

15 -ാം കേരള നിയമസഭ

3 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 5261

02-11-2021 - ൽ മറുപടിയ്ക്ക്

കോഴിക്കോട് മാവൂർ റോഡിലെ കെ.എസ്.ആർ.ടി.സി. വാണിജ്യ സമുച്ചയം പാട്ടത്തിനു നൽകുന്നതിനുള്ള നടപടി

ചോദ്യം		ഉത്തരം	
<p>ശ്രീ കെ. ബാബു (തൃപ്പൂണിത്തുറ), ശ്രീ സജീവ് ജോസഫ്, ശ്രീ എൽദോസ് പി. കുന്നപ്പള്ളിൽ, ശ്രീ ടി. ജെ. വിനോദ്</p>		<p>Shri Antony Raju (ഗതാഗത വകുപ്പ് മന്ത്രി)</p>	
(എ)	<p>കോഴിക്കോട് മാവൂർ റോഡിലെ കെ.എസ്.ആർ.ടി.സി. വാണിജ്യ സമുച്ചയം മുപ്പത് വർഷത്തെ പാട്ടത്തിനു നൽകാനുള്ള തീരുമാനത്തിന് ധനവകുപ്പിന്റെ അംഗീകാരം ലഭ്യമായിട്ടുണ്ടോ; ഉണ്ടെങ്കിൽ ഇത് സംബന്ധിച്ച രേഖകളുടെ പകർപ്പ് ലഭ്യമാക്കാമോ;</p>	(എ)	<p>കോഴിക്കോട് മാവൂർ റോഡിലെ വാണിജ്യ സമുച്ചയം 30 വർഷത്തെ പാട്ടത്തിനു നൽകാനുള്ള തീരുമാനമെടുക്കുന്നതിനു മുൻപ് ധനവകുപ്പിന്റെ അഭിപ്രായം തേടിയിരുന്നു. ധനവകുപ്പിന്റെ അഭിപ്രായത്തിന്റെ പകർപ്പ് ഇതോടൊപ്പം ഉള്ളടക്കം ചെയ്യുന്നു.</p>
(ബി)	<p>കെ.എസ്.ആർ.ടി.സി. വാണിജ്യ സമുച്ചയം പാട്ടത്തിനു നൽകുന്നതിനുള്ള ടെൻഡറിലെ വ്യവസ്ഥകൾ കെ.ടി.ഡി.എഫ്.സി.കോ കെ.എസ്.ആർ.ടി.സി.കോ ഗുണകരമല്ലെന്ന് ധനവകുപ്പ് കണ്ടെത്തിയിരുന്നോ എന്ന് വ്യക്തമാക്കാമോ;</p>	(ബി)	<p>കോഴിക്കോട് മാവൂർ റോഡിലെ വാണിജ്യ സമുച്ചയം 30 വർഷത്തെ പാട്ടത്തിനു നൽകാനുള്ള തീരുമാനമെടുക്കുന്നതിനു മുൻപ് ധനവകുപ്പിന്റെ അഭിപ്രായം തേടിയിരുന്നു. ധനവകുപ്പിന്റെ അഭിപ്രായത്തിന്റെ പകർപ്പ് ഇതോടൊപ്പം ഉള്ളടക്കം ചെയ്യുന്നു.</p>
(സി)	<p>എങ്കിൽ ധനവകുപ്പിന്റെ എതിർപ്പ് മറികടന്നുകൊണ്ട് പാട്ടക്കരാർ സ്വകാര്യ കമ്പനിയെ ഏല്പിക്കാൻ ഉണ്ടായ കാരണം വിശദീകരിക്കാമോ ?</p>	(സി)	<p>വിവിധ കാരണങ്ങളാൽ വർഷങ്ങളോളം പാട്ടത്തിന് കൊടുക്കാനാകാത്ത സ്ഥിതി വിശേഷം നിലനിന്നുകൊണ്ടാണ് GO (Ms) 41/2019/TRANS dated 5/8/2019 ഉം GO (Ms) 8/2021/TRANS Dated 19/02/2021 പ്രകാരം പാട്ടക്കരാർ അലിഫ് ബിൽഡേഴ്സിന് നൽകിയത്.</p>

