

GOVERNMENT OF TRAVANCORE-COCHIN

Abstract

Malayattoor Division 22.70 acres of Forest Land-leaseing out
Kurumudi Church-terms and conditions of lease fixed-orders
issued.

Agriculture(Forest-General) Department

Trivandrum, Dated 28.5.1973

G.O.MS.No.179/73/AD

Read: 1. G.O.Rt.No.3166/69/Arri. dated 30.12.1969

2. G.O.Rt.No.2936/70/Arri. dated 30.10.1970

3. Petition dated 12.7.1971 from Fr.J.Vedalakshmanan, Vicar
Kurumudi Church, Malayattoor(E.I) (P.O.), Via.Kalaiy.

4. From the Chief Conservator of Forests, Correspondence
resting with his letter No.D1-15347/73 dated 19.4.1973

O R D E R

In the G.Os. read as first and second papers above, sanction
was accorded to lease out 12.70 acres of forest land for an approx-
ach road to the Kurumudi Church in Malayattoor Forest Division,
and an area of 10 acres around the statue at the beginning of
the road for the purpose of a Car Park (Total 22.70 acres on act-
ual survey) for a period of 3 years. Sanction was also accorded
for the disposal of treegrowth in the area.

Government have been considering the terms and conditions
for the above lease. They are now pleased to order that the
following terms and conditions will be prescribed for the purpose.

1) Annual Lease rent at the rate of Rs.100/- per acre for the
area to be leased out to the car park and road will be
realised. A security deposit at Rs.500/- per acre for the
satisfactory completion of the lease is also fixed.

2) The whole area will be continued as Reserve Forests and under
the control of the Forest Department. The period of lease
will be 3 years for the initial stage as already ordered
by the Government. But the Govt. reserve the right to
extend the lease period, at their discretion with a month's
notice to the church authority.

3) The Church will have no right to construct any permanent
structures over the area. Special sanction of the Govern-
ment should be obtained for the proposed improvements to
be made and such improvements should be removed as and
when required by the Government at the cost of the church.

4) The lease will be responsible for the damages, if any
caused to the cairns etc. and irregularities or illicit
telling in the adjoining reserves, say within 200 ft
on either side of the road and around the car park and
such loss, if any, as assessed by the department will be
made good from the lessee.

5) The area should be used only for the purpose for which
it is granted and in case of misuse, the lease will be
cancelled.

6) The permission to use the area for the car park and road
granted to the Kurumudi Church granted will never be
deemed to create an easement right in favour of the
lessee or by others.

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7) The Government will have full control over the area and the lessee shall surrender the same if and when required by the Government without claiming any compensation.

8) The lessee will remit the rent fixed yearly in advance in the sub Treasury at Kunnathunad and produce the receipted challan before the Range Officer, Kodanad on or before 3rd January of every year. In case of default a further period of 30 days may be allowed by the Divisional Forest Officer, Malayattoor subject to the payment of penal interest at 12%. Even then if the lessee fails to remit the lease rent, the lease will be cancelled and the area resumed back, without any further notice.

9) On breach of all or any one of the terms of this agreement, the lease will be cancelled and the security will be forfeited to Government.

10) All amounts found due from the lessee as rent or compensation for damages if any caused to the properties of the Government by the lessee or their men on their behalf will be recovered from the lessees from their assets under the R.R. Act. in force or by other legal means besides forfeiting the security.

11) The lessee shall abide by the forest act and rules framed thereunder and shall assist the forest officers in detecting forest offences and in extinguishing forest fires in the near vicinity.

12) In case of any dispute between the Divisional Forest Officer, Malayattoor and the lessee, in any matter in connection with this lease, the same shall be referred to the Conservator of Forests, Central Circle, Trichur whose decision shall be final and legally binding.

13) An agreement specifying the above conditions and also any other conditions required to safeguard the interest of the Government will be executed by lessee before the land is handed over to him.

The Chief Conservator of Forests will take further immediate steps in this regard.

(By Order of the Governor)

P. KRISHNAN NAIR
Under Secretary.

To
The Chief Conservator of Forests.
The Conservator of Forests, Trichur.
The Conservator of Forests, Malayattoor.
The Divl. Forest Officer, Malayattoor.
The Accountant General (This order issues with the concurrence of Finance Department)
The Finance Department (vide their U.O.Nrc. 10462/ARD)/A1/70/Fin.
The Finance Department (vide their U.O.Nrc. 10462/ARD)/A1/70/Fin.
dtd. 29-7-1972
The petitioner, Stock file
(True Copy)

Sd/-
For Conservator of Forests,
Trichur.

