



GOVERNMENT OF KERALA

Abstract

Personnel & Administrative Reforms Department - Settlement of disputes between various Departments/ PSUs/ Corporations/ Boards/ Autonomous bodies - Committee re-constituted- Guidelines issued.

Personnel & Administrative Reforms (AR-13) Department

G.O.(Ms)No.21/2021/P&ARD Dated,Thiruvananthapuram, 15/09/2021

Read 1 G.O.(Ms)27/96/P&ARD dated 23.08.1996

2 G.O.(Ms) No.35/10/P&ARD dated 30.09.2010

3 GO (MS) No. 14/2014/P&ARD dated 13.04.2015

ORDER

Government had constituted a High Power Committee for settlement of disputes between various departments/PSUs/Corporations/Boards/Autonomous bodies etc. as per Govt. orders read as 1st and 2nd paper above. Later, in order to provide an effective co-ordination for resolution of disputes between departments, Government had re-constituted the committee vide G.O. read as 3rd cited. The said Committee has been entrusted to examine the disputes and to submit suggestions. The suggestions of the Committee are being implemented with the approval of the council of Ministers.

However, it has come to the notice of the Government that certain Government Departments/ PSUs/ Corporations/ Boards/ Local Self Government institutions/ Autonomous bodies are still approaching various courts, tribunals and other legal forums for resolving disputes spending huge amounts of money as court fees and procedural expenses and thereby wasting time and resources by neglecting the standing orders on dispute redressal. Such practices need to be dispensed with in order to reduce the burden on the Government exchequer, and to avoid delay in administration and project

implementation. Hence there is a necessity for strengthening the administrative mechanism for resolution of disputes between and among departments/ PSUs/ Corporations/ Local Self Institutions/ Autonomous bodies etc.

Government have examined the matter in detail and are pleased to re-constitute the inter departmental dispute resolution Committee with the following members.

Chief Secretary - Chairman

Senior most ACS/Principal Secretary/

Secretary (Finance) - Member

Senior most ACS/Principal Secretary/

Secretary (Home & Vig.) - Member

Senior most ACS/Principal Secretary/

Secretary (Planning) - Member

Senior most ACS/Principal Secretaries/

Secretaries of the disputing - Members

Departments

Also, in order to strengthen the dispute resolution system, the following guidelines are also issued for strict compliance:

- The dispute raised by a Government organization against another shall be referred to the Secretaries of the departments involved in the dispute. The PSUs/ Corporations/ Local Self Institutions/ Autonomous bodies etc shall approach the Secretaries of their Administrative Department concerned. After the Secretaries of the disputing parties arrive at a settlement, a copy of the same shall be communicated to each party of the dispute for implementation. The need for litigation will thereafter be avoided.

- In case the disputes remains unresolved after deliberation by the concerned Government Secretaries, the dispute shall be referred for dispute resolution to the Committee constituted by the Government as above.
- This committee shall examine the dispute and resolve the same. If any solution requires approval of the competent authority, it shall be obtained before implementation. In case recourse to legal measures are required, the committee shall be competent to grant permission for the same.
- If any of the Government Departments/ PSUs/ Corporations/ Boards/ Local Self Government institutions/ Autonomous bodies etc approaches the Courts/Tribunals/legal forums without clearance from the above committee, the entire cost of such litigation including interest thereof will be considered as wasteful expenditure and will be recovered from the officer who has authorized such filing of cases.

(By order of the Governor)
Dr Asha Thomas I A S
Additional Chief Secretary

All Additional Chief Secretaries/ Principal Secretaries/ Secretaries / Special Secretaries to Government and all Officers of Secretariat.

Advocate General, Kerala, Ernakulam.

All Heads of Departments and Offices.

The Director, Public Relations Department.

All District Collectors.

All Department of the Secretariat (All Sections) including Law and Finance

All Public Sector Undertakings / Corporations / Boards / Autonomous bodies.

The Registrar, University of Kerala, Cochin, Calicut, Kannur, Mahatma Gandhi, Sri Sankaracharya Sanskrit University (with C.L.)

The Secretary, Kerala Public Service Commission, Thiruvananthapuram (with C.L.)

The General Manager, KSRTC, Thiruvananthapuram (with C.L.)

The Registrar, High Court of Kerala, Thiruvananthapuram (with C.L.)

The Registrar, Agricultural University, Mannuthy (with C.L.)

The Secretary, KSEB, Thiruvananthapuram (with C.L.)

The Private Secretary to Chief Minister and Ministers.

The Private Secretary to Opposition Leader

The Additional Secretary to Chief Secretary

The Secretary to Governor (with C.L.).

Forwarded /By order

Section Officer