

GOVERNMENT OF KERALA

Abstract

Forests- Collection and transport of saplings from plantations- inclusion of clause 45 in the agreement making the contractor liable for low sales- exemption ordered.

Agriculture (Forest B) Department.

G.O Rt. 1426/61/ Agri.

Dated, Trivandrum, 19-8-61.

Read:- again 1. Govt. Memorandum No. FB1-19681/57/ Agri. 2-11-1960.

Read also: 1. Letter No.C2-6678/58 dated 18-1-'61 from the Chief conservator of Forests.

ORDER

Agreement for a certain contract for transport and delivery of thinned materials from plantation was executed with area clause (clause 45) making the contractor the liable if any of the logs or saplings on sale did not fetch an amount equal to Kolevila plus seigniorage. As the Contractor was transporting only those saplings entrusted to him by the Departmental Officer and as he had no control over the sales, Government issued orders in the memorandum cited that the amounts due to the contractor would be paid to him under the conditions of the agreement but for the inclusion of clause 45. The Chief conservator of Forest has now reported having the very same clause incorporated in the agreements. He requests orders whether the above orders can be made applicable to these contractors having the very same clause so as to effect uniformity and equity.

In the spirit of the orders issued in memorandum No 19681/57/ Agri, dated 2-11-60, Government are pleased to order that the liabilities of the contractors who have taken up similar contracts for transport and delivery of saplings from plantations with similar provision in the agreements will be settled according to the terms of the agreements but for the inclusion of clause 45 in the agreement.

(By order of the Governor)

C.Thomas,

Secretary to Government.

To

The Chief Conservator of forests

Endt on D.Dis. 6678/58 (C2). Office of the Chief Conservator of
Forests, Trivandrum, 7-9-'61.

Copy forwarded to the conservators, Quilon, Chalakudy, Development circle, Chalakudy and Kozhikode for information and attention in continuation of endt. in even No. dated 18-1-'61.

Copy to stock file, C Supt., C1, C3, C4 and C5 sections.

V.Sukumaran Nair,

For Chief Conservator of forests.

Forwarded / By order,

Superintendent.