



GOVERNMENT OF KERALA

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

CIRCULAR

No.32481/EW 1/10/ LSGD.

Dated, Thiruvananthapuram, 22.10.2011.

Subject: Strict Compliance of Rule 9 of Kerala Municipality (Execution of Public Works and Purchase of materials) Rules 1997 - Instructions issued.

Ref: Judgment dated 15.12.2009 in WP(C)No.35038/09 filed by the Secretary, Contractors Association.

Rule 9 of Kerala Municipality (Execution of Public Works and Purchase of Materials) Rules 1997 mandates that every tender notice should be published in the Notice Board of the Municipality and other Public Offices and should contain full details of the works and Tender Notice in respect of Public Works estimated at Rs.10 lakhs and above upto Rs.50 lakhs, should be published in two Malayalam Newspapers having circulation all over the state, giving not less than 20 days notice.

In a Surprise Check conducted by the Vigilance and Anti Corruption Bureau on the allegation of irregularities in tendering of the works proposed to be executed by the Thiruvananthapuram Corporation under JNNURM Scheme, it was revealed that the concerned officials of the Engineering Wing of the Corporation had been intentionally violating the above Rule with malafides to prevent wide participation in tendering process so as to facilitate awarding the works to some contractors with whom they are having unholy nexus.

The Contractors Association filed WP(C)No.35038/09 in this regard and the Hon'ble High Court vide their judgment under reference ordered that the tender notices for the work should be published in future in accordance with the rules and the tender schedule will also be provided for scrutiny simultaneously.

In the wake of the judgment of the Hon'ble High Court of Kerala in WP(C)No.35038/09 all Corporations and Municipalities are directed to ensure strict compliance with Rule 9 of the Kerala Municipality (execution of Public Works and purchase of materials)Rules 1997 very scrupulously with regard to tendering of public works. The Secretaries of concerned Corporation/Municipality should also see that the above directions are complied with strictly.

RAJSEH KUMAR SINGH
SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT

To

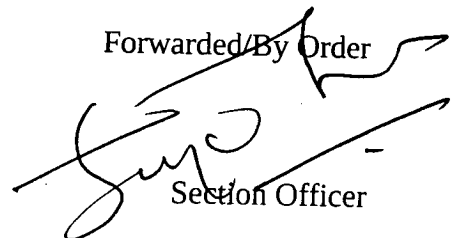
The Director of Urban Affairs
(To send copies to all Corporations/Municipality)

✓The Chief Engineer ,
Local Self Government Department
Thiruvananthapuram.

Director of Panchayats,
Thiruvananthapuram.

Director, Vigilance and Anti Corruption Bureau, Thiruvananthapuram.
Local Self Government (EPA/EPB/EU/ERB/ERA)Departments
Stock file/Office Copy.

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Section Officer