

GOVERNMENT OF KERALA
Agriculture (Forest Special) Department

NOTIFICATION

No.96954/FS1/77/AD

Dated, Trivandrum, 6th July, 1978.

S.R.O. No. 695/78 – In exercise of the powers conferred by section 17 of the Kerala Private Forests (Vesting and Assignment) Act, 1971 (26 of 1971), the Government of Kerala hereby make the following further amendment to the Kerala Private Forests (Vesting and Assignment) Rules, 1974, issued under notification No. 71470/FS 1/73/AD dated the 23rd December, 1974 and published as S.R.O.No.1/75 in Kerala Gazette extraordinary No.4 dated the 2nd January, 1975, namely:-

AMENDMENTS

1. Short title and commencement – (1) These Rules may be called the Kerala Private Forests (Vesting and Assignment) Amendments Rules, 1978. (2) They shall come into force at once.
2. In the Kerala Private Forests (Vesting and Assignment) Rules, 1974, - (1) for rule 7, the following rule shall be substituted, namely:-

“7. Extent of land to be assigned to individuals – The extent of land that may be assigned to an individual shall be two hectares.”

(2) rule 8 shall be renumbered as sub-rule (1) of that rule and –

(a) In sub-rule (1) as so renumbered, the following explanation shall be inserted at the end, namely-

“Explanation – For the purposes of this sub-rule and rule 9, a person whose annual income does not exceed three thousand rupee shall be regarded as a person who has no sufficient means of livelihood.”

(b) After sub-rule (1) as so renumbered, the following sub-rule shall be inserted, namely:-

“(2) for the purposes of sub-rule(1), the district shall be taken as the unit”;

(3) in rule 9 the following explanations shall be inserted at the end, namely:-

“Explanation 1. – For the purpose of this rule the first preference in respect of all categories shall be given to those who reside in the particular district where the land to be assigned is situate and then to those who reside in the immediate neighboring districts.

Explanation – 2 – In the case of Scheduled Castes and Scheduled Tribes their list for the whole State shall be considered for assignment when there are no applicants from among them in a particular district or in the list of the Taluk Welfare Inspectors”;

(4) in rule 10, after the words “extent of land”, the brackets and words “(including land other than land as defined in these Rules)” shall be inserted;

(5) to sub-rule(2) of rule 11, the following proviso, shall be added, namely-

“Provided that if the assignee is a Scheduled Tribe he shall not make such alienation to any persons other than a Scheduled Tribe without the consent in writing of a District Collector or any other Officer empowered by the Government in this behalf”;

(6) in rule 12, for the words “three months”, the words “three months”, the words “six months” shall be substituted;

(7) in rule 19, in sub-rule (7), for the words and figures “for disposal under rule 16”, the words “for further action” shall be substituted;

(8) in FORM No. 2,-

(i) after item 6 and before the declaration the following item shall be inserted, namely:-

“7. Annual income”;

(ii) for the verification Certificate of the Village Officer the following certificate shall be substituted, namely:-

“Verification Certificate of the Village Officer”

Certified that the details given above have been verified and found correct.

Place:

Date:

Village Officer

By Order of the Governor,

K.V.VIDYADHARAN,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport)

Consequent to the issuance of G.O.Ms.No.1247/77/RD dated 24-9-1977 it has become necessary to make certain clarifications and amendments to Kerala Private Forests (Vesting and Assignment) Rules, 1974 and also to prescribe the procedure to be followed while assigning land.

The amendments are intended to achieve the above object.