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GOVERNMENT OF KERALA

No.17359/P1/91/Rd.

Revenue (P) Department,
Thiruvananthapuram, 9.9.91

C I R C U L A R.

- Sub: Bogus pattas issued on Vested Forest lands -Cancellation of Pattayams - instructions issued.
- Ref: Letter No.LB.(A)2-2437/89 dated.14.3.91 from the Secretary, Land Board, Thiruvananthapuram addressed to all Special Tahsildars and District Collectors.

As far as the Forest land is concerned, pattayam shall be issued only after obtaining the 'No objection Certificate' of the Forest Department. It follows that the Pattayams issued in respect of Forest land without the No Objection Certificate of the Forest Department are illegal and not binding on the Forest Department. Specific instructions to this effect have already been issued by the Government, besides the directions of the High Court in this regard.

The Conservator of Forest & Custodian of Vested Forest, Kozhikode has now brought to the notice of the Government, an instance of Pattayam on vested forest land in R.S.No.23/1 of AAacode village in Taliparamba Taluk by the Deputy Collector (Land Tribunal), Kannur and the District Collector, Kannur has taken the stand that the Divisional Forest Officer should file appeal before the appellate authority for cancellation of the said pattayam.

Government is of the view that it is not a healthy practice to issue pattayam by Revenue Department on the one hand and to file appeal against it by another department. Such a practice will be embarrassing to the Government apart from the difficulties that it may create for both the departments.

According to the judgement in O.P.No.1057/78, the Land Tribunal inherent powers to set aside the orders by which pattayams have been issued by it into the Vested Forest lands. The District Collectors are, therefore, requested to present an application to the Land Tribunal to set aside the orders under challenge.

Palat Mohandas,
Secretary to Government.

To x x x
The Chief Conservator of Forests,
Thiruvananthapuram.

/ Copy /

sd/-
For Chief Conservator of
Forests.

ss, 29/1.

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Supervisor
30/11/91

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