

10. MISCELLANEOUS

10.2 Tamil Nadu Transparency in Tenders Act 1998 and Rules 2000 – Award of work to Kattida Maiyam only through tender

Rural Development & Panchayat Raj (SGS III) Department

G.O. (Ms) No. 1

Dated : 2.1.2007

Read :

Director of Rural Development & Panchayat Raj,
D.O.Lr.No.97060/2006/TU-3 Dated 19.12.06

ORDER

The Director of Rural Development & Panchayat Raj, in his D.O. letter read above has stated that, at present, there is a building centre called 'Kattida Maiyam' which is a society registered under Societies Act with the District Collector as Chairman. The objective of the 'Kattida Maiyam' was to promote low cost construction technology with locally available material. However, over the years, it is noticed that of the district level, the 'Kattida Maiyam' is used as an agency to carry out works on nomination basis. With the enactment of Tamil Nadu Transparency in Tenders Act 1998 and Rules 2000, entrustment of works to 'Kattida Maiyam' on nomination basis is improper as technically speaking 'Kattida Maiyam', is also an executing agency even though it may be headed by the District Collector. Hence, he has requested the Government to clarify, that no work should be given on entrustment / nomination basis to 'Kattida Maiyam' and that wherever a 'Kattida Maiyam' wants to execute the work, it should participate in the tender process.

2. The proposal of the Director of Rural Development & Panchayat Raj has been examined by Government in detail. It is observed that even after the enactment of Tamil Nadu Transparency in Tenders Act 1998 and Rules 2000, certain Collectors have been awarding works to various 'Kattida Maiyams' on nomination basis without calling for tenders. Most of the 'Kattida Maiyams' have just one Project Engineer with limited implementation capacity and they cannot be allowed to become a device for awarding works to surrogate contractors without going through the tender process. 'Kattida Maiyams' are also found to be taking up works outside their areas of expertise. A large number of Vigilance and disciplinary action files pending in Rural Development and Panchayat Raj Department relate to works done through 'Kattida Maiyam'. 'Kattida Maiyams' are also not covered by the purchase preference notification under Sec.18 (C) of the Tamil Nadu Transparency in Tender Act 1998.

3. Taking into consideration the proposal of the Director of Rural Development & Panchayat Raj and the provisions of the Tamil Nadu Transparency in Tenders Act 1998 and Rules 2000, the Government hereby order that 'Kattida Maiyam' should participate as an equal tenderer in any public procurement on competitive basis and the practice of awarding works to 'Kattida Maiyam' on nomination basis should be strictly avoided. Collectors are also instructed to immediately cancel all works entrusted to 'Kattida Maiyams' on nomination basis that have not started as on 1.1.2007, and execute the same after calling for tenders.

(By order of the Governor)

K.ASHOK VARDHAN SHETTY
SECRETARY TO GOVERNMENT