



GOVERNMENT OF KERALA

Abstract

Stores Purchase Department --Suspension of business dealings with the firms M/s ARK WOOD & Metals(P)Ltd, Coimbatore and M/s SRV Transports, Tuticorin and firms belonging to Shri.V.M.Radhakrishnan -- Orders--issued.

Stores Purchase (B) Department

GO (Rt)No. 05 /2019/SPD

Dated 18/02/2019,Thiruvananthapuram,

Read:-1) Govt Letters No.1487/B1/11/Vig.dated 13.6.11 and No.1603/B1/11
Vig.dated 18.6.11.

2) Factual Reports No.VC-8/08/PKD dated 30.11.2009 and No.C3 (VC07/
2008/PKD) 29426/2008 dated 8.2.11.

3) G.O. (Rt) No. 43/2012/SPD dtd 27/10/2012

4) Judgement of Hon,High Court in WP(C). No.29900 of 2012 dated
06/06/2018.

5) Letter No.MDo/3-32/2018/3070 dated 13.8.18 from the
Managing Director, Malabar Cement Ltd.

6) Govt Show Cause Notice No.3397/B3/2012/SPD dtd 05/02/2019

ORDER

As per letters read as 1st paper above, Vigilance Department forwarded the factual reports (read as 2nd paper above) and requested to blacklist firms owned by Sri.V.M.Radhakrishnan and to debar him from participating in any tender process involving supply of any kind of materials/ machinery to M/s Malabar Cements Ltd and other firms owned by Government of Kerala, on the ground of irregularities in supply and transportation of Dry Fly Ash to the Walayar Plant and Cherthala Grinding Unit of Malabar Cements Ltd. . Accordingly as per GO read as third paper above , Government blacklisted and suspended M/s ARK WOOD & Metals(P)Ltd, Coimbatore and M/s SRV Transports, Tuticorin and all other firms belonging to Shri.V.M.Radhakrishnan from participating in any business dealings of Government Departments, Statutory bodies, Corporations, Autonomous bodies, Public Sector Undertakings under Government of Kerala .

Shri.V.M.Radhakrishnan then filed a Writ Petition against the above Government Order in Hon.High Court of Kerala. Honourable High Court of Kerala in their judgement read as 4th paper above, quashed the Government Order read as 3rd paper above, due to procedural lapses. In the judgement, Hon High Court also stated that State Government will be at liberty to take any action in accordance with law taking note of the illegality and arbitrariness that have taken place in the matter leading to the blacklisting of firms owned by Sri.V.M.Radhakrishnan.

The Managing Director, Malabar Cements Ltd vide 5th paper above, again recommended for blacklisting the firms belonging to Sri.V.M. Radhakrishnan following due procedures as per the Hon High Court Judgement.

Accordingly Government tentatively decided to take action for blacklisting the firms M/s ARK Wood & Metals (P)Ltd, M/s SRV Transport, Thermal Nagar, Tuticorin, Tamilnadu and all other firms belonging to Sri.V.M.Radhakrishnan and preventing them from participating in any business dealings with the Government of Kerala as per para 5.25 of Store Purchase Manual and issued a show cause notice read as 6th paper above initiating blacklisting procedure.

In the above circumstances, as Government finds that it is not desirable to enter in to or involve or continue any business with the firms owned by Sri.V.M.Radhakrishnan at this point of time and hereby order that all business dealings with M/s ARK Wood & Metals (P)Ltd, M/s SRV Transport, Thermal Nagar, Tuticorin, Tamilnadu and all other firms belonging to Sri.V.M.Radhakrishnan is suspended with effect from the date of this order, as per para 5.26 of Store Purchase Manual, till the finalization of the blacklisting procedure initiated against the above firms.

Government Departments, Statutory bodies, Corporations, Autonomous bodies, Public Sector Undertakings under Government of Kerala will not enter into or involve or continue any business dealings with the above firms till further orders.

By Order of the Governor,

MANOJ JOSHI IAS
Additional Chief Secretary to Government.

M/s A.R.K. Wood And Metals Pvt. Ltd. Highway View,
Door No.159-1,Ground Floor, Santhosh Nagar, Ettimadi,
Amritha Nagar P.O. Coimbatore- 641 112.

M/s SRV Transports, Thermal Nager, Tuticorin, Tamil Nadu.

V.M. Radhakrishnan, "NINEETITA", DPO Road, Yakkara, Palakkad.
M/s Malabar Cements Ltd, Walayar, Palakkad District.

All Heads of Departments/Offices

Chief Executives of all Public Sector Undertakings

All District Collectors

Registrar of all Universities

Director of Public Relations for Press Release.

Industries (H) Department (vide U.O file No.12886/H2/11/ID &
No. 13882/H2/11/ID)

Vigilance (B) Department (Vide Files No.1487/B1/11/Vig, No.1603/B1/11/Vig)

Secretary to Public Service Commission (with CL)

The Secretary, District Panchayats

The Director of Panchayats

The Deputy Director of Panchayats (He will communicate the order to
all Grama Panchayats/Block Panchayat)

The Director of Urban Affairs (He will communicate this order to all
Municipalities/Corporations of Kerala)


Accountant General (Audit)/A & E, Kerala, Thiruvananthapuram.

Information & Public Relations Department. (WEB and New
Media) for uploading in the Government Official site)

The Director, C-DIT (for publishing the Government Order in the
website www.spd.kerala.gov.in)

Stock File/Office Copy.

Forwarded/By Order


Section Officer