

**GOVERNMENT OF KERALA****Abstract**

Fisheries & Ports Department - Judgement dated 24-09-2024 in WP(C)No. 34290/2016 filed by M/s. Kadaltheeram Beach Spa Ltd. before the Hon'ble High Court of Kerala - Complied with - Orders Issued.

Fisheries & Ports (E) DEPARTMENT

G.O.(Rt)No.9/2025/F&P Dated,Thiruvananthapuram, 13-01-2025

- Read: 1 G.O.(Rt)No.577/2015/F&PD dated 20-07-2015
2 G.O.(Rt)No.735/2016/F&PD dated 31-10-2016
3 Judgement dated 24-09-2024 in WP(C)No.34290/2016 filed by M/s. Kadaltheeram Beach Spa Ltd.
4 Letter No.H3-WP(C)34290/2016/2024145325 dated 07-11-2024 from the Advocate General, Kerala, Ernakulam.
5 Letter No.VISL/115/2024-GM1(E)/803 dated 21-12-2024 from the Managing Director, Vizhinjam International Seaport Limited

ORDER

M/s. Kadaltheeram Beach Spa Private Limited, Panavilacode, Nellikunnu, Mulloor P.O. Vizhinjam, Thiruvananthapuram filed WP(C) No.34290/2016 before the Hon'ble High Court seeking to provide a rehabilitation and resettlement package for the employees who lost their livelihood affected by the project.

2 . The petitioner, company registered under the Companies Act, 1956, operated a beach resort in Vizhinjam, Thiruvananthapuram district, which ceased operations due to land acquisition for the "Vizhinjam International Deepwater Multipurpose Sea Port Project". As per the Government Order read as 1stpaper above a Livelihood Impact Appraisal Committee for the rehabilitation and resettlement of project affected persons was constituted. The petitioner sought benefits for 15 employees who lost their livelihood as a result, substantiating their employment with documentary evidence, including Exhibit P1 (List of employees submitted by the petitioner for

registration under the Kerala Shops and Commercial Establishments Act) and Exhibit P2 (The Registration Certificate issued by the Assistant Labour Officer, Neyyattinkara under The Kerala Shops and Commercial Establishments Act.) which clearly established that the employment of 15 staff members during the relevant period. The petitioner claimed that, 15 employees was employing in various posts, when the beach resort was stopped on account of the land acquisition and also claimed that, the said 15 employees are entitled for the benefits as per G.O.(Rt)No.577/2015/F&PD dated 20-07-2015 (Ex. P5).

2. As per the Judgement dated 24-09-2024 in WP(C)No.34290/2016 read as 3rd paper above, the Hon'ble High Court had ordered that the 15 employees in M/s. Kadaltheeram Beach Spa Private Limited is entitled to the workers compensation under the provisions of the G.O(Rt)No. 577/2015/F&PD dated 20-07-2015, which was framed for rehabilitation and resettlement of persons affected by the Vizhinjam International Deepwater Multipurpose Sea Port Project.

3. The Managing Director, Vizhinjam International Seaport Limited has reported that in 2013, lands of eight resorts were acquired by VISL through negotiated purchase for the project. The Government of Kerala had taken a lenient view to the resorts in the Coastal Regulation Zone (CRZ), the employees were be paid compensation for loss of their livelihood and subsequent Government orders were issued for the same. The District Labour Officer was designated to assess the eligibility and recommend to the Livelihood Impact Appraisal Committee (LIAC) and then to LIAC Appeal Committee, (LIAC AC). The recommendations of the committees were approved by the Government of Kerala and eligible compensation were disbursed to 211 resort workers based on the recommendations of LIAC AC. They were paid compensation ranging from a minimum of Rs. 2,00,000/- to Rs. 6,00,000/- based on their salary received from the resorts. The DLO had recommended employees of all other resorts except for the employees of M/s. Kadaltheeram Beach Spa Private Ltd, Mulloor. It was informed that the resort had not provided information to prove their eligibility. Therefore, 15 workers of M/s. Kadaltheeram Beach Spa Private Ltd, Mulloor were not considered for compensation. M.D VISL requested to release Rs.37,50,000/- [2,50,000 X 15 = 37,50,000] under the Head of Account "5051-01-001-99-Development of Vizhinjam International Deepwater Transshipment Terminal (PV)" for the disbursement of the amount to the 15 employees appended

below of M/s. Kadaltheeram Beach Spa Private Ltd. as per the judgement of Hon'ble High Court.

4 . . . Government have examined the matter in detail and are pleased to accord sanction to disburse an amount of Rs.37,50,000/- [2,50,000 X 15 = 37,50,000] to the 15 employees annexed below of M/s. Kadaltheeram Beach Spa Private Ltd. to comply with the judgement in WP(C)34290/2016 filed by M/s. Kadaltheeram Beach Spa Pvt. Ltd. before the Hon'ble High Court of Kerala.

11. The Orders of Hon'ble High Court read as 3rd paper above is complied with as above.

(By order of the Governor)
GIRIJA KUMARI G
ADDITIONAL SECRETARY

To:

The Advocate General of Kerala, Emakulam (with C/L)

The Managing Director, Vizhinjam International Seaport Limited.

The Managing Director, M/s. Kadaltheeram Beach Spa Private Limited,
Panavilacode, Nellikunnu, Mulloor P.O. Vizhinjam,

Thiruvananthapuram - 695 521

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram

The Accountant General (A &E), Kerala, Thiruvananthapuram.

The Information Officer, Web & New Media, Information and Public
Relations Department (for uploading in the Government web site).

SF/OC

Forwarded /By order

Section Officer

Copy to :P.S. to Hon'ble Minister (Ports)

P.A. to Principal Secretary, Ports

ANNEXURE

Sl.No.	Name	Designation

1	Smt. Dhanya G.D	Manager
2	Smt.Minimol C	Receptionist & Front Office
3	Smt.Anitha V V	Receptionist & Front Office
4	Smt.Jalajambika	Receptionist & Front Office
5	Smt.S Anitha	House Keeping
6	Smt. Vrinda	House Keeping
7	Smt. Lekha S V	House Keeping
8	Smt.Tulasi O	Assistant
9	Smt.Indu C	Laundry Section
10	Sri. Jagadeesh	Waiter
11	Sri.Shijulal	Waiter
12	Sri.Rajkumar	Cook
13	Sri.Maniyan K	Cook
14	Sri.Maniyan A	Helper
15	Sri.Pradeepkumar R	Security