

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

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

Dated this the 29th April, 2010.

H.R.M.P.No.588 of 2009

Petitioners : Sabu,
Action Council, Rosemala, .
Kulathupuzha, Kollam..

Respondent :

ORDER

The complaint of the petitioner, who is represented by Mr. Sreejith, is that the residents of 'Rosemala' area falling within the jurisdiction of Kulathupuzha Grama Panchayat are unable to travel comfortably since the road to a distance of 12 K.M. is not motorable and it is in the forest area. According to him buses are not plying on account of the bad condition of the road.

In the report submitted by the District Collector, Kollam, it is stated that the complaint was enquired through the Secretary, Kulathupuzha Grama Panchayat and the Divisional Forest Officer (D.F.O.), Thenmala. In the report the Secretary, Kulathupuzha Grama Panchayat, stated that the Panchayat is taking steps every year for maintaining the road by including the said area under different projects.

The D.F.O., Thenmala, filed a report stating that Aryankavu – Rosemala road has a distance of 12.5 KM and out of this 8.1 KM. of road falls within the jurisdiction of Thenmala Forest Division and the remaining 4.4 KM. of road falls within the jurisdiction of 'Shentharuni' Wild Life Sanctuary and that 2.5 K.M. of road which is under Thenmala Division was tarred and 1.2 K.M. of road was made a metal road. According to the D.F.O. the Forest Rules do not allow electric line through the forest area. It is also stated that during 2008-09 maintenance of road was completed, after preparing estimates, using the available funds and also the renovation of the road was carried out using the Forest

Development Fund. The D.F.O. informed the District Collector that tenders are called for the renovation of 'three reaches' of the said road to utilize a sum of Rs.5/- lakhs available in the said fund and the work will be commenced shortly.

Mr. Sreejith, claims that he is representing the petitioner Sabu, Mr. A.K. Salim, Divisional Forest Officer, Thenmala, is also present. According to the D.F.O., Government have already sanctioned a sum of Rs.12/- lakhs and the concerned Member of the Legislative Assembly has promised to release a sum of Rs.4/- lakhs from the M.L.A. fund for making the road motorable and steps are being initiated to get the amounts from the Government and the M.L.A. fund. According to the D.F.O. estimates are being prepared and all the possible steps which are now being taken will be expedited to get the funds released from the Government as well as from the M.L.A. fund to see that the road is made motorable. According to him buses are plying in the area even to this day, and, in any event, it is promised by the D.F.O. that all possible and necessary steps will be taken for the development of the said area by initiating appropriate steps without any further delay. According to him a meeting was already convened in which the Presidents of Kulathupuzha and Aryankavu Grama Panchayats as well as the M.L.A. and others participated and agreed to provide all the facilities to the area so that people living in 'Rosemala' area will not be put to difficulty.

In view of the statement of the D.F.O. made in my presence there is no need to pass any further orders except to say that the D.F.O. and the other authorities concerned will initiate all necessary steps to provide basic amenities and the infrastructure to the residents of 'Rosemala' area including a motorable road without violating any statutory provisions.

The petition is closed with the above direction.

Justice N. Dhinakar,
Chairperson.

