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GOVERNMENT OF KERALA
Abstract

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forests - Leasing out forest land to Panchayats for the construction of roads - Terms and conditions - orders issued

Agriculture (Forest General) Department
G.O.MS. No.369/73/Agri Trivandrum, Dated 3-11-1973

Read: Letter No.D1-18842/71 dated 8-5-1973 from the Chief Conservator of Forests.

ORDER

Government have been receiving representations from Panchayats requesting transfer of forest lands to them for the construction of roads. After examining the cases in detail, Government have decided that forest lands may be leased out to Panchayats for the said purpose subject to the following terms and conditions:--

- (1) The panchayat should remit an annual rent of Rs.150/- per hectare in advance and a security deposit of Rs.500/- per hectare to the Forest Department. This security deposit will be returned after deducting all dues to the Government, as and when the lease is terminated and the forest land is retransferred to the Government.
- (2) The roads should not widened by the panchayat, without the permission of the Forest Department.
- (3) There should not be any hindrance to the transport of the forest produce through these roads.
- (4) While repairing the roads, constructing culverts etc. no tree shall be damaged. If any damage is caused, the amount of loss estimated by the Forest Department should be paid to the Department by the Panchayats.
- (5) The panchayats should render all necessary assistance to the Forest Departmental staff in preventing as well as in detecting the smuggling etc. of forest produces from the adjacent reserve forests.
- (6) If by opening the road to the public, the forest offenses are on the increase, the Forest Department should have powers to close the roads.
- (7) The area covered by the roads will not be disreserved.
- (8) The tree-growth over the area will be disposed of by the Forest Department before the area is handed over to the Panchayats.
- (9) The roads will be retransferred, after terminating the existing leases, if any over the area covered by the road giving due notice according to the condition of such lease deed or agreement. The panchayat shall not be entitled to any compensation for the roads constructed by it.
- (10) The panchayat should meet the expenditure towards the survey and demarcation of the area ordered to be leased out.

(p.t.c)

(11) The panchayat should execute an agreement agreeing to abide by the conditions and also the provisions of the Forest Act and the rules made thereunder.

2. The Chief Conservator of Forests will forward to Government immediately a draft of the agreement referred to in condition (ii) above for approval by Government.

(By order of the Governor)
C.J. Joseph,
Under Secretary.

To
The Chief Conservator of Forests.
The Director of Panchayats.