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Copy of G.O.MS.No.804 Revenue Department (A) Section dated 9-8-1958.

- Sub:-Land Assignment - Kottayam -Cardamom Reserve
Govt. policy regarding orders passed.
- Ref:-1.G.O.ROC.4163/29/Rev. dated 30-9-1935.
2. G.O.ROC.2439/44/Dev. dated 10-11-1944
3. G.P. F1-9929/50/DD dated 16-12-1952
4. Govt. Notification P4-1405/54/RD dated 9-1-1958
5. Govt. Memo No.28019/A1/58 dated 16-8-1958
6. Letter from the Board of Revenue No.LR.S.13851/58 dated 2-6-1958.

O R D E R.

The cardamom Hill reserve in the Kottayam District comprises an area of about 334 sq. miles situated in the taluks of Devicollam Peermade and Udumbachola. Originally the cardamom hill reserves was under the dual control of the Revenue and the Forest Department the revenue Department having control of the lands assigned on registry and the Forest Department having control over the land and the trees in the areas not given in registry. In 1950 the control over the entire land (both in the registered and unregistered areas) was vested in the Revenue Department, the Forest Department having control over the tree growth only in the entire area. This system was however abolished in December 1952 and the Forest Department was placed in charge of the lands in the entire cardamom Hill reserve that were also ready assigned. This arrangement which is still in force was ordered at the instance of the Forest Department and in the interest of Forest Conservation. Under this arrangement, the revenue Department can assign lands in the area only with the concurrence of the Forest Department. There were large scale encroachments in the reserve. Encroachments cases detected after the 1952 arrangement came into force were to be dealt with by the Forest Department and the facilities action in this regard, Government in their notification dated 9-1-1956 conferred on Divl.Forest Officers, the powers of Collector under the land Conservancy Act. But so far, no substantial work was done in the detection of encroachment.

Government felt that the existing arrangement is not satisfactory. They have therefore examined the question as to which Department should control the Reserve in future, and pass the following orders.

1. The entire cardamom reserve (including lands under registry, lease or encroachment) should be surveyed and demarcated and all encroachments dealt with.

II. Until then, in modification of the orders issued in 1952, the Forest Department should, in the interest of Forest Preservation, retain control over the tree growth in the entire area, in other respects however the control over the lands in the entire reserve, including areas which are registered leased or encroached upon, together with the responsibility for detection and disposal of encroachments should vest with Revenue Department.

III. The Forest Department should cooperate with the Revenue Department and render every assistance to that Department in connection with the survey and demarcation of land and detection of encroachments.

IV. The Chief Conservator of Forests should issue instructions to the Divl. Forest Officers not to exercise powers under the Land Conservancy Act, delegated to them by Government in their notification dated 9-4-1958.

V. The Director of Survey and Land Records should submit proposals through the Board of Revenue immediately for the survey and demarcation of the reserve.

2. Until 1942, Cardamom lands were being given on registry under Cardamom Rules, 1935, and from 1940, such registry, was subject to a maximum limit of sixty acres per individual. This sixty acre limit was to be fixed taking into account, the applicable patta lands, if any under cardamom. The registry was made mostly in auction with an upset price of Rs.85/- per acre towards land value and subject to an annual assessment of Rs.3/- per acre. In July 1942 Government ordered that the minimum land for registry of land encroached upon for cardamom cultivation should be Rs.125/- per acre. In October, 1942 Government stopped the system of registry and decided to introduce the system of lease by auction. In November 1944, Government issued rules regulating the lease. The lease was to be for a period of 12 years subject to a minimum premium per acre including survey, demarcation and other incidental charges and the annual assessment was fixed at Rs.18.0 per acre for the first four years, and Rs 3/- per acre for the fifth and succeeding years. After the issue of these rules it was noticed that the lease by auction of the lands already in the possession of BONAFIDE occupants would result in hardship and therefore, in their process. On 26-9-1955 Government ordered that cardamom lands already in the possession of occupants and improved upon should be leased out to the occupants by auction for a premium of not less than Rs.30/- per acre and an annual rent of Rs.3/- per acre. The lease was to be for a period of 12 years.