



GOVERNMENT OF KERALA

ABSTRACT

Water Resources Department – Irrigation Department – Desiltation of Reservoirs in Kerala – Exemption of payment of royalty or any associated charges under Mines and Minerals (Development And Regulation) Act 1957 – Sanction accorded - Orders issued.

WATER RESOURCES (MP) DEPARTMENT

G.O (Ms) No. 2/2020/WRD.

Dated, Thiruvananthapuram, 07/01/2020

- Read:-
- 1) GO (Ms) No.79/2017/WRD dated 26/09/2017.
 - 2) GO (Ms) No.49/2019/WRD dated 08/11/2019.
 - 3) GO(Rt) No.919/2019/WRD dated 07/12/2019.
 - 4) Minutes of the 4th Empowered Committee Meeting on Desiltation dated 03/01/2020.

ORDER

As per Government Order read as 1st paper above, Government have approved Standard Operating Procedure (SOP) for desiltation of reservoirs in Kerala. Subsequently as per GO read 2nd paper above, Administrative Approval was issued to the Irrigation Department to commence the desiltation process after inviting bids for the Mangalam Dam. In addition as per GO read 3rd paper above, Administrative Approval was accorded for desiltation of Ten reservoirs through Expression of Interest (EoI) based DPR preparation process. Government of Kerala (GoK) have decided that all dams in Kerala which require desiltation are desilted in a phased manner so as to mitigate flood risk to the general public and also to augment water storage capacity of the reservoirs.

2. From the investigations done at Mangalam Dam by expert institutions the composition of the sediments were identified to be sand, clay and organic matter. Removal of the same is necessary in the interest of maintaining the design capacity of

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the reservoir. For tendering/ inviting EoIs for the same, it is brought to the notice of HLEC that the status of applicability of mining royalty as per Section 15.1 of the Mines and Minerals (Development And Regulation) Act, 1957 needs to be clarified as the application of the same within the desiltation area will enhance cost of desiltation as well as introduce administrative complications such as issuing the mineral transport pass etc. The department of Irrigation has therefore requested waiving the due royalty in reservoirs and their respective desiltation zones to be notified separately by the Chief Engineer (I&A), Kerala. No mining or quarrying activity of any minor mineral is involved in the desiltation process of reservoirs. Factually it is a process in which accumulated sediments and waste materials are removed to restore the original water retention capacity of the reservoirs. The HLEC meeting read as 4th paper has considered the request in detail and found it necessary to waive any levying of mining royalty within the notified desiltation zone of reservoirs of any department in the GoK in public interest and administrative efficiency. Removal of dredged sediment from the desiltation zone upon transport passes issued by the Engineer in charge will not be treated as sale as it is a service rendered in public interest.

3. In the circumstances, the Government are pleased to invoke the powers conferred under Section 15 of the Mines and Minerals (Development And Regulation) Act 1957, and hereby order that the area designated as the desiltation zone of the reservoirs by the Chief Engineer or other competent officer concerned, including the yards used for storing /separation of sediment which are public lands / leased by the contractor for the desiltation purpose will hence forth be exempt from any payment of royalty or any associated charges under the Mines and Minerals (Development And Regulation) Act 1957.

4. However beyond the notified desiltation zone, license/royalty for stocking and sale of materials removed would be applicable. The transportation permit issued to the vehicle transporting the sediment by the competent Engineer shall be sufficient for transporting the landed sediment out of the desiltation zone to other specified site in

the pass. No Mining and Geology pass shall be insisted over and above the same to transport the materials to the designated site.

(By Order of the Governor)
Dr.B.ASHOK IAS
SECRETARY TO GOVERNMENT

To

The Additional Chief Secretary, Finance Department
The Additional Chief Secretary, Water Resources Department
The Additional Chief Secretary, Forest & Wild Life Department
The Additional Chief Secretary, LSG Department
The Principal Secretary, Revenue Department
The Principal Secretary, Industries Department
The Principal Secretary, Environment Department
The Secretary, Power Department
The Secretary, Water Resources Department
All District Collectors
The Land Revenue Commissioner, Thiruvananthapuram
The Principal Chief Conservator of Forests, Thiruvananthapuram
The Director, Ports Department, Thiruvananthapuram
The Director, Mining and Geology Department, Thiruvananthapuram
The Chairman and Managing Director, KSEB, Thiruvananthapuram
The Managing Director, KWA, Thiruvananthapuram
The Chief Engineer, Irrigation & Administration, Thiruvananthapuram.
The Chief Engineer, IDRIB, Thiruvananthapuram.
The Chief Engineer, Project I, Kozhikode.
The Chief Engineer, Project II, Thiruvananthapuram.
The Chief Engineer, Kuttanad Package & Inland Navigation, Alappuzha.
The Chief Engineer, ISWC, Thiruvananthapuram.
The Chief Engineer (Mechanical), Irrigation Department, Thiruvananthapuram
The Chief Engineer [Administration], KWA, Thiruvananthapuram
The Director, National Centre for Earth Science Studies, TVM.
The Principal Accountant General (Audit/A&E), Kerala, Thiruvananthapuram.
General Administration (SC) Department
Finance Department
Revenue Department.
Power Department.
Industries Department.
Forest and Wild life Department.
Environment Department.
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Section Officer