

**Government of Kerala.**

**Abstract**

Forests. Trees standing on lands to be assigned. Value of trees fixing of. Forest department to be consulted orders issued.

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Agriculture & Rural development Department (Agri. Forest)

G.O. MS. No. 156/65/Agri.

Dated, Trivandrum, 9-3-1965.

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Read: 1. Letter C2-29249/62 dated 3-10-63 from the C.C.F.  
2. Letter K.Dis. 50681/63 dated 4-6-64 from the Secretary Board of Revenue.

**ORDER**

The Chief Conservator of Forests has brought to the notice of Government that pursuant to the abolition of monopoly over royal trees standing on private compounds, land owners of lands assigned subsequently under the land assignment Rules 1958 have also applied for passes for the removal of timber from trees like teak, rosewood and sandal wood which were royal trees. Instances have also been brought to the notice of Government that the Revenue Department is selling these trees to the assignees and crediting the proceeds to the Revenue Department. The Chief Conservator of Forests has requested that the land Assignment Rules may be amended and till then, the Forest Department may be allowed to value the trees.

Governments have examined the question and are pleased to order as follows:-

In the case of lands assigned on registry under the Kerala Land Assignment rules 1964 certain trees are reserved to Government as per conditional of the patta issued under Rule 9 (2) of the rules framed under the Land assignment Act 1960. Section 8 of the Land assignment act states that all the provisions restrictions conditions and limitations contained in any patta or other document evidencing the assignment of Government land or of any interest therein shall be valid and take effect according to their tenor, notwithstanding any law, for the time being in force of any custom or contract to the contrary. " Therefore the reservation of certain trees according to the patta issued under the land assignment rules is saved from the operation of section 82 of the Kerala Forest Act 1961. No amendment as requested by the Chief Conservator of Forests is therefore necessary on this point.

Government also order that the Forest Department should be consulted for valuing all trees on the land to be assigned except the trees proposed to be reserved for Government under condition (1) of the patta granted under rule 9 (2) It is Further ordered

that if and when it is found necessary to dispose of the trees reserved for Government it will be done in consultation with the Forests Department.

By order of the Governor,

T.R. Sukumaran Nair  
Jt. Secretary.

Endt. On C2-29249/62 dated 12-3-65.

Copy for warded to the Conservator of Forests,  
Chalakydy for Information vide D. 2183/58/dated 26-9-64.  
Copy to other Conservators and all subordinate officers for information and guidance.

Sd/- For C.C.F.

Endt. On L.Dis. 6082/65 MI dated 31-3-1965.

Copy to Sections Kt, Ch, Tr, MI and copy to circular file.

Conservator's Office  
Chalakydy.

For Conservator of Forests.