

GOVERNMENT OF KERALA
Agriculture (Forest Special) Department

No.57865/FS2/79/AD

Dated, Trivandrum, 7th June, 1980.

S.R.O. No. 544/80 – 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 rules, namely:-

THE KERALA VESTED FORESTS (MANAGEMENT OF RESERVED AREAS)
RULES, 1980

1. *Short title* – These Rules may be called the Kerala Vested Forests (Management of Reserved Areas) Rules, 1980.
2. *Definitions* – In these rules, unless the context otherwise requires, -
 - (a) “Act” means the Kerala Private Forests (Vesting and Assignment) Act, 1971 (26 of 1971);
 - (b) “Reserved area” means such extent of the Private Forest vested in the Government under sub-section(i) of section 3 or of the portion of a private forest or any lands comprised in such private forests, reserved under sub-section(i) of section 10 for purposes directed towards the promotion of agriculture of the welfare of the agricultural population or for purposes ancillary thereto;
 - (c) “Section” means a section of the Act;
 - (d) “Authority” means the “Vested Forest Authority” constituted under rule 3 for the management of the reserved area; and
 - (e) “Vested Forest Fund” means the Fund constituted under rule 7.
3. *Constitution of Vested Forest Authority* –
 - (1) The Government shall constitute an Authority to be called the Vested Forest Authority consisting of the following members, namely:-
 - (a) The Minister in charge of Forests or, if there is no such Minister, the Chief Secretary to Government, who shall be the Chairman;
 - (b) The Secretary to Government in charge of Forests;

- (c) The Chief Conservator of Forests (Development)
- (d) The Custodian of Vested Forests;
- (e) An Officer of the Law Department not below the rank of additional Secretary nominated by the Government; and
- (f) An Officer of the Finance Department not below the rank of Additional Secretary nominated by the Government.

- (2) The Government may nominate a representative of any other Department to be a member of the Authority for such period as they may think fit.
- (3) The Custodian of Vested Forests shall be the Secretary of the Authority.

4. *Procedure to be followed by the Authority –*

- (1) The Authority shall meet at least once in three months.
- (2) Five members shall form the quorum for any meeting of the Authority.

5. *Duties of the Authority –*

- (1) The Authority shall finalize the schemes for the management of the reserved area.
- (2) It shall be the duty of the authority to obtain the required financial assistance from the Government or from any other institution for the management of the reserved area.

6. *Powers of the Secretary –* The business and management of the Authority shall be carried on by the Secretary subject to the control and direction of the Authority.

7. *Constitution of Vested Forest Fund –*

- (1) The Government shall constitute a fund called the Vested Forest Fund.
- (2) The Vested Forest Fund shall consist of receipts under the following heads, namely:-
 - (a) Moneys received by the Government by the sale of forest produces and minerals from the reserved areas;
 - (b) Moneys received by the sale of the agricultural and plantation crops raised in the reserved areas;
 - (c) Grants or loans by or from the Central Government or the State Government;
 - (d) Donations from the members of the public and institutions; and

(e) Interest accruing from the investment, if any, of the amount standing to the credit of the Fund.

(3) The Vested Forest Fund shall be utilized for purposes directed towards the betterment of the reserved areas or the promotion of agriculture or the welfare of the agricultural population or for purposes ancillary thereto.

Explanation – The purposes referred to in this sub-rule shall include the cost of Development and protection of the reserved area and the pay and allowances of officers and staff employed in connection with the management.

8. *Administration of the Vested Forest Fund* –

(1) The Vested Forest Fund shall be administered by the Authority.

(2) The Secretary of the Authority shall be the treasurer of the Vested Forest Fund.

9. *Monies in Vested Forest Fund to be deposited into Government Treasury* – All moneys in the Vested Forest Fund and all future receipts thereto shall be deposited in a Government Treasury Savings Bank or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 5 of 1970).

10. *Maintenance of accounts* –

(1) The Treasurer of the Vested Forest Fund shall maintain a daily register on receipts and expenditure in Form I appended to these rules.

(2) The Treasurer of the Vested Forest Fund shall also maintain such other registers as may be directed by the Authority.

11. *Surplus to be allotted to Agriculturists Welfare Fund* – The Treasurer shall, with the previous sanction of the Authority, allot the surplus of the Vested Forest Fund to the Agriculturists Welfare Fund constituted under section 15 of the Act.

By Order of the Governor,

K.V.VIDYADHARAN,
Secretary to Government.

APPENDIX

FORM No.I

DAILY REGISTER FOR THE RECEIPT AND EXPENDITURE OF VESTED
FOREST FUND FOR THE MONTH OF FOR
..... RANGE/DIVISION/CIRCLE

(See Rule 10)

Receipts					Payments						
Date of receipt	Number of voucher	From whom received and on what account	Amount	Classification	Date of payment	Number of voucher	To who paid and voucher on what account	Amount		Total	classification
								(a) Cash	(b) Cheque No.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Treasurer,
Vested Forest Fund.

Explanatory Note

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

The Honorable Supreme Court in their judgment in writ petitions 151, 152, 153, 176, 177, 178, 179, 180, 181, 182, 186, 187, 188, 189 and 198 of 1971 and Civil Appeals 1398, 1416 and 1417 of 1972 observed that the value of the trees in the reserved areas cannot be utilized for purposes other than those specifically mentioned in section 10 of the Kerala Private Forest (Vesting and Assignment) Act, 1971 and that Government have to make adequate provision as to how the value of the trees can be utilized for purposes directed towards the promotion of agriculture or welfare of the agricultural population or for purposes ancillary thereto. Government intends to utilize the revenue realized from the Reserved area including the value of trees for purposes directed towards the promotion of agriculture or the welfare of the agricultural population or for purposes ancillary thereto. This Notification is intended to achieve the above object.