



GOVERNMENT OF KERALA

Abstract

Forest & Wild Life Department – Extraction of sand and silt at checkdams from the limestone mines located in forestland leased to M/s.Malabar Cements Ltd- Fresh contract with Shri.P.P.Babu,S/o. Balan , Perumpadappu House,Varandarappally , Thrissur to extract 2 lakh cubic metres of sand and silt – Revised sanction accorded- Orders issued.

FOREST & WILD LIFE (C) DEPARTMENT

G.O (Ms) No.40/11/F&WLD

Dated, Thiruvananthapuram 14 /09/11.

Read:- 1. G.O (Ms) No. 29/06/F&WLD dated 22-8-06

2. Judgment of Hon'ble High Court in WP (C) No. 36388/09 dated 04-01-10

3. Minutes of the Cabinet Sub-Committee on Reservoir de-siltation held on 10-11-10.

4. G.O (Ms) No. 247/10/ID dated 10-12-10

5.Lr.No.Pro-6/821/2007 dated 17.08.2011 from the Addl. Principal Chief Conservator of Forests (Protection)

ORDER

As per G.O.read as first paper above sanction was accorded for removal of silt and sand from the checkdams in the mines leased to M/s.Malabar Cements Ltd in the forest land located at Pandarathumala in Walayar Forest Range of Palakkad Division and the tender was awarded to Shri.P.P.Babu, S/o. Balan , Perumpadappu House, Varandarappally , Thrissur. The contractor had entered into an agreement with the Divisional Forest Officer, Palakkad on 02.11.2006 and the period of contract was specified as nine months from the date of execution of the agreement. However the contractor could not commence the extraction work, as M/S Malabar Cements Ltd did not allow access through its premises.

2. Subsequently, the Cabinet Sub-Committee on Reservoir de-siltation which met on 10-11-2010 considered the matter and recommended to allow extraction on specific conditions. Accordingly, orders have been issued as per G.O. read as fourth paper above on the decisions of the Cabinet Sub-Committee.

Spec(P)

12/9/2011

3. The Additional Principal Chief Conservator of Forests (Protection) as per his letter read as fifth paper above has submitted a proposal to enter into fresh agreement with the contractor Shri.P.P.Babu, in awarding the work of removal of two lakh cubic metres of sand from the check dams and mining areas located in the forest area leased out to M/s. Malabar Cements Ltd, Walayar on specific conditions .

4. Government have examined the matter in detail and are pleased to accord permission to the Divisional Forest Officer, Palakkad to enter into a fresh agreement with Shri.P.P.Babu,S/o. Balan , Perumpadappu House, Varandarappally , Thrissur to extract two lakh cubic metres of sand and silt from above said areas on the following specific conditions:-

- i) the period of contract shall not exceed nine months from the date of execution of the agreement and that the grace period of fifteen days to enable mobilization (clause 14 of the agreement) *should* be limited to the first 10000 M³ only .
- ii) The contractor shall be bound to remove sand and silt from ~~the~~ check dam and the mining areas leased out to Malabar Cements Ltd. The expression '*silt*' shall include debris and other waste materials washed down by water in the river and deposited in the check dam and mining areas.
- iii) The contractor shall pay Rs.447.50 per m³ of sand and silt as royalty to Government.
- iv) The contractor will be permitted to use Kava road passing through forest land. The contractor will bear the expenses for repairing the road for transportation of lorries and on expiry of the contract period, shall leave the road in good condition.
- v) The sand and silt will be transported only from 6.00 am to 6.00 pm on any day.
- vi) Forest Officials will quantify the sand and silt removed and keep records of the same as per existing transit rules.
- vii) The contractor will be allowed to use the road passing through Malabar Cements factory premises in emergency case on payment of Rs.100/ lorry load.
- viii) The contractor will deposit the money in advance for 10000 cum before the sand is removed from the site.
- ix) Taxes and royalty due will be remitted by the contractor as per rules.
- x) The DFO should ensure that the damage caused,if any, by the contractor to the forest road is got repaired and the road restored to its original condition every month and any default in this regard will result in cancellation of the contract.

- xi) Default in any respect on the conditions in the contract/ agreement shall lead to the cancellation of the contract and action shall be initiated against the DFO for any such default.

(By Order of the Governor)

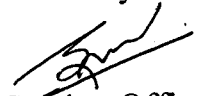
SAJEN PETER

Principal Secretary to Government

To

The Principal Chief Conservator of Forests, Thiruvananthapuram.
The Chief Conservator of Forests (Protection), Thiruvananthapuram.
The M.D., Malabar Cements Ltd., Walayar.
The Chief Conservator of Forest, Eastern Circle, Olavacode
The Divisional Forest Officer, Palakkad.
The Forest Range Officer, Walayaer Range.
The person concerned (Through DFO, Palakkad).
The Industries Department.
The Finance Department
The Director, Mining and Geology
Stock File / OC.

Forwarded / by Order


Section Officer.