REPORT OF THE SUBJECT COMMITTEE ON THE KERALA FOREST (AMENDMENT) BILL, 2025 AND THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

Presented on 19th September, 2025

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SUBJECT COMMITTEE X

(FOREST, ENVIRONMENT AND TOURISM)

(2023-2026)

Composition

Chairperson:

Shri A. K. Saseendran.

Minister for Forest and Wildlife.

Ex-officio Member:

Shri P. A. Mohamed Riyas,

Minister for Public Works and Tourism

Members:

Shri Aryadan Shoukath

Shri Eldose P. Kunnappillil

Shri C. K. Hareendran

Shri K. U. Jenish Kumar

Shri M. Mukesh

Shri Najeeb Kanthapuram

Shri A. Raja

Shri Sunny Joseph

Shri P. S. Supal.

Legislature Secretariat:

DR. N. Krishna Kumar, Secretary

Shri Selvarajan P. S., Joint Secretary

Shri Jomy K. Joseph, Deputy Secretary

Smt. Sunitha C., Under Secretary.

THE KERALA FOREST (AMENDMENT) BILL, 2025

(Report of the Subject Committee)

Subject Committee X (Forest, Environment and Tourism) to which The Kerala Forest (Amendment) Bill, 2025 (Bill No. 269) was referred, considered the Bill clause by clause and now submits this Report with the Bill as reported by the Subject Committee annexed thereto.

- 2. The Kerala Forest (Amendment) Bill, 2025 was published as a Gazette Extraordinary dated 13^{th} September, 2025. The Bill was introduced in the Assembly on 18^{th} September, 2025 and was referred to Subject Committee X on the same day.
- 3. The Committee considered the Bill clause by clause at the meeting held on 18th September, 2025 and recommends to adopt the Bill with the following modifications:

Clause 2

In clause C proposed to be substituted in section 2 of the principal Act by clause 2 of the Bill, for the word "Watcher" the words and bracket "Watcher (except for the purpose of arrest)" shall be substituted respectively.

Clause 7

- (i) In clause 7(1)(a) proposed to be substituted in section 68(1) of the principal Act, before the word and number "section 62," the word, number, letter and symbol "section 47 G," shall be inserted respectively.
- (ii) In clause 7(1)(b) proposed to be substituted in section 68(1) of the principal Act, before the word and number "section 62," the word, number, letter and symbol "section 47 G," shall be inserted respectively.
 - 4. All other changes are either verbal or consequential.
- 5. The minutes of Dissent and the Bill as reported by the Subject Committee are appended.

A. K. SASEENDRAN

n, Chairperson,
5. Subject Committee X.

Thiruvananthapuram, 19th September 2025.

അനബന്ധം I

വിയോജനക്കറിച്ച്

സ്വകാര്യ ഭൂമിയിൽ നട്ടുപിടിപ്പിച്ചതോ സർക്കാരിന്റെ സ്വത്തെന്ന് രേഖപ്പെടുത്താത്തതോ ആയ ചന്ദനമരങ്ങൾ മുറിക്കുന്നതിനുള്ള നിയന്ത്രണങ്ങളിൽ ഇളവ് വരുത്തുവാനം ഭൂഉടമകൾക്ക് വനം വകപ്പ് മുഖേന ചന്ദനമരങ്ങൾ വിൽക്കാനുള്ള അനമതി നൽകുന്നതിനം; പ്രോസികൃഷൻ നടപടി ആരംഭിച്ചതിനശേഷം കോടതിയുടെ അനമതിയോടുകൂടി വനം സംബന്ധിച്ച ചില കറ്റങ്ങൾ രാജിയാക്കുന്നതിനുള്ള വ്യവസ്ഥകൾ ഉൾപ്പെടുത്തുന്നതിനം; 'ഫോറസ്റ്റ് ഓഫീസർ' എന്നതിന്റെ നിർവചനത്തിൽ ഭേദഗതി വരുത്തുന്നതിനമാണ് ബില്ലിൽ വ്യവസ്ഥ ചെയ്തിരിക്കുന്നത്.

സ്വകാര്യഭൂമിയിലെ ചന്ദനമരങ്ങൾ മുറിച്ചു മാറ്റുന്നതിന് ഇളവ് അനവദിക്കുന്നതിനെയും വനം വകപ്പ് മുഖേന വില്പന നടത്തുന്നതിനമുള്ള വ്യവസ്ഥകളെയും സ്വാഗതം ചെയ്യുന്നു. എന്നാൽ ഈ കാര്യത്തിലുള്ള നടപടിക്രമങ്ങൾ സംബന്ധിച്ച് സൂക്ഷമതയോടെ ചട്ടങ്ങൾ രൂപീകരിക്കേണ്ടതാണ്.

