

GOVERNMENT OF KERALA
Agriculture (Forest) Department

G.O.(Ms) No.48/85/AD (I).

Dated, Trivandrum, 11th February, 1985.

ORDER

S.R.O. No./85:- In exercise of the powers conferred by clause (a) of section 2 of the Kerala Essential Articles Control Ordinance, 1964 (98 of 1984), the Government of Kerala hereby declare Murikku (Frythrina species) and firewood to be essential articles for the purposes of the said ordinance.

By order of the Governor,

S. GOPALAN,
Agricultural Production Commissioner
and Secretary (Forests).

Explanatory Note

This does not form part of the notification but is intended to indicate its main purport.

The articles mentioned in this notification are becoming scarce as these are moved out of Kerala in large quantities to neighboring States. With a view to ensuring availability of these materials within the State, it has become necessary to declare them as essential articles under the Kerala Essential Articles Control Ordinance, 1984 (98 of 1984). This notification is intended to achieve the above object.

GOVERNMENT OF KERALA
Agriculture (Forest) Department

G.O.(Ms) No.48/85/AD (II).

Dated, Trivandrum, 11th February 1985.

S.R.O. No...../85:- Whereas the Government of Kerala are of opinion that for assuring the supply of Murikku (Erythrina species) and firewood for pulpwood industries as well as domestic purposes within the State it is necessary and expedient to provide for regulating the transport of such woods.

And whereas the said woods have been declared to be essential articles under clause (a) of section 2 of the Kerala Essential Article Control Ordinance, 1984 (98 of 1984).

Now therefore, in exercise of the powers conferred by section 3 of the Kerala Essential Articles Control Ordinance, 1984 (98 of 1984), the Government of Kerala hereby make the following Order, namely:-

ORDER

1. Short Titles, Extent and commencement:-

1. This Order may be called the Kerala Murikku (Erythrina species) and Firewood (Movement Control) Order, 1985.
2. It extends to the whole of the State of Kerala.
3. It shall come into force at once.

2. Definition:- In this order, unless the context otherwise requires.

- (a) “Competent authority” means the Government or an Officer authorized by the Government to grant, permit under this order.
- (b) “Form” means a Form appended to this order
- (c) “Permit” means a permit referred to in clause 3
- (d) “Person” includes a body corporate; a Company, a firm, an association of individuals or a Co-operative Society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969).
- (e) “State” means the State of Kerala.

3. Restriction on transport of Murikku (Erythrina Species) and Firewood :-

No Person shall transport, move or otherwise carry or prepare or attempt to transport, or aid or abet in the transport, movement or carrying of Murikku (Erythrina species) and firewood from any place within the State to any place outside the State except under and in accordance with the terms and conditions of a permit issued in that behalf by the competent authority:

Provided that nothing in this clause shall apply to the transport or movement of these wood from one place within the State to another place within the State passing through regions outside the State or to permits issued in respect of timber under the Kerala Forest Produce Transit Rules, 1975.

Provided further that nothing in this clause shall apply to finished wood products and veneers.

4. **Form of application and permit** (1) An application for a permit shall be in Form “A” and shall be affixed with a Court fee stamp of the value of rupees 2.

2) The permit shall be issued in Form ‘B’

5. **Power to refuse permit:-** The competent authority may after giving the applicant for a permit an opportunity for stating his case and for reasons to be recorded in writing, refuse to grant the permit.

6. **Cancellation of permit:-** Where the competent authority is satisfied that an applicant for a permit issued by it has furnished incorrect information or that he has, after the issue of the permit, contravened any of the provisions of this order or any of the terms and conditions of the permit, it may, without prejudice to any other action, by order, cancel the permit.

Provided that no permit shall be cancelled without giving the holder thereof a reasonable opportunity for showing cause against such cancellation.

7. **Powers of entry, Seizure, etc:-** The competent authority or any officer of the Department of Industries and Commerce not below the rank of District Industries Officer or any Officer of the Forest Department not below the rank of Range Officer or any officer of the Revenue Department not below the rank of Tahsildar or any officer of the Agricultural Income-Tax and Sales-tax Department not below the rank of Sales Tax Inspector or any officer of the Civil Supplies Department not below the rank of Rationing officer or any Police Officer not below the rank of Sub-Inspector or any other Officer authorised by the Government in this behalf may, with a view to occurring compliance with the provisions of this order or to satisfying itself or himself that the said provisions have been complied with.

- a. enter and search any premises:
- b. inspect any books, accounts or other documents maintained in the course of business or any stock of these wood in the possession or under the control of any person:
- c. seize any such books, accounts or other documents which in its or his opinion would be useful for or relevant to any proceedings under this order:
- d. search any vessel, vehicle or other conveyance which has been used, or in being used or is about to be used, for the transport of these wood.
- e. Seize any wood in respect of which it or be has reason to believe that a contravention of this order has been, is being, or is about to be committed.

8. **Power of Court to direct forfeiture:-** Any Court trying a contravention of this order may direct that the wood in respect of which the Court is satisfied that this order has been contravened shall be forfeited to the Government.

(Forms 'A' and 'B' enclosed)

By order of the Governor,

S.GOPALAN,

Agricultural Production Commissioner and
Secretary (Forests)

Explanatory Note

Certain species of wood such as murikku and firewood in the State have been declared 'essential' articles under the Kerala Essential Articles Control Ordinance No.98 of 1984 as per Government Notification No.G.O.MS.No.48/85/AD dated 11-2-1985. As these species are indiscriminately moved out of Kerala scarcity of these woods is felt and the cost thereof is going up. It is therefore considered necessary to regulate the movement of these woods out of Kerala. The Notification is intended to achieve the above purpose.