

GOVERNMENT OF KERALA

Abstract

Land – Timber and trees on Government land – Sale in auction – Procedure – orders issued

Revenue (A) Department

G.O.MS.No.734.

Dated, Trivandrum, 27-8-63

Read:- Letter IR(A)7-79325/59 dated 30-8-60 from the Board of Revenue.

O R D E R

At present there is no uniform procedure in the T.C. and Malabar areas in respect of the disposal of timber on Government land. The question of adopting a uniform procedure throughout Kerala had been under the consideration of Government and they are now pleased to order that the following procedure will be followed in all such cases in future.

2. Occasions for sale of trees by Government will arise in the following cases:-

(i) When it is found desirable to cut down and remove trees standing on lands at the disposal of Govt. on their attaining maturity and it is desired to cut and sell them before they deteriorate;

(ii) When it is decided that the trees on the Government land may be disposed of in auction because the assignee is unable to pay the tree value or because the trees have to be removed in public interest or safety or for any other reason;

3. When such an occasion arises, an estimate of the value of the tree to be sold should be prepared by the village officer/Revenue Inspector as the case may be in the form of a Mahazar showing the name of the tree, the measurement of the timber, the quality and quantity of the timber, the use to which it could be put with advantage and the approximate value that it would fetch indicating the basis. Immediately on receipt of this estimate, the Tahsildar or the Deputy Tahsildar should inspect the timber and verify the correctness of the mahazar and the estimated value recorded therein and record his estimate of the value of the timber. The estimate shall thereupon be communicated to the selling officer, who shall normally be an officer not below the rank of a Revenue Inspector when the estimated value does not exceed Rs.200/- and in other cases the Tahsildar or any other person as may be nominated by the Collector in this behalf. The estimate is only for official use of the selling officer to enable him to know what upset price he should adopt at the time of the sale and therefore, should not be announced or divulged to the bidders or published for their information. When the value of the tree is considerable, the collector may, with advantage, consult the Divl. Forest Officer, so that a reliable estimate of the value of the tree to be sold may be obtained.

4. The form of notice of sale to be adopted when the estimated value of the trees offered for sale does not exceed Rs.200/- is given in Appendix I.

5. If the estimated value exceeds Rs.200/- the sale should be held under the orders of the Collector and subject to the conditions specified in the form of notice of sale prescribed in Appendix II.

6. It is open to the Collector to modify these conditions or to impose further special conditions to suit individual cases. Such special conditions may prescribe restrictions regarding the trees that may be cut, whether the trees may be uprooted or should be cut flush with the ground, digging pits or holes, etc.

7. Notices of sales should in all cases be given wide publicity. If the estimated value of the trees exceeds Rs.200/- the notice of sale should also be published in the Gazettes. The Village Officer/Revenue Inspector will be responsible for the trees until they are delivered to the purchaser or otherwise disposed of. There should be no undue delay between the date of sale and the date of confirmation,

8. The power to confirm sales will be exercised by the Tahsildar when the estimated value of trees sold is Rs.50/- or less and by the Revenue Divl. Officer when such value exceeds Rs.50/- but is not more than Rs.200/- Sales in all other cases should be subject to confirmation by the District Collector.

(By order of the Governor)

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