GOVERNMENT OF KERALA

Abstract

Kerala Land Utilisation Order, 1967 - Disposal of Applications for conversion of land for non-food crop users by District Collectors and Revenue Divisional Officers - Orders issued.

AGRICULTURE (NCA) DEPARTMENT


ORDER

The Kerala Land Utilisation Order, 1967 was issued by the Government of Kerala under the Essential Commodities Act 1955 (Central Act 10 of 1955) with the prior approval of the Central Government. The Order extends to the whole of Kerala. The main objectives of the Order are: 1) to bring occupied waste or arable lands likely to be left fallow during a cultivation season under cultivation with paddy or other food crops (2) to prevent the conversion of any land cultivated with food crops for other purpose, except with the written permission of the District Collector (or Revenue Divisional Officers, where the powers of District Collectors have been delegated to them.

2. Concerned at the large-scale conversion of paddy lands for other purposes, the Government issued a directive to all District Collectors, vide Government issued a directive to all District Collectors, vide reference read as first paper above, not to sanction any application under the Kerala Land Utilisation (KLU) Order for conversion of paddy lands for other uses, except with the prior approval of Government. Thereafter, all individual applications for conversion of paddy lands for other uses have been dealt with at the Government level. Given the large number of applications for conversion, especially for conversion of small extents of land for homestead purpose, considerable delay has been experienced in processing individual applications. It has also been pointed out that Governmental intervention in the exercise of quasi-judicial functions of District Collectors/Revenue Divisional Officers under a Statue (the KLU Order) through an administrative direction may not be appropriate.

3. Government have carefully examined the modalities of implementation of the KLU Order, in consultation with District Collector and Principal Agricultural Officers, and are please to order as under.

1. The direction issued to District Collectors vide reference read as first paper above will be withdrawn. This would mean that applications for conversion can be considered and disposed off by Revenue Divisional Officers/District Collectors in accordance with the provisions of the KLU Order and related standing instructions. The Land Revenue Commissioner will hear appeals and the Government (in the Agriculture Department) will exercise revisional powers as provided for in the KLU Orders.

2. District Collectors will ensure the conversions, which are likely to render irrigation investments infructuous, are not allowed. Similarly large scale conversion for Commercial purpose should be discouraged.

3. In all cases, where conversion is allowed, Collectors/Revenue Divisional Officers must ensure that drainage for neighbouring or nearby plots is not blocked or rendered impossible.
4. Conversion of land for construction of houses for individuals, upto 5 cents, should generally be allowed. However, large-scale conversion of land by artificial partitioning into small plots of less than 5 cents should be detected and disallowed.

5. The revenue machinery at the taluk and village-level should be activated to ensure that in future, conversions or attempted conversions without sanction are promptly detected and proceeded against. Conversions should not presented as a ‘fait accompli’ which have to be inevitably regularised.

6. Government will examine the suggestions of Collectors/Principal Agricultural Officers for changes to the KLU Order to make the penal provisions more effective and also for levying as on conversion.

The above instructions come into force with immediate effect.

By Order of the Governor,

C.S.SRINIVASAN,
Secretary Agricultural

To

1. Secretary (Revenue).
2. Land Revenue Commissioner.
3. All District Collector.
4. Secretary (Irrigation).
5. Secretary (Urban Development).
6. Secretary (Local Self Government).
7. Director of Agriculture.
8. All Principal Agricultural Officers.
10. Accountant General (A&E), Thiruvananthapuram.
11. Advocate General, Ernakulam.

Copy to:

1. Joint Secretary to Chief Secretary.
2. Agriculture Production Commissioner.
3. Principal Secretary to Chief Minister.
4. Secretary (Agriculture).
5. PS to Minister (Agriculture and Coir).
6. PS to Minister (Revenue).
7. PS to Minister (Irrigation).

Forwarded/By Order

Sd/-
SECTIONS OFFICER