ഫോറസ്റ്റ് ഓഫീസറ്റടെ നിർവചനത്തിൽ വരുത്തുന്ന ഭേദഗതി പ്രകാരം ഫോറസ്റ്റ് വാച്ചറ്റാ താൽക്കാലികമായോ ദിവസ വേതന അടിസ്ഥാനത്തിലോ നിയമിക്കപ്പെടുന്ന വാച്ചർമാർ അടക്കമുള്ളവരെയും വനം ഉദ്യോഗസ്ഥരായി പരിഗണിക്കാവുന്നതാണ്. ഇപ്രകാരം ഭേദഗതി വരുത്തുമ്പോൾ വനം ഉദ്യോഗസ്ഥർ എന്ന നിലയിൽ നിയമപ്രകാരം ലഭിക്കുന്ന അധികാരങ്ങൾ വ്യാപകമായി ദുരുപയോഗം ചെയ്യുന്നതിനം മലയോര കർഷകരെയും ആദിവാസികളെയും വനവുമായി ബന്ധപ്പെട്ട് ഉപജീവനം നയിക്കുന്നവരെയും ചൂഷണം ചെയ്യുന്നതിലേക്കും നയിക്കുന്നതാണ്. സമാനമായ നിയമഭേദഗതി നിർദ്ദേശത്തിന് എതിരെ മുൻപ് പ്രതിഷേധങ്ങൾ ഉയർന്നപ്പോൾ പിന്നോട്ട് പോയ സർക്കാർ അതേ കാര്യം ഈ ബില്ലിൽ ഉൾപ്പെടുത്തുന്ന സമീപനത്തോട് യോജിക്കാൻ സാധിക്കില്ല. ആയതിനാൽ ബില്ലിനോട് വിയോജിക്കുന്നു.

സണ്ണി ജോസഫ്	(ഒപ്പ്)
എൽദോസ് പി. കുന്നപ്പിള്ളിൽ	(ഒപ്പ്)
നജീബ് കാന്തപുരം	(ഒപ്പ്)
അരാടൻ ഷൗക്കത്ത്	(ഒപ്)

APPENDIX II

THE KERALA FOREST (AMENDMENT) BILL, 2025

(As Reported by the Subject Committee)

[the words underlined/sidelined indicate the modification suggested by the committee. Omissions are indicated by asterisks]

A

BILL.

further to amend the Kerala Forest Act, 1961.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Forest Act, 1961 (4 of 1962) for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth Year of the Republic of India as follows:—

- 1. *Short title and commencement.*—(1) This Act may be called the Kerala Forest (Amendment) Act, 2025.
 - (2) It shall come into force at once.
- 2. *Amendment of section* 2.—In the Kerala Forest Act, 1961 (4 of 1962) (hereinafter referred to as the principal Act), in section 2, for clause (c), the following clause shall be substituted, namely:—
- "(c) "Forest Officer" means any person appointed by name or as holding an office by or under the orders of the Government to be a Principal Chief Conservator of Forests, Additional Principal Chief Conservator of Forests, Chief Conservator of Forests, Conservator of Forests, Deputy Conservator of Forests, Assistant Conservator of Forests, Divisional Forest Officer, Wildlife Warden, Assistant Wildlife Warden, Range Forest Officer, Deputy Range Forest Officer, Section Forest Officer, Timber Depot Officer, Beat Forest Officer, Watcher (except for the purpose of arrest) or to discharge any function of a Forest Officer under this Act or any rules made thereunder;".

- 3. *Amendment of section 47B.*—In section 47B of the principal Act, in sub-section (2),—
- (a) after the words "for his own use", the words and symbols "or for sale through the Forest Department or, subject to the provisions of this Act and the rules made thereunder, for any other bonafide use, irrespective of the age of the tree" shall be inserted;
- (b) for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that the provision for sale and bonafide use under subsection (2) shall not apply to sandal trees, if any, reserved by the Government at the time of assignment of such lands or sandal trees standing on any land notified under section 5 of the Kerala Preservation of Trees Act, 1986 (35 of 1986) or the areas notified by the custodian under the Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Act, 2003 (21 of 2005)."

- 4. Amendment of section 47E.—In section 47E of the principal Act,—
- (a) in the marginal heading, for the words "authorised officer", the words "Forest Department" shall be substituted;
- (b) for the words "authorised officer", the words "Forest Department" shall be substituted.
- 5. *Amendment of section* 53.—In section 53 of the principal Act, for the word "Ranger", the words "Range Forest Officer" shall be substituted.
- 6. *Amendment of section 64.*—In section 64 of the principal Act, for the word "Ranger", the words "Range Forest Officer" shall be substituted.
- 7. *Amendment of section 68.*—In section 68 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—
- "(1) Any Forest officer not below the rank of an Assistant Conservator of Forests may,—
- (a) accept from any person, reasonably suspected of having committed any forest offence, other than an offence punishable under <u>section</u> <u>47 G</u>, section 62 or section 65, a sum of money equivalent to the maximum

fine amount prescribed for the offence under the Act or the rules made thereunder by way of compensation for the offence which may have been committed and where any property has been seized as liable to confiscation, may release the same on payment of the value thereof as estimated by such officer or confiscate such property to the Government;

(b) after institution of the prosecution, on an application from the accused, compound, with the permission of the court, any offence other than an offence punishable under section 47 G, section 62 or section 65, alleged against such accused, by accepting a sum of money and value of property assessed in the manner as specified in clause (a):

Provided that though an offence has been compounded under this subsection, it shall be deemed to be a previous commission of the same offence for the purpose of determining whether a second or subsequent offence has been committed and no such second or subsequent offence shall be compounded under this clause.".

Kerala Legislature Secretariat, Thiruvananthapuram 2025, September 18, DR. N. Krishna Kumar, *Secretary.*