



GOVERNMENT OF KERALA

Abstract

Industries Department – Mining & Geology – WP(C) No.9605/08 filed by Sri.K.R.Ramanan and another – Observations of the Hon. Court – Complied – Instructions to the officers of Mining & Geology Department - Issued.

INDUSTRIES (A) DEPARTMENT

G O(Rt) No 1222/2010/ID

Dated, Thiruvananthapuram, 21.8.2010

Read: -1) Judgment dtd. 13.8.2009 of the Hon. High Court in WP(C) No.9605/08 filed by Sri.K.R. Ramanan.

2) Fax Message No.H1 WP(C) No.9605/08 dated 15.6.2010 from the Additional Advocate General.

ORDER

While considering WP(C) No.9605/08 it was observed by the Hon. High Court that quarrying operations are being conducted in the land assigned for rubber cultivation; thereby violating the conditions of patta issued, either with or without permit issued by the Mining & Geology Department. The enquiry conducted by the Director of Mining & Geology in this regard revealed that Geologist, Ernakulam had issued quarrying permit after verifying the possession and enjoyment certificate and Survey sketch from the Revenue Authorities. As the nature of assignment was not mentioned in the above certificates, the Geology Department was unaware of the same.

✓ In the circumstances Government are pleased to issue the following instructions to the officials of Mining & Geology Department for strict compliance while issuing quarrying permit/Mining Lease under Kerala Minor Mineral Concession Rules, 1967 in order to avoid violation of the conditions of assignment of the land

"The nature of assignment of the land should be ascertained from the Revenue authorities, in future, before granting the quarrying permit/Mining Lease to ascertain whether the land in question had been assigned for any specific purpose. Permission for mining in Agricultural land, Plantation land, Industrial or residential land can only be issued after getting exemption from the relevant rules from the competent authorities".

Any lapse noticed in this regard shall be viewed seriously.

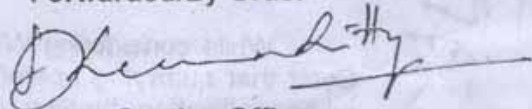
(By Order of the Governor)

T. Balakrishnan,
Additional Chief Secretary to Govt.

To

- ✓ The Director of Mining & Geology, Thiruvananthapuram.
- The Advocate General, Ernakulam (with C/L).
- The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram.
- Industries (A3) Department.
- Stock File/Office Copy

Forwarded/By Order



Section Officer