

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 13th February, 2009.

H.R.M.P.No.567/2008

Petitioner : Suo-motu based on a news paper report
in a daily dated 2-2-2008.

Respondent :

ORDER

The above HRMP was registered suo-motu on seeing a newspaper report in the Mathrubhoomi daily dated 2-2-2008 under the caption "Kambiveliyilla, Paramadakal Apakadakeniyakunnu". The news report is supported with a photograph. In the newspaper it is reported that the abandoned quarries are posing threat to human life as there is no protection wall or fencing around them and hence accidental deaths in these quarries are increasing. According to the report in Neyyattinkara Taluk alone 68 illegal quarries are functioning and though the District Collector has passed orders to construct wire fencing around these quarries to avoid accidents and tragedies they were not complied with.

A report was called for from the District Collector, Thiruvananthapuram, and though several reminders were also sent the report is not received.

At this stage it is necessary to state that this Commission visited number of quarries in the State and made recommendations to the Government in each case keeping in mind that the safety of people are of paramount importance. One of the

recommendations is that the abandoned quarries should be protected either with protection wall or with wire fencing to avoid tragedy and also to erect warning/sign boards around such quarries. Another main recommendation made is that concerned Department should obtain an undertaking from the licensee of the quarry at the time of issuing licence/consent, that the licensee will carry out all the effective measures to prevent accidents after the quarrying operation was completed and the said Department is to be vigilant about the implementation of the undertaking.

From the above newspaper report it could be seen that the District Collector has issued an order directing to carry out wire fencing around the quarry but it was not implemented. The District Collector, being the head of a district, is more responsible to protect the life and property of the persons living in his district. But as the report is not received from the District Collector, Thiruvananthapuram, I take it that he has no remarks to offer about the news report and what is reported in the news paper is true. In the above circumstances, the District Collector, Thiruvananthapuram, and all other District Collectors in the state will take effective steps to see that no person suffers any harm in any way on account of existence of any abandoned quarry, whose owners have not taken effective measures to prevent accident after the quarrying operations were completed.

With the above direction the petition is closed.

**Justice N. Dhinakar,
Chairperson.**