

**Government of Kerala
Agriculture (Forest General) Department.**

NOTIFICATION

G.O. (P) 345/75/AD.

Dated, Trivandrum. 15-11-1975.

S.R.O.No. 1138/75 - In exercise of the powers conferred by clause (e) of section 76 of the Kerala Forest Act, 1961 (4 of 1962) the Government of Kerala Here by makes the following rules, namely:

RULES.

1. Short title. These rules may be called the Kerala Forest (Preservation, reproduction and disposal of trees and timber belonging to Government but grown on lands in the occupation of private persons) Rules 1975.

2. Definitions. In these Rules, unless the context otherwise requires -

(a) 'Act' means the Kerala Forest Act, 1961 (4 of 1962).

(b) 'Occupant' means a person in possession of Reserve forest land which has been a person in possession of Reserve forest land which has been ultimately decided to be assigned to his or already assigned to him but pending dis-reservation.

3. These excluded from sale - Teak, Rosewood, ebony and Sandalwood will be excluded from being sold to the occupants.

4. Trees liable to be sold. All species or trees other than those mentioned in rule 3 may be sold to the occupants provided these trees are required for the bonafide purpose of cultivation like growing pepper wines etc. and for the construction of houses for them.

5. Inferior species: All species of trees other than the species noted below which are depot delivery species and those below 125 cms. in girth at breadth height of depot delivery species may be treated as inferior species.

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|---------------|------------------|--------------------|
| 1. Teak | 11. Elavu | 21. Kulamavu |
| 2. Rosewood | 12. Manjakadembu | 22. Karakil |
| 3. Ebony | 13. Myla | 23. Chandana Vembu |
| 4. Sandalwood | 14. Vengal | 24. Pala |
| 5. Irul | 15. Unnam | 25. Korangatty |
| 6. Maruthy | 16. Kambakom | 26. Kaini |
| 7. Anjily | 17. Jack | 27. Vedankerana |
| 8. VEnteek | 18. VELLakil | 28. KUnnivaka |
| 9. Punnappa | 19. Vellapine | 29. Themba |
| 10.Nanku | 20. Pali | 30. Pulivaha |

6. Procedure for sale³ for trees to the occupants A notice shall be published by the Divisional Forest Officer having jurisdiction over the land in two dailies having wide circulation in the locality inviting applications for the sale or these to the trees dailies. Applications received after the due date shall be summarily rejected. However, the Conservator of forests may consider such belated applications on its merits and the decision of the Conservator of Forests may

consider such belated applications on its merits and the decision of the Conservator of Forests shall be final and binding on the applicant receipt of applications, the range officer having jurisdiction over the area shall mark the trees and measure them afresh. The Divisional Forest Officer or his Gazetted Assistant shall check measure the trees to the extent or not less than 10 percent. After check measurement, the volume of timber will be assessed and value realized from the occupant by the Divisional Forest Officer.

7. Value of the produce sold. The value of the depot delivery species shall be schedule rate minus working charges. For in their species seigniorage rate shall be charged. Firewood if any, shall also be charged at seigniorage rate.

8. Permits not to be issued. In order to avoid purchase of trees by third parties from the occupants, after the trees are purchased from the Department, no permit shall be issued for transport timber or converted timber or firewood obtained from much.

9. Time and mode of payment of value. The value of the produce sold to the occupants shall be remitted to the nearest Trees within three weeks from the date of issue or chalan by the Divisional Forest officer. However, extension of time for remittance may be granted for another one month by the Divisional Forest officer subject to realization of usual penalties.

10. Disposal of trees by the Forest Department in certain other cases: The species of Teak, Rosewood, Ebony, Sandalwood and other species which have not been applied for by the occupants or for which after submitting the application the occupant fails to remit the value in time as prescribed under these rules shall be disposed of by the Forest Department following the usual procedure.

By order of the Governor
Sd/- Additional Secretary

Explanatory note.

(This does not form part of the notification, but is intended indicate us general purport.)

Clause (e) of section 76 of the Kerala Forest Act, 1961 (of 1962) empowers the Government to make the rules for presentation, reproduction and disposal of trees and timber belonging Government but grown in forest lands in the occupation of primary persons. No notification has been issued so far in the matter. It is considered necessary that rules should be framed in rest of this matter also. The notification is intended to achieve object.