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Government of Kerala
Abstract

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P.W.D. Contracts - Tendering of works by person related to Public Servant who is in charge or having control of the work exclusion or regulation of orders issued.

Public Works Department (General)

G.O.MS No. 3/PW Dated 3-1-67.

- Read:-
1. G.O.R.Dis. 5500/67/PW dated 30-9-57.
 2. Letter No. F(D) 16768/66-1 dated 29-7-66 from the Director of Vigilance Investigation.
 3. Letter No. 227/CS2/66 dated 1-9-66 from the Chief Engineer, General and Irrigation.
 4. Letter No. RG4-87/66 dated 17-11-66 from the Chief Engineer, Buildings and Roads.

Order.

The Director of Vigilance and Investigation has pointed out to Government that the conditions stipulated in the Government proceedings read as first paper above that contracts/tenderers tendering for Government works should declare that they are not related to any Government servant who is in charge or having control over the work for which they are tendering and which are embodied as para 31 in form No. 33 of Kerala P.W.D. Code (Notice inviting tenders) is not being adopted strictly in all Government Department and with regard to all contracts. Further he has suggested that the list of relatives specified therein is not sufficiently exhaustive and has recommended that the list given in sec. 6 and Schedule I & A. of the companies Act 1956 (Annexure to define the scope of relatives may be usefully adopted in this connection. Government have examined the case and are pleased to accepted the recommendation and to order accordingly. The orders issued in the G.O. read above will stand modified to this extent.

2. Chief Engineer, General & Irrigation and the Chief Engineer, Buildings and Roads are also directed to enforce a more strict implimentation of the above order to stop effectively any malpractice being crept in the award of tenders in this regard.
3. The following amendment is also issued to the Kerala P.W.D. Code in this regard.

Amendment

Correction slip No. 1/67
(Vide G.O. MS. No. 3/PW dated 3-1-67)

Modify the existing para 31 From 83 Notice Inviting tenders as specified below.

"Tenders should declare that they are not related to any Government servant who is in charge of or having control of the work. Relationship in this regard will be restricted to the list given in section 6 and Schedule I.A. of the Companies Act 1956. If at any stage the above condition is found to have been contravened, the earnest money security deposit or the tenderer/tender will be forfeited and the contract entered into will stand cancelled".

By order of the Governor,
R.Rani Varma,
Asst. Secretary.

Extract from the Companies Act 1956.

Meaning of relatives.

A person shall be deemed to be a relative of another if only, if

- a) they are member of a Hindu undivided family
- b) they are husband and/or wife
- c) the one is related to the other in the manner indicated

Schedule I.A.

List of relatives.

Order

- | | |
|---------------------------------------|----------------------------------|
| 1. Father. | 26. Wife's father. |
| 2. Mother (including step-mother) | 27. Wife's mother. |
| 3. Son (including step-son) | 28. Wife's brother. |
| 4. Daughter (including step-daughter) | 29. Wife's sister. |
| 5. Father's father | 30. Wife's sister's husband. |
| 6. Father's mother | 31. Father's brother. |
| 7. Mother's father | 32. Father's sister. |
| 8. Mother's mother | 33. Mother's brother. |
| 9. Son's son | 34. Mother's sister. |
| 10. Son's daughter | 35. Father's sister's husband. |
| 11. Daughter's son | 36. Father's brother's wife. |
| 12. Daughter's daughter | 37. Mother's brother's wife. |
| 13. Son's son's son | 38. Mother's sister's husband. |
| 14. Son's son's daughter | 39. Brother's son. |
| 15. Daughter's son's son | 40. Brother's son's wife. |
| 16. Daughter's son's daughter | 41. Brother's daughter. |
| 17. Daughter's daughter's son | 42. Sister's son. |
| 18. Daughter's daughter's daughter | 43. Sister's daughter. |
| 19. Brother (including step-brother) | 44. Father's brother's son. |
| 20. Brother's wife | 45. Father's brother's daughter. |
| 21. Sister (including step-sister) | 46. Father's sister's son. |
| 22. Sister's husband | 47. Father's sister's daughter. |
| 23. Husband's father | 48. Mother's brother's son. |
| 24. Husband's mother | 49. Mother's brother's daughter. |
| 25. Husband's sister | |

Appendix

Correction slip No. 1/67

(Vide G.O. Ms. No. 3PW dated 3-1-67)

Notice the existing slip No. 81 from 83 Notice

(N.C. Kunjappan)

(M. Mohammed Moosa)

Contractor

Divisional Forest Officer.

Government servant who is in charge of or having control of the work. Relationship in this regard will be restricted to the list given in section 8 and Schedule I.A. of the Companies Act 1956. If at any stage the above condition is found to have been contravened, the earnest money security deposit or the tenderer/bidder will be forfeited and the contract entered into will stand cancelled.

By order of the Governor, R. Rani Varma, Asst. Secretary.