



**GOVERNMENT OF KERALA**  
**Abstract**

Revenue Department –Recommendations in the report of Special Enquiry team headed by Dr.Nivedita P. Haran, Additional Chief Secretary to examine the whole land issues related to the Government lands at Kurinjimala Sanctuary in Vattavada and Kottakamboor Villages in Idukki District – Approved - Commencing further action – Orders issued.

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**REVENUE (A) DEPARTMENT**

**G.O. (Ms) No.69/2015/RD**

**Dated, Thiruvananthapuram, 16.02.2015.**

Read :-

- (1) G.O.(Ms)No.177/2014/RD dated, 03.05.2014
- (2) G.O.(Ms)No.264/2014/RD dated, 21.06.2014
- (3) Letter No.125/ACS/2014/H&V dated 23.10.2014 of the Additional Chief Secretary, Home & Vigilance Department.

**ORDER**

As per the Government Orders read as 1<sup>st</sup> and 2<sup>nd</sup> papers above, Government have constituted a Special Enquiry team headed by Dr.Nivedita P. Haran, Additional Chief Secretary to examine whole land issues related to the Government lands at Kurinjimala Sanctuary in Vattavada and Kottakamboor Villages in Idukki District. Accordingly, the Special team have enquired into the misuse of Government land and unauthorised possession of the same at Kurinjimala Sanctuary in Vattavada and Kottakamboor Villages in Idukki District. The enquiry team completed its deliberations and submitted report to Government as per letter read as 3<sup>rd</sup> paper above.

2. After having the matter examined in detail, the Government approved the recommendations of the enquiry team contained in the above said report and are pleased to order as follows:-

- 1) The entire Eucalyptus Grandis plantations in the villages of Vattavada, Kottakamboor, Kanthalloor, Marayoor and Keezhanthoor shall be taken over by the Government at once.
- 2) Ban on cultivation of exotic species or trees like Eucalyptus Grandis, Acasia, etc. in Forest or other public lands and private lands, in the Anchunadu area would be totally justified and in tune with the recommendations in the Kasturirangan Report, keeping in view the ecological fragility of this environmentally sensitive terrain. A Government order shall be issued to stop Eucalyptus Grandis cultivation on private lands pending an amendment in legislation to ban cultivation of Eucalyptus Grandis and Acasia under the Kerala Promotion of Tree Growth in Non-forest Areas Act, 2005. Forest Department shall be directed to stop Eucalyptus Grandis cultivation on all public lands.
- 3) The exhaustive details of all Thandaper holders is available for Vattavada and Kottakamboor villages as provided by the District Collector. While providing the details, DC has confirmed the same is based on documents as per Thandaper Registers available in the two villages. It is reported that the list is exhaustive with none left out. With these details, it is now necessary to verify each holding through a laid-down process. The process should consist of issuing notices to each Thandaper holder. Each land holder is to be present in person before an identified authority. Neither legal representation nor Power of Attorney representation shall be permitted. The land holder shall be present with the documents available with the party to prove his/her title and possession. Based on the above, dedicated teams need to verify these documents with Number I and Number II Registers and Land Assignment and /or Pokkuvaravu files, cases by case.

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- 4) The above activities should have been performed by the Settlement Officer 7 years ago who was empowered under Section 18B of the Wildlife [Protection] Act, 1972. Even after extension of time, the authority has failed not only to complete the work but even to take the work to a reasonably advanced level. Various reasons and excuses for this were given by the Settlement Officers since 2007, the reported reason being the alleged non-co-operation from the patta holders and the possibility of a law and order situation. In order to pre-empt any possible hurdle to the work and since the issue has acquired wider ramification, the work should be formally assigned to the Commissioner of Land Revenue (CLR) by the Revenue Dept. Moreover, the Commissioner, Land Revenue is empowered under the Kerala Land Assignment Act, 1960 as well. CLR's duty will be to verify the records as detailed in Recommendation 3 above and to co-ordinate the field verification. The work should be and can be completed within three months time. In order to carry out this work, dedicated team of officials shall be set up in Land Revenue Commissioner's office using existing staff. Each team shall consist of 2 LDC/JDC and 1 JS/SS. Based on the number of cases provided by the DC, a maximum of seven teams would be sufficient to carry out the work within the allotted time. However, this number will be left to the discretion of the CLR and his duty will be to ensure that the work is completed within 3 months maximum.
  - 5) Based on the above verification process, cases that are found to be *prima facie* valid should then be taken up for ground verification. The ground verification will also need to be done using dedicated teams consisting of Survey, Revenue and Forest Departments. The ground survey will perforce have to be geo-referenced with the GPS points drawn from KDH village where GPS based survey has already been completed. Under the leadership of Sub Collector, Devikulam, the lands of all genuine patta holders identified by CLR shall be demarcated on ground and the same shall be handed over to the assignee or to his/her genuine legal heir along with a spatial map of the land. The work should be got done under the leadership of the Sub Collector within 4 months maximum. While doing the same, the Sanctuary boundary shall also be demarcated. The records generated should be kept in the Revenue Offices with one set in digital format in the CLR's office.
  - 6) Over the last 5 years or so, Government have lost crores of rupees as Eucalyptus Grandis harvested from public lands have been cut and removed and returns taken by private parties. The Grandis belonging to Government, in Kurinjimala Sanctuary had been cut and removed with active connivance or tacit concurrence of Revenue and Forest officials. The Government is serious about solving the matter and therefore all harvesting of Grandis from Anchunadu area stands stayed until the verification process mentioned in para 2(4) above is completed.
  - 7) It is in the interest of the Forest Department to protect as much as possible of the Neelakurinji areas. That department should also be part of Land Revenue Commissioner's settlement process mentioned paras 2(3), 2(4) and 2(5) above and should demarcate the boundary of the Sanctuary. The Forest Department should insist that encroachers who have destroyed Shola forests or Grasslands should be evicted, brought to book and the areas brought within the Sanctuary which should then be fenced-off. The Forest Department should keep copy of geo-referenced map of the Sanctuary and only then the work of declaration of Sanctuary would reach a logical finality.
  - 8) Similar extensive encroachments have taken place in the other 3 villages of Anchunadu also. Based on the process to be set by the Commissioner, Land Revenue as mentioned in para 2(3), and 2(4) and 2(5) above, the Sub Collector, Devikulam should issue notices and follow due process of law to verify all pattayams, confirm those that are genuine, and evict all encroachers. While doing so, geo-referenced survey maps shall be generated.

