

4401 4401 ✓ 440

GOVERNMENT OF KERALA

REVENUE (A) DEPARTMENT

G.O.(P) 185/Rev.

Dated, Trivandrum, 12th March 1965.

S.R.O. No.117/65 - In exercise of the powers conferred by Section 7 of the Kerala Government Land Assignment Act, 1960 (Act 30 of 1960), the Government of Kerala hereby make the following amendments to the rules issued under the Travancore Government Notification Dis.No.243/1 of 23/Revenue dated the 25th February 1923, at pp.1399-2404 of the Travancore Government. Government Gazette dated 13.3.1923 part IV, LR. Department, namely:-

AMENDMENTS

In the said rules:- (i) for rules 26A and 26B the following rule shall be substituted namely:-

"26(1) - The full proprietorship of all teak, Blackwood, ebony or Karumthali and Sandalwood trees within the grant vests in the Government. The number and description of such trees ~~xxx~~ shall be entered in the schedule attached to the title deed for the land and the grantee shall be bound to take care of the trees until they are removed or otherwise disposed of by the Government. The ~~grantee~~ grantee shall also be bound to render all facilities to the Government for removing and disposing of the trees. The grantee shall not raise any objection regarding the extraction and removal of the above said trees under the supervision of the officers of the Forest Department. If any one of the trees entered in the schedule is found damaged or destroyed and such damage or destruction is, in the opinion of the Chief Conservator of Forests or any Officer authorised in this behalf, caused as a result of the carelessness or any action on the part of the grantee, his servants or his workmen the grantee shall pay the cost of the tree so damaged or destroyed as assessed by the Forest Department on the basis of the valuation prescribed in sub-rule 2.

(2) In regard to all trees other than trees mentioned in sub rule (1) (including other important trees enumerated in the schedule) the grantee shall pay their value at the average market rate for each species prevailing in the nearest Major Government Timber Depot during the previous year less working charges, or at the current seigniorage rate, whichever is higher.

Note:- Working charges shall be calculated as per the current schedule of rates.

(3) The Chief Conservator of Forests shall fix up the rates every year for such of those species for which there are no average market rates or current seigniorage rates and publish the rates so fixed in the Gazette.

(4) The grantee shall pay the value of trees fixed under sub-rule 2 and sub-rule 3 by the Chief Conservator of Forests or such other Officer as has been authorised by him in this behalf within one month from the date of receipt of the notice fixing the value. If the grantee fails to pay the value of the trees as aforesaid the Chief Conservator of Forests or any Officer authorised by him in this behalf may arrange to fell, remove and dispose of the trees and the grantee shall be liable for all loss and damage caused to the Government as a result of the aforesaid operation.

(5) The grantee shall not cut or remove the tree growth unless previous permission has been obtained from the Chief Conservator of Forests and the amount assessed by the Department paid in full.

(6) The measurement of the tree-growth shall be made by the Officers of the Forest Department in accordance with the procedure existing from time to time.

(7) The value of all trees assessed under these rules shall be recovered and credited to the Forest Revenue.

(ii) In the existing schedule for the words "Reserved trees" the words "Other Important Trees" shall be substituted and below the word "Schedule" and above the words "Other Important trees" the words "(See rule 26)" shall be inserted.


By order of the Governor,  
R. Gopalaswamy,  
Secretary.

#### EXPLANATORY NOTE

(This is not a part of the amendment or rule but is intended to indicate the general purport)

Under the rules for the sale of Government lands on the Travancore Hills for Coffee or Tea Cultivation there is provision for the disposal of the tree growth in such grants. But the existing rates for removal of tree growth are too low when compared to the rates for timber now prevailing. So in order to safeguard the interests of Government, it is necessary to realise rates for timber in accordance with the prevailing market rates. The amendment is intended to achieve the above object.

/True Copy/  
sd/-  
for Chief Conservator of Forests.

/True Copy/  
  
4680  
Junior Superintendent.

avk/2.6