സെക്ഷൻ ഓഫീസർ

Note No. #12

07/03/2019 10:28 AM

**SREEJA G R
(US (EXP-B, FIN))**

Note No. #13

07/03/2019 10:32 AM

**BINU N NAIR
(AO(EXP-B,FIN))**

Note No. #14

07/03/2019 10:40 AM

**RESMI BHASKAR
(SO (PU-A,FIN))**

Note No. #15

No.PU-A2/32/2019-Fin
Trans-A1/70/2019-trans

Finance(PU A)Department
Dated: 21/05/2019

The para-wise remarks is furnished as below:

(i) Terms and conditions:

Since the details of terms and conditions of E-tender regarding security deposit, monthly rent, period of lease, etc are not furnished in the report of the Managing Director no remarks on these vital aspects could be furnished.

(ii) Evaluation of the bids:

a) The Net Present Value of the building complex as per the offer of both bidders are (-) Rs 7.79 Cr and (-) Rs. 13.95 Cr respectively. This implies that the Net Present Value of the investment of Rs. 74.52 Cr for constructing the complex (even without considering the interest on the investment) as offered by the bidders are only Rs. 66.73 crores and Rs 60.57 crores respectively and hence negative. Therefore both the quotes are not advantageous to KTDFC.

b) In view of the negative NPV of the selected bid, there is every possibility of the break even period of lease getting prolonged indefinitely. Hence, the chances of the KSRTC getting its prime property back even after 30 years is less as the BOT period get extended further indefinitely and therefore not advantageous for the KSRTC also.

(iii) Scope for getting NOC from Fire & Rescue Department and the resultant dip in revenue by 50% :

Since KTDFC have executed all the modifications as directed by the Fire department and that the theater was completed in accordance with the original plan even before the circular was issued, it is opined that the KTDFC may explore the possibility of securing an exemption from the revised rule. The anticipated drop in the revenue by more than 50% is not seen justified by any survey or demand assessment and hence speculative in view of the denial of permission for the multiplex theater. Hence KTDFC should explore the possibility of obtaining an exemption from the revised NBC rules.

(iv) General remarks:

a) It is seen that in spite of the failed three previous bids, this tender is also called under the same '**single unit with sub leasing option**' wherein a middle man / broker or agent secures the entire rights of the whole complex for 30 years and subleases the individual units on his own terms and conditions. This methodology has failed on all the three previous tenders, consuming four years without any fruitful results and yet the KTDFC has resorted to the same methodology again now.

b) The present proposal does not mention whether the terms and conditions of the original BOT agreement with the KSRTC is adhered, especially with regard to (i) Annuity payable to the KSRTC (ii) Period in which the land and the assets created will be returned back to the KSRTC and (iii) any other relevant clauses of the BOT agreement.

c) currently recommended bid of M/s Alif Builders; wherein the bidder offers a security deposit of Rs. 17 crores, monthly rent of Rs. 43 lakhs and lease period of 30 years with a NPV of (-) Rs. 7.79 crores is far inferior to the offer of the selected bidder M/s Mak Associates of the previous failed bid during the year 2015 wherein security deposit of Rs. 50 crores, monthly rent of Rs. 50 lakhs and lease period of 30 years with a NPV of (+) Rs. 29.72 crores and a overall return of Rs 1.03 crores per month.

Hence KTDFC shall explore other methods like public auction with wide publicity including auction by part by part or other convenient methods, even avoiding e-tendering if required, to ensure optimum publicity and maximum participation to include the local traders / business houses etc. The successful methodology adopted by local bodies / development authorities like TRIDA for auctioning their shopping complexes may also examined and adopted in this regard. Leasing out the spaces to banks / private or government institutions may also be examined.