- 9) Ensnoced in the lap of the Western Ghats, Anchunadu still has pockets of Shola forests and watersheds that make it ecologically very sensitive. These areas are also of incredible natural beauty. With Munnar and its surrounding areas over-exploited through unplanned development and encroachment, the resort mafia has spread to Anchunadu. Hence, this area should be planned in advance to develop regulated tourism that will be environment-friendly and ecologically sustainable. The land mafia that systematically grabbed lands from small patta assignees or / and encroached on public lands, should be evicted from there. Government needs to realise that if the area loses its picturesque beauty and pristine serenity, no tourist would visit the place. If planned professionally, the Tourism sector in the State can make huge gains by protecting and showcasing this area, the Western Ghat's Heartland, the Shola forests and the rare Neelakurinji tract.
- 10) Allowing transfer of land through Power of Attorney should not be permitted and should be totally banned especially within the statutory alienation period in the case of assigned lands. As will be evident from the Revenue records, in many cases, even though the initial transfer is through Power of Attorney, this gets converted into an eligible transfer based on which mutation is being carried out. The extent of misuse of Power of Attorney is extensive and the *modus operandi* should be understood and corrective action taken. Hence, transfer of land through Power of Attorney during the statutory non-alienation period of assigned lands shall be totally banned. The verifying officials shall collect the details of registered Power of Attorneys executed at Sub Registrar Offices of Devikulam and surrounding Sub Registrar Offices, which transfer the possession of assigned land by Tamil migrants to the present land holders/ predecessors after 1993, and thus the entire land grabbing details, the persons involved etc. can be easily traced out.
- 11) The leasing of Revenue lands by the Forest Department for the paper industry or for any other purpose shall be discontinued. Where the lease is still in vogue, the Lease Agreement shall be made tripartite and the Revenue Department shall be brought in as a party to the agreement. However, as early as possible, the growing of Eucalyptus Grandis in the Anchunadu area should be discontinued.
- 12) A senior and efficient officer, preferably an outsider, with no personal land interest in Idukki shall be posted as Commissioner, Land Revenue to enable the work mentioned in paras 2(3), 2(4) and 2(5) above to be completed at the earliest.
- 13) Strong disciplinary action shall be taken against officials who have shown dereliction of duty, issued orders against the Law (as in allowing harvesting of Eucalyptus Grandis) or in connivance with land grabbers.
- 14) A Quick Verification shall be done by the Vigilance and Anti-corruption Bureau to ascertain the identity of those who have acquired or purchased properties in Anchunadu area, in Idukki Dist. and report shall be submitted to Government within a month.
- 15) The identity of elected representatives and the senior officials who have purchased lands in Anchunadu area, in violation of statutes, in their own or dependent's name/s shall be collected from Annual Property Returns and Vigilance & Anti-corruption Bureau Report and be referred to the Lokayukta for action under Law.

By Order of the Governor

E.K.MAJHI

Principal Secretary to Government

To

The Additional Chief Secretary, Forest Department.  
The Additional Chief Secretary, Home & Vigilance.  
The Principal Chief Conservator of Forests, Thiruvananthapuram.

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- The Secretary, Tourism Department.
- The Secretary, Taxes Department.
- The Land Revenue Commissioner, Thiruvananthapuram.
- The Director, Survey & Land Records, Thiruvananthapuram.
- The Director, Vigilance & Anti-corruption Bureau.
- The Inspector General, Registration, Thiruvananthapuram.
- The District Collector, Idukki.
- The Sub Collector, Devikulam.
- The Assistant Commissioner (LA), Thiruvananthapuram.
- The Accountant General (A&E/Audit) Kerala, Thiruvananthapuram.
- The General Administration (SC) Department.
- The Finance Department.
- The General Administration (Special A/C) Department.
- The Information and Public Relation (Web & New Media) Department.
- Stock File/Office Copy.

Forwarded/ by Order

*E. V. K. Menon*  
~~Section Officer~~