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Copy of letter No. 84313/PZ4/68/AD dated 12-3-1970 from the Secretary to Government to the Chief Conservator of Forests, the Secretary Kerala State Electricity Board.

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513-7101

Sub:-Right of fishing-Sholayar lake area-regi

Ref:-1. Correspondences resting with letter No. 81-41596/68 dated 31-3-1970 from the Chief Conservator of Forests.

2. Correspondences resting with letter No. C2B/522/68-69 dated 17-9-69 from the Chief Engineer (Civil) K. S. E. Board, Trivandrum.
3. Correspondence resting with letter No. MII-1345/69 dated 1-3-1971 from the Secretary, K. S. E. Board, Trivandrum

Sir,

According to G.O. MS. 761/64/Agri. dated 11-11-1964 no forest land was transferred to the Board on a permanent basis or disreserved. But the Forest areas covered by permanent buildings including power houses and other premises etc. were leased at a rent of Rs. 4/per acre per annum. Hence it is clear that the area in question was leased to the Board at a nominal rent. No lease deed or agreement has been executed in this case, even though the Board is in occupation of the land for a long period. As the G.O. specified that the lands will not be transferred on a permanent basis or disreserved, it is clear that the intention of the Government was to lease the lands on an adhoc basis. Similarly the area was not dis-reserved as provided in the Forest Act and hence it remains to be a part of reserve forest. So the Forest Department has full rights over the area. Hence the decision of the Board to auction the fishing rights in the reservoir is unauthorised and illegal as they have only administrative control over the area on a temporary basis.

The Kerala State Electricity Board is therefore requested to refrain from granting fishing rights to anyone. The Board is also informed that anyone entering the Forest Reserve without the permission of the Department will be treated as a trespasser and action taken on that basis against the trespasser, his principal or agent.

Sd/-for Secretary to Government.

Copy to the Chief Engineer, etc.

Endt. on G1(L. Dis) dated 8910/71 dated 19-3-1971.

Copy forwarded to the Conservator of Forests, Trichur for information. Copy to Stock file. Copy to file 41596/68.

Sd/-

for Chief Conservator of Forests.

Copy to all Divisional Forest Officers, stock file, ML, CH, KI, sections
Copy to Conservator of Forests personal file.

Praveen
21-3-1971

for Conservator of Forests,

Trichur.

31.3.71