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Com. 19 20 lakhs 26/389 31 5 1960 G.P.E.

PROCEEDINGS
Abstract.

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Dated _____

Lease - G.M.F - Lease - violation of condition - cultivation of Cash crops - Regularisation under Land Assignment Rules in eligible cases - invoking Land Conservancy Act in in-eligible cases - ordered.

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Revenue(A) department,
G.O.M.S.333 dated, Trivandrum, 3rd April 1962.

- Read:-
1. D. Dis. 2630/57/AD dated 25-4-1957.
 2. G.O.M.S. 361/60 dated 20-10-1960.
 3. Memorandum No. 11433/59/AL/A dated 9-2-1961.
 4. Resolution No. II dated 11-1-1958 of Kerala Karshaka Sangham, Kulathoopuzha.
 5. Letter No. P.LL- 34/53 dated 20-2-1958 from the Divl. Forest Officer, Punalur.
 6. Letter No. LR(A)7-26326/58 dated 4-1-1959, and 6-11-1961 from the Secretary, Board of Revenue.

Order.

In the G.O. read as 1st paper above Government had stayed the eviction proceedings taken against these lessees who had cultivated the lands under G.M.F lease with cash crops in contravention of the condition of the grant.

In the Resolution dated 11-1-1958 the Kerala Karshaka Sangham, Kulathupuzha requested Government that the leases of land under G.M.F. scheme wherein the lessees have cultivated cash crops in contravention of the condition of the grant should be cancelled and the land resumed by Government.

The Board of Revenue has stated that certain cases of cultivation of cash crops in G.M.F. leaseholds were not laid by Government but that eviction proceedings could not be taken against the lessees in view of the stay order dated 25-4-1957. The Board of Revenue has recommended that the lands under G.M.F. leases may be included in the list of lands available for assignment and lessees who are found eligible to get the land assigned may be allowed to continue in occupation and action under L.C. Act may be taken against those who are found ineligible for assignment.

Government have examined the question in detail and are pleased to order as follows:-

It will not be proper to penalise the lessees for the commission of any irregularity at this distance of time as proper steps of resumption of land on the expiry of the lease period have not been taken so far in these cases. It has also come to the notice of Government that no land tax of any kind or penal or prohibitory assessment, much less any lease or licence fee are being collected and it is therefore imperative that the possession of the occupiers be regularised so that at least basic tax could be realised.

In the circumstances, the Board of Revenue and the Collectors are requested to see what can be realised from the occupiers in view of their possession till now. There is no propriety or reason for allowing these occupiers to hold free all these years.

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be assigned under the L.A. rules after realisation of 'thar yila' and any other dues. In the case of eligible occupiers this may be done in consultation with the Taluk Land Assignment Advisory Committee concerned. In the case of in-eligible lessees where there is equity and justice for assignment in their favour on account of existing improvements etc the matter may be referred to Government and their special orders, if necessary, taken thereon. The question whether the occupiers have filed their application for assignment within the prescribed time need not be taken into consideration.

In the case of G.M. lease holds assignable where there are eligible occupiers and there are no equitable consideration on the basis of improvements etc the L.C. Act will be involved and they be evicted from such entire or partial extent as the case may be and the land thus resumed will also disposed of under L.A. rules in consultation with the L.A. Committee.

The Board of Revenue and the Collectors are requested to take utmost speed in the implementation of this order.

By Order etc.,
Sd/- Secretary to Govt.

To
The Chief Conservator of Forests.

Forwarded by Order,

Sd/- Superintendent.

Andt. on D.No. 11941/62 dated 25-4-62.

Chelakudy

Copy forwarded to the Conservators for information.

M.P. Gnan,
For Chief Conservator of Forests.

Forwarded/By Order,

Rameshwartha
Superintendent.

24/4/62

Office of the Chief Conservator
of Forests, Pivandram.

VS/23

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Kt. 7206/62
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Copy forwarded to all D. F. As,
W. & P. O and Dy. Collectors for info.
& attention.

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Copy to circular file, S. file, Contract
sections (A), Gland D.

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