//True Copy//


For Divisional Forest Officer.

Ex-1202

22.70 acres of forest land leased out
to the Kurisumudi Church. The concerned revised orders issued
by the Government of Kerala dated 15.9.1976.

AGRICULTURE (FOREST) DEPARTMENT

Trivandrum, dated 29.9.1976.

G.O. MS. 327/76/Agr1.

Read: 1. G.O. MS. 179/73/Agr1, dated 28.5.1975
2. Representation dated 10.1.1975 from Fr. Paul Chakkath,
Vicar, Kurisumudi Church, Malayattoor
3. Letter No. P8/76/10075 dated 18/20-12-1975 from the Chief
Conservator of Forests.

O R D E R

In the G.O. read above, sanction was accorded to lease out an area of 22.70 acres of Forest Land in Malayattoor Forest Division to the Kurisumudi Church for the purpose of approach road and Car Park subject to the terms and conditions specified therein. The lease rent fixed in the above case was Rs. 100/- per acre per annum. Fr. Paul Chakkath, Vicar, Kurisumudi Church in his representation read above has requested Government that the rate of lease rent may be reduced and certain conditions of the G.O. be modified. Government have considered the question in consultation with Chief Conservator of Forests and they are pleased to order that the lease rent in respect of the above area will be Rs. 125/- per hectare per annum. They also order that the other conditions in the G.O. cited will stand. The Government order read above will stand modified to the above extent.

(By Order of the Governor)

V. S. PRABHAKARAN,
UNDER SECRETARY.

To

The Chief Conservator of Forests, Trivandrum
The Conservator of Forests, Thiruvananthapuram
The Divl. Forest Office, Malayattoor
The Accountant General, (This order is issued with the concurrence
of the Accountant General) or the Finance Department
The Finance Department (Vide No. 10051/A&D/A1/76/Pn. dtd 15.9.76)
The petitioner

(True Copy)

For Conservator of Forests,
Thiruvananthapuram.

//True Copy//

For Divisional Forest Officer

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GOVERNMENT OF KERALA

ABSTRACT.

rest land - Malayattur formation of road lines - Kurisumudy Church-
lease of land - orders issued.

Agriculture (Forest Estt.) Dept.
G.O.Rt.3166/69/Agri.

Dated, Trivandrum 30-12-1969.

Read:- 1. Letter No.G5-35116/69 dated 11-11-1969 from the Chief Conservator of Forests.
2. Petition dated 20-11-1969 from Rev.Fr.J.Vadakumpadan Vicar, Kurisumudi Church, Malayattur P.O.

O R D E R .

Sanction is accorded for leasing out forest land needed for an approach road to the Kurisumudy Church in Malayattur forest Division and an area of 10 acres around the statue at the beginning of the road for the purpose of a Car Park for a period of three years subject to the specific condition that the church will not put any claims for the improvements effected by them and that the Department may resume the land at any time without assigning reasons with a notice of one month. The church authorities will be permitted to improve and maintain the road and the car park area.

2. The Chief Conservator of Forests is requested to furnish information on the following points immediately.

i. The ~~exact~~ exact extent of the area of the road to be leased out.

ii. The reasonable rent to be fixed. The fact that the Church makes good income every year may be taken into account while suggesting the rent.

iii. Other terms and conditions to be prescribed in the matter.

Sd./-

Assistant Secretary.

Endt. on G5-35116/69 dated 6-1-1970

Copy forwarded to the Conservator of Forests, Trichur for immediate report on para 2 of the above Government order. (Vide D.20892/69).

Sd./-

for Chief Conservator of Forests.

Endt. on D-20892/69 dated 29-1-1970.

Copy to Divisional Forest Officer, Malayattur (D.9189/69) for attention. A copy of Chief Conservator of Forest's No.G5.35116/69 dated 11-11-69 called for in this office even no. dated 25-11-69 should be expedited.

The details called for by the Chief Conservator of Forests should be submitted hence together with a draft copy of the agree-