

GOVERNMENT OF KERALA
Agriculture (Forest Special) Department

NOTIFICATION

No.45889/FS. 1/76/AD

Dated, Trivandrum, 15th September, 1976.

S.R.O. No.991/76 – 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 amendments 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 dated the 23rd December, 1974, in Kerala Gazette Extraordinary No.4 dated the 2nd January, 1975, namely:-

AMENDMENTS

In the said rules, -

(1) In rule 2, after clause (m), the following clause shall be inserted, namely:-

“(n) “young person” means a person who has attained the age of eighteen years and has not attained the age of thirty years”.

(2) In the proviso to sub-rule (1) of rule 7, for the words “four hectares”, the words “three hectares” shall be substituted

(3) For rule 8, the following rule shall be substituted, namely:-

“Extent of land to be assigned to various categories, - Fifty per cent of the lands available for assignment shall be assigned to members of Scheduled Tribes who are willing to take up Agriculture as means of their livelihood, preference being given to members of families of Scheduled Tribes residing in the private forests vested in the Government and willing to take up Agriculture as means of their livelihood. The remaining extent of lands available for assignment shall be assigned to each of the other categories of persons mentioned in sub-section (1) of section 10 in the following proportions:-

- | | |
|---|----------------------|
| (a) Members of Scheduled Castes who are willing to take up agriculture as means of their livelihood | Twenty per cent |
| (b) Agriculturists | Fifteen per cent |
| (c) Agricultural labourers | Twenty per cent |
| (d) Un-employed young persons belonging to families of agriculturists and agricultural labourers who have no sufficient means of livelihood and who are willing to take up agriculture as means of their livelihood. | Ten per cent |
| (e) Labourers belonging to families of agriculturists and Agricultural labourers. Whose principal means of livelihood before the appointed day was the income they obtained as wages for work in connection with or related to private forests and who are willing to take up agriculture as means of their livelihood. | Thirty-five per cent |

Provided that where in respect of a compact block, sufficient number of persons belonging to any of the said categories are not available, the extent remaining after assignment to the persons of that category shall be assigned to the remaining categories of persons in the order of preference mentioned in rule 9, and an equal extent shall be additionally allotted as far as practicable in any other area for assignment to the said category.

Provided further that the Government may, if they are satisfied that it is necessary to promote the interests of the Scheduled Tribes, allot separate blocks of lands for assignment only to members of the Scheduled Tribes.

(4) For rule 9, the following rule shall be substituted, namely:-

“9. Order of preference – Subject to the provisions of rule 8, the following order of preference shall be observed in assigning lands to the various categories of persons mentioned in sub-section(1) of section 10, namely:-

- (i) Members of Scheduled Tribes who are willing to take up agriculture as means of their livelihood.
- (ii) Members of Scheduled Castes who are willing to take up agriculture as means of their livelihood.

- (iii) Labourers belonging to families of Agriculturists and Agricultural labourers whose principal means of livelihood before the appointed day was the income they obtained as wages for work in connection with or related to private forests and who are willing to take up agriculture as means of their livelihood.
- (iv) Agricultural labourers;
- (v) Agriculturists; and
- (vi) Un-employed young persons belonging to families of Agriculturists and Agricultural labourers, who have no sufficient means of livelihood and who are will to take up Agriculture as means of their livelihood.

By Order of the Governor,

K.V.VIDYADHARAN,
Additional Secretary to Government.

Explanatory Note

(This is not form part of the notification, but is intended to indicate its purport)

Government have decided to amend the Kerala Private Forests (Vesting and Assignment) Rules, 1974 to achieve the following objects-

- (a) 50% of the Private Forest lands available for assignment shall be assigned to members of Scheduled Tribes, preference being given to members of Tribal families residing in the Private Forest areas vested in the Government.
- (b) Of the remaining area, 20% shall be reserved for distribution to members of Scheduled Caste, 15% to Agriculturists, 20% to Agricultural labourers, 10% to un-employ young persons between the age of 18 and 30 and 35% Agricultural labourers.
- (c) Lands to be assigned for cashew cultivation shall limited to 3 hectares in individual.

The notification is issued to achieve these objectives.