

अंडमान तथा निकोबार प्रशासन  
मुख्य अभियन्ता का कार्यालय  
अंडमान लोक निर्माण विभाग  
निर्माण भवन पोर्ट ब्लेयर



ANDAMAN AND NICOBAR ADMINISTRATION  
OFFICE OF THE CHIEF ENGINEER  
ANDAMAN PUBLIC WORKS DEPARTMENT  
NIRMAN BHAWAN PORT BLAIR.

Dated the 9 August, 2016

**ORDER NO: 993**

Whereas Shri C. Palaniswamy, Class II (civil) Contractor was enlisted in APWD provisionally in terms of Rules of Enlistment of Contractors APWD Rule 3.3 for a period from 25/05/2010 to 24/05/2013 vide order no 651 dated 25/05/2010 and thereafter regularized vide O/o No. 87 dated 27/01/2015 with the direction to apply for revalidation within one month of issue of this order. In terms of Rule -19 of Enlistment Rule of APWD 2009, the Criteria of work experience was two work of Rs 50 lakh each.

Whereas the Petitioner was able to secure only one work "Strengthening of sea wall wherever necessary on the road from Kargil junction to Ayyanar Temple for a length of 613 mtr" of Rs 1,08,58,720/- (the total value of work done was Rs 10,41,735/- and the work has been closed since no further scope exists.

Whereas on 20/03/2015 the contractor submitted a representation to allow him to participate in the tendering process provisionally to secure two works as required for revalidation, accordingly on 2<sup>nd</sup> April 2015 letter was issued for participation in tender process wherein "it was stated that the contractor shall be allowed to participate in tender process for a period of one year from the date of issue of letter with a condition to fulfill the criteria of work experience and to submit the complete proposal for revalidation of enlistment of enlistment in class II(Civil) in APWD within this one year period in case the contractor becomes the lowest tenderer the work shall be awarded only with the approval of Chief Engineer, APWD".

Whereas on 07/03/2016 a letter was received from Executive Engineer, CD, APWD Diglipur stating that Shri C. Palaniswamy, Contractor have become the lowest tenderer for the work "Improvement of ATR from Chainage 247.00 to 250.00 km including widening and strengthening" tendered amount Rs 1,50,51,609/- hence necessary approval may be accorded to award the work, the request was not accepted due to lack of work experience and directed that no work may be awarded to the Contractor and same intimated to Executive engineer Diglipur vide CE office letter dated 31/03/2016, as the Contractor failed to secure the required work experience during the enlistment period i.e. 25/05/2010 to 24/05/2013.

Thereafter the Contractor submitted a representation on 22/04/2016 and approach Hon'ble High Court vide W.P.No.7675 (W) of 2016 (Shri C.Palaniswamy -vs- The Union of India and others) wherein it was viewed to consider the petitioners representation dated 22/04/2016 upon granting an opportunity of hearing to him and dispose of the same by a reasoned order within a fortnight from the date of receipt of this order, accordingly personal hearing was held on 08/06/2016.

In this regard it is say that the contractor had secured only one work i.e Strengthening of sea wall wherever the road from Kargil Junction to Ayyanar temple of 613 mts of appropriate magnitude i.e Rs 1,08,58,720/- (the total value of work done was Rs 10,41,735/- and the work has been closed since no further scope exists.

In view of above M/s C. Palaniswamy does not qualify the eligibility criteria as per enlistment rule of APWD -2009. This order is issued in compliance to Hon'ble High Court's order passed in WP No. 7675(W) 2016.

It is issued with the approval of Chief Engineer in accordance with the opinion of Secretary Law.

*Finance Officer to Chief Engineer,  
(F.No.63(10)(1)/2015-16/CE/APWD/FIN/)*

OFFICE ORDER BOOK

Copy to:

1. The party concerned by post.
2. All the Superintending Engineers under APWD, Port Blair.
3. The Superintending Engineer, Electricity Department, Port Blair.
4. The Superintending Engineer, Zilla Parishad, Port Blair.
5. The Superintending Engineer, PBMC, Port Blair.
6. The Chief Engineer, Project Yattract c/o 99 APO.
7. The Chief Engineer, MES, Port Blair.
8. The Chief Engineer and Administrator, ALHW, Port Blair.
9. The Assistant Commissioner of Income Tax, A & N Islands, Port Blair.
10. All the Executive Engineers under divisions of APWD.
11. AE, ISSD, APWD Kolkata.
12. The Executive Engineer, E&M (Plg), O/o CE, APWD with the request to upload the order in APWD website.
13. The Deputy Secretary (PW), A & N Administration, Port Blair.

*9/8/16*  
*9/8/16*  
*Finance Officer to Chief Engineer,  
APWD, Port Blair*

