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KERALA GAZETTE

കേരള ഗസററ്

EXTRAORDINARY

അസാധാരണം

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GOVERNMENT OF KERALA

Revenue (P) Department

NOTIFICATION

G. O. (P) No. 63/2005/RD.

Dated, Thiruvananthapuram, 3rd March2005.

S. R. O. No. 545/2005. – In exercise of the powers conferred by section 7 of the Kerala Government Land Assignment Act, 1960 (30 of 1960). The Government of Kerala hereby make the following rules further to amend the Kerala Land assignment Rules, 1964, namely:-

RULES

- 1. *Short title and commencement* –(1) These rules may be called the Kerala Land Assignment (Amendment) Rules,2005.
 - (2) They shall come into force at once.

- 2. Amendment of the rules.- In the Kerala Land assignment Rules, 1964-
- 1. in Rules 5, in sub-rule (1)-
 - (i) for clause (a) the following shall be substituted, namely :-
 - (a) " in the case of unoccupied lands, not more than fifty cents of land, whether wet or dry, in the plains and not more than one acre of wet or dry lands in hilly tract :
 - (ii) for clause (b) of sub-rule (1) the following shall be substituted . Namely:-
 - (b) in the case of lands held on lease, whether current or time expired or by way of encroachment not considered objectionable, the lessee or the encroacher as the case may be will, be eligible for assignment of not more than 50 cents of land, whether wet or dry, in the plains, and one acre of land, whether wet of dry in hilly tracts. Land, if any, held in excess of this area shall be surrendered to Government and no compensation shall be payable for the lands so surrendered".
 - (iii) Note shall be deleted.
- 2. in Rule 6,-
 - (i) in sub-rule (1), for the words, brackets and figures "twenty five cents (10 ares) "and "Rs. 200 per acre (40-47 acres)" the words, brackets and figures "fifty cents (6.072 acres)" Rs. 200 per cent" shall be respectively substituted:
 - (ii) in sub-rule (2) for the words, brackets and figures "twenty five cents (10-12 acres)" the words, brackets and figures "fifteen cents (6.072 acres)" shall be substituted:
- 3. in rule 7.-
- (1) in sub-rule (1) for the existing proviso, the following provisos shall be substituted ; namely:-

"Provided that the total extent of land, if any, owned or held by him in proprietary right or with security of tenure is less than the limits laid down in sub-rule (1) of rule 5 or the annual family income from sources other than the Government lands held by him is below Rs. 30,000;

Provided further that, in the case of any land set apart for assignment on registry to the members of Scheduled caste/Scheduled Tribe and subsequently encroached upon by those persons who are landless and eligible for assignment of land under these Rules, such land may be assigned to such encroachers, only after setting apart equal extend of other suitable unoccupied area for the members of Scheduled Caste/Scheduled Tribe Community:

Provided also that, in the case of landless Scheduled Caste and Scheduled Tribe families limit income limit mentioned in the first proviso shall not be applicable.

- (i) in sub-rule (2),
 - (a) For the word and figures: Rs. 10,000" wherever occur, the word and figures 'Rs. 30,000" shall be substituted.
 - (b) To item '(iv) Fourth preference''. The following proviso shall be added namely:-

Provided that in the absence of applications from such military personnel's as a foresaid, the applications of other serving Military personnel with an approved service of not less than 10 years. And who do not won or hold any land either in propriety right or with security of tenure shall be considered."

By order of the Governor.

S. SUNDHARESHAN, Principal Secretary to Government.

Explanatory Note

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

In the Kerala Land Assignment Rules 1964, the minimum extent of land that shall be registered in favour of a single family for personal cultivation has not been mentioned specifically. Now Government desires to specify the area.

According to the provisions of the Kerala Land Assignment Rules, 1964 the Maximum extent of land that shall be registered for a house site to a family is 25 cents. Since Government land is very scarce in the State Government desires to reduce the maximum extent from 25 cent to 15 cent.

At present the annual income limit for considering application for Assignment under Kerala Land Assignment Rules, 1964 is Rs. 10,000 Government desires to raise the amount to Rs. 30,000 and to extend the benefit to the military personnel and exservicemen.

In the case of land set apart for registry to the members of Scheduled Caste/Scheduled Tribe persons subsequently encroached upon by those persons and who are landless eligible for assignment of land under Kerala land Assignment Rules. 1964. Government desires to assign such land to the encroachers, if they are found eligible otherwise after serving equal extent of unoccupied area for the persons belonging to Scheduled Caste/Scheduled Tribe community.