Adequate number of Public auctions may be conducted as required to ensure that the minimum returns payable to the KSRTC as per the the terms and

conditions of the BOT agreement are strictly adhered and the interests of the KSRTC are fully protected. The land along with the assets created should be returned to the KSRTC in accordance with the BOT agreement.

For Principal Secretary(Finance Expenditure)

21/05/2019 2:38 PM

**RESMI BHASKAR
(SO (PU-A,FIN))**

Note No. #16

21/05/2019 3:35 PM

**VJAJRAJ.J
(SO (A) TRANS)**

Note-No. #17

Kindly see notes on pre paras. The Managing Director KTDFC had informed that after three unsuccessful rounds of e-tender, KTDFC conducted the fourth round of e-tender of the Kozhikkode BTC as a single unit with subleasing option. Two bidders had participated in the tender. The Comparison Statement for the Net Present Value Analysis for the BTC has been reported as follows:

Bidders	Alif Builders	Muhammed Aslam
Cost of Construction	745,204,665.00	745,204,665.00
Discounted Cash Inflow	667,317,637.00	605,727,898.00
Net Present Value	(77,887,028.00)	(139,476,767.00)

Considering the facts that this is the fourth round tender being conducted after two years have elapsed since completion of the project wherein, multiplex theatre facility is now not available for want of fire NOC which will eventually hit the revenue from letting out spaces by at least 50%, further e-tendering of the project as a single unit will be risky in view of the economic scenario after demonetisation and slump in space marketing the Board had found

that the present highest bid of M/s Alif Builders is advantageous and has sought the concurrence of the Finance and Law Departments through Transport Department.

File was then forwarded to the Law Department and has been returned with the following remarks (NOTE # 6):

KTDFC had floated a tender to lease out the newly constructed KSRTC Bus Terminal. 1 st tender did not culminate in an award. KTDFC accordingly, notified 2 nd round of tender on 03/07/2015. Since the tender was not viable, it was not awarded to the only bidder. Thereafter, 3 rd round of tender notification was published on 18/09/2015. It was published in leading dailies, [Phase-I:(Malayalamanorama, Mathrubhumi, The Indian Express, The Hindu, Mangalam & Madhyamam)], Phase-II:(Mathrubhumi, The Hindu, Kerala Kaumudi, Dcepika & Madhyamam)].

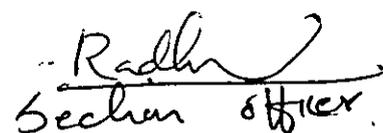
In response KTDFC received five competitive bids. The best price was offered by M/s.MAK Associates. The tender was not awarded since there were litigations in the matter filed by the 2 nd highest bidder. Ultimately, the highest bidder though had deposited Rs.5 Crores in the bank account of the KTDFC. was not awarded the tender. KTDFC was unable to meet the requirements necessary for completing the process. The multiplexes, since they were not in consonance with the Kerala Municipality Building Rules, did not get valid permit and therefore, the entire process fell through.

The present e-tender/4 th one, was floated again by the KTDFC to let out the premises. The e-tender was notified on 19.09.2018 and the e-tender was opened on 04.12.2018. There were only two bidders viz., Alif Builders and Sri.Muhammed Aslam. After detailed evaluation, Board came to the conclusion that the bid submitted by M/s.Alif Builders is comparatively better than the bid submitted by Sri.Muhammed Aslam.

The Administrative Department has sought opinion of this Law Department on the question whether it is legal or not to accept the tender?

The Point:-

The elements of public interest are (1) public money would be expended for the purposes of the contract; (2) the goods or services which are being commissioned are for a public purpose; (3) the public would be directly


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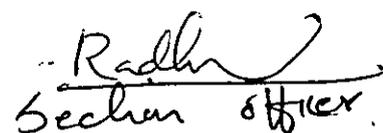
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