyattinkara Municipality – Supplying and laying distribution network and interconnection works from transmission main to existing tanks – Short closing of work Ratification


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Res. No. 10567 The Authority discussed the agenda in detail. It is noted that the contractor has supplied the PVC pipes for a length of 37km and was not able to continue with the laying works due to the objection from local people, PWD, NH Authorities and also from the Municipal Authorities and there was public protest and the contractor was able to lay pipes only for a length of 2km. In the meanwhile, the contractor had approached the Hon'ble High Court for relieving them from the balance work and for the refund of retention money and security deposits. The Hon'ble High Court has issued the Judgment WP(C) No. 38656 of 2015 dated 22/02/2016 which states that "in the light of the nature of the recommendation, this Court is of the view that the Managing Director shall take appropriate decision in the matter within a period of six weeks after notice to the petitioner". A Committee consisting of CE(SR), SE P.H. Circle, Tvpm and EE, Project Division, Tvpm looked into the various aspects of the issue and unanimously recommended to short close the subject work and the pipe supplied may be transferred for other works of Kerala Water Authority. Meanwhile vide the Contempt of Court case(civil) dated 20.07.2017, the court passed the verdict that "if the respondent fails to comply with the order on or before 31.07.2017, the respondent shall appear in person before this court on 01.08.2017". Considering the urgency of the subject issue and the recommendation furnished by CE(SR) the Managing Director has issued orders to short close the subject work by invoking the relevant provisions of the Agreement

The Authority discussed the agenda in detail and **resolved to ratify the action of the Managing Director in directing the Tendering Authority to short close the subject work, vide Proceedings No. KWA/JB/WS1/495/12/TD dated 31.07.2017.**

Item No. IX (16) Revision of Advocate Fee and expenses in the High Court and of Lower Courts

Res. No. 10568 The Authority discussed the agenda in detail. It is observed that the Advocate Fee and other expenses for the Standing Counsel's appearing in the various Judicial Forums were


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ordered with effect from 20.07.2003 and revised on 14.09.2007 and 08.05.2012. The High Level Committee which met on 09/08/2017 discussed the subject matter of revising the advocate fee and expenses in the High Court and of various Lower Courts in detail and recommended for changes. The Authority discussed the Agenda in detail and **resolved the following fee structure for Advocate Fee and other expenses for the Standing Counsel's appearing in the various Judicial Forums.**

- A) In respect of Writ Petition and Writ appeal filed by KWA in the High Court of Kerala and which are disposed of at the admission stage itself the fee shall be Rs.3000 per case.
- B) In respect of Writ petition and appeal which are disposed of at the final stage without regular hearing/where the case is withdrawn, settled or infructuous the fee shall be Rs 7500 per case.
- C) In respect of writ/Crl/Ms Appeals or petitions filed on behalf of/against KWA before the Hon'ble High Court Of Kerala under Art 226 and 227 of the Constitution of India in Kerala high Court or writ appeals from judgments made in such writ petitions and which are disposed of after a counter affidavit /petitions/hearing on behalf of KWA the maximum fee paid shall be Rs.12000 per case.
- D) In respect of Writ Petition or appeal heard together and disposed off the fee payable shall be the full fee in first case and 1/3rd in each connected cases.

In addition to this as paid earlier as per proceedings No. KWA/JP/LS4-1223/2012 dated 08.02.2013 the Standing Counsel before the Kerala High Court shall be eligible for a retainer fee of ₹3000, Clerkage and miscellaneous expenses of ₹1000 and Telephone allowance ₹1000.

Advocate fee for lower Court and other legal forums

	Nature of Cases	Existing Adv. Fee & Expenses	Revised Advocate fee & Expenses
1	Cases in the Munsiff's Sub	Fees on the basis of valuation of	Fees on the basis of valuation of


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	Courts District Courts. &	suit appeal as in the Advocate fees rule subject to a consolidated amount of minimum of ₹6000/- and maximum of ₹ 8000/-per case including clerical expenses.	suit appeal as in the Advocate fees rule subject to a maximum amount of ₹8000/- per case including clerical expenses.
2	Consumer Disputes Redressal Forum & Consumer Disputes Redressal commission	Consolidated sum of ₹2500/-	Consolidated sum of ₹3000/-
3	Motor Accident Claim Tribunal, Industrial Tribunal & Labour Court	Consolidated sum of ₹ 2500/-	Consolidated sum of ₹3000/-
4	Other Labour Disputes before Statutory authorities	Consolidated sum of ₹1500/-	Consolidated sum of ₹3000/-
5	Cases before Lok Adalath, District Legal Services Authority	Consolidated sum of ₹1500/-	Consolidated sum of ₹3000/-
6	LAR Cases	Regulation fee or fee fixed by the Court subject to a maximum of	A maximum of ₹8000/-

M. Srinivas
Secretary

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Managing Director

[Signature]
Chairman

		₹8000/-	
7	State Human Rights Commission	Consolidated sum of ₹ 1750/-	Maximum amount of ₹4000 + ₹1000 as clerical expenses
8	Lok Ayukta	Consolidated sum of ₹3000/-+ clerical expense of ₹500	Maximum amount of ₹5000 +clerical expense of ₹1000
9	Judicial I Class Magistrate Court	Consolidated sum of ₹3000/-+ clerical expense of ₹500	Maximum amount of ₹4000 +clerical expense of ₹1000
10	Cases in Session Courts and other Criminal Courts	Fee may be fixed by the Authority as recommended by Managing Director in each case.	Fee may be fixed by the Authority as recommended by Managing Director in each case.
11	Execution Petition in Civil Court	Consolidated sum of ₹750/-per execution petition including expense .	A maximum of ₹1000/- per Execution petition including expenses
12	State Administrative Tribunal	The advocate fee to the counsels appointed by the Kerala Water Authority in the High Court.	The advocate fee as provided to the counsels appointed by the Kerala Water Authority in the High Court.
13	Supreme Court of India and other courts/Forums outside the state	Recommended by Managing Director, Kerala Water Authority in each case.	Recommended by Managing Director, Kerala Water Authority in each case.


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The above suggested fees of Standing Counsels in Lower Court and other forum subjected to the following conditions.

1. If the cases are disposed of on the admission stage, only $\frac{1}{4}$ of the admissible charges will be released
2. If the cases are disposed of before filing Written Statement/Objection/Counter Affidavit, only $\frac{1}{3}$ of the admissible fees will be released.
3. In all other cases when a suit is compromised, settled or withdrawn or is decided solely on the admission of the parties without any investigation or is decided ex-parte or dismissed for default before any evidence is recorded, the fee payable shall be one half of the scheduled rate or Rs.1500/- in the case of Original Suit whichever is higher.
4. In all other cases which are not covered above, the conditions in the existing rules will continue.

General Item 1 The Authority directed to place the present financial status of KWA with details of revenue collection in the next meeting.


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Managing Director


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