GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

G. O. (P) No. 476/2015/RD.

Dated, Thiruvananthapuram, 22nd September, 2015

6th Kannu, 1191.

S. R. O. No. 627/2015—In exercise of the powers conferred by section 129 read with sub-section (4) of section 81 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following rules, namely:

——
CHAPTER 1

GENERAL

1. Short title and commencement.—(1) These rules may be called the Kerala Land Reforms (Using of five percent plantation land for non-plantation purposes) Rules, 2015.

(2) They shall come into force at once.

2. Definitions.—In these Rules, unless the context otherwise requires,—

(a) "Act" means the Kerala Land Reforms Act, 1963 (1 of 1964);

(b) "Land Board" means the State Land Board constituted under section 100 of the Act;

(c) "Section" means a section of the Act.

3. Interpretation.—The Interpretation and General Clauses Act, 1125, shall apply, as far as may be, to the interpretation of these rules, as it applies to the interpretation of an Act.

4. Of the five percent of exempted land not more than ten percent subject to an upper limit of ten acres of land shall be used for construction of hotel, resort or other tourism project.

5. While a person uses plantations and lands ancillary thereto or interspersed within such plantation held by him for floriculture or for the cultivation of vanilla or Medicinal plant, he shall do organic farming as far as possible and try to protect and cultivate in order to preserve rare species of herbs and plants which are facing extinction. In cases where pesticides and fertilizers are indispensable, only Government approved fertilizers and pesticides shall be used adhering to the norms relating to pesticide residues as laid down by Government agencies.
6. Inspections on the exempted land shall be conducted by the Collector or an Officer authorized by him periodically. If any violation is found it shall be reported forthwith to the Taluk Land Board concerned.

7. Where a person holding plantation and lands ancillary thereto or interspersed within such plantation uses such land for any other purpose other than plantation as specified in sub-section (4) of section 81, such land, shall come within the ambit of ceiling limit and he may be proceeded against by the Land Board under the provisions of section 85 of the Act, read with Kerala Land Reforms (Ceiling Rules) 1970, if any excess land is found to be in his possession.

By order of the Governor,

DR. VISHWAS MEHTA,
Principal Secretary to Government.

Explanatory Note

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

Section 129 and sub-section (4) of section 81 of Kerala Land Reforms Act, 1963 empowers Government to make rules to prescribe conditions and restrictions for the use of plantation and land ancillary thereto or interspersed within such plantations for the purposes specified therein. Hence the Government have decided to make rules.

The notification is intended to achieve the above object.