

**15 -ാം കേരള നിയമസഭ**

**8 -ാം സമ്മേളനം**

**നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 6814**

**21-03-2023 - ൽ മറുപടിയ്ക്ക്**

**ഒരു വ്യക്തിക്ക് കൈവശം വയ്ക്കാവുന്ന ഭൂമിയുടെ അളവ്**

ചോദ്യം		ഉത്തരം	
<b>ശ്രീ. കെ.വി.സുമേഷ്</b>		<b>ശ്രീ. കെ. രാജൻ</b> <b>(റവന്യൂ ഭവനനിർമ്മാണ വകുപ്പ് മന്ത്രി)</b>	
(എ)	ഒരു വ്യക്തിക്ക് കൈവശം വയ്ക്കാവുന്ന ഭൂമിയുടെ അളവ് എത്രയെന്ന് വ്യക്തമാക്കാമോ;	(എ)	കേരള ഭൂപരിഷ്കരണ നിയമം 1963ലെ വകുപ്പ് 82 പ്രകാരം പ്രായപൂർത്തിയായ വിവാഹം കഴിക്കാത്ത ഒരു വ്യക്തിക്ക്, അല്ലെങ്കിൽ ജീവിച്ചിരിക്കുന്ന ഒരംഗം മാത്രമുള്ള കുടുംബത്തിന് പരമാവധി കൈവശം വയ്ക്കാവുന്നത് 5 സ്റ്റാൻഡേർഡ് ഏക്കർ (പരമാവധി 7.5 സാധാരണ ഏക്കർ) ഭൂമിയാണ്. അഞ്ച് അംഗങ്ങൾ വരെയുള്ള കുടുംബത്തിന് പരമാവധി കൈവശം വയ്ക്കാവുന്നത് 10 സ്റ്റാൻഡേർഡ് ഏക്കർ (പരമാവധി 15 സാധാരണ ഏക്കർ) ഭൂമിയാണ്. അഞ്ച് അംഗങ്ങളിൽ കൂടുതൽ ഉള്ള കുടുംബത്തിന് പത്ത് സ്റ്റാൻഡേർഡ് ഏക്കറും അഞ്ചിലധികമുള്ള ഓരോ അംഗത്തിനും ഒരു സ്റ്റാൻഡേർഡ് ഏക്കർ കൂടി നൽകാം. എന്നാൽ പരമാവധി വിസ്തീർണ്ണം 20 ഏക്കറിൽ കൂടാൻ പാടില്ല.
(ബി)	ഭൂമിയുടെ തരം അനുസരിച്ച് കൈവശം വയ്ക്കാവുന്ന ഭൂമിയുടെ അളവിൽ വ്യത്യാസമുണ്ടോ;	(ബി)	വ്യത്യാസമുണ്ട്. കൈവശം വയ്ക്കാവുന്ന ഭൂമിയുടെ വിസ്തീർണ്ണം നിർണ്ണയിക്കുന്നത് സ്റ്റാൻഡേർഡ് ഏക്കർ എന്ന യൂണിറ്റിലാണ്. ഇത് സാധാരണ ഏക്കറാക്കുമ്പോൾ വിളകളുടെ അടിസ്ഥാനത്തിലും ജില്ലകളുടെ അടിസ്ഥാനത്തിലും മാറ്റം വരുന്നുണ്ട് ഈ വിവരങ്ങൾ അടങ്ങിയ 1963ലെ കേരള ഭൂപരിഷ്കരണ നിയമത്തിലെ ഷെഡ്യൂൾ II ന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിരിക്കുന്നു.
(സി)	തരിശ് ഭൂമി, കൃഷി ഭൂമി തുടങ്ങിയതരത്തിലുള്ള ഭൂമി അധികമായി കൈവശം വയ്ക്കുന്നതിന് ഇളവുകളുണ്ടോ; വിശദമാക്കാമോ?	(സി)	കേരള ഭൂപരിഷ്കരണ നിയമത്തിലെ 81(1) -ാം വകുപ്പിൽ (a) മുതൽ (u) വരെയുള്ള വിഭാഗങ്ങളിൽ പ്രതിപാദിക്കുന്ന ഭൂമികൾക്ക് ഭൂപരിധിയിൽ ഇളവ് അനുവദിക്കുന്നുണ്ട്. മേൽ വകുപ്പിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിരിക്കുന്നു.

സെക്ഷൻ ഓഫീസർ

<sup>85</sup>[**SCHEDULE II**  
[See Section 2(55)]]

**Part I**

**Lands other than nilam**

**Trivandrum District**

<b>Class of land</b>	<b>Standard acre</b>
1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
(iii) Land used principally for growing peppervines	... 1.50

85. Substituted by Act 35 of 1969, published in K.G.Ext. No. 295 dt. 17/12/1969. Prior to the substitution it read as:

**"SCHEDULE II**

[See Section 2(55)]

**PART I**

**LANDS OTHER THAN NILAMS  
TRIVANDRUM DISTRICT**

<i>Class of land</i>	<i>Standard acre</i>
1. Garden	1.50 acres
2. Dry land principally cultivated with cashew	2.00 "
3. Other dry land	4.00 "
4. Palliyal land	4.00 "
5. Rubber plantation	1.75 "
6. Tea plantation	0.75 "
7. Coffee plantation	1.00 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**QUILON DISTRICT**

1. Garden	1.00 acres
2. Dry land principally cultivated with cashew	2.00 "
3. Other dry land	3.00 "
4. Palliyal land	3.00 "
5. Rubber plantation	1.75 "
6. Tea plantation	0.75 "
7. Coffee plantation	1.00 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**ALLEPPEY DISTRICT**

1. Garden	1.00 acres
2. Dry land principally cultivated with cashew	2.00 "
3. Other dry land	4.00 "
4. Palliyal land	4.00 "
5. Rubber plantation	1.75 "
6. Tea plantation	0.75 "
7. Coffee plantation	1.00 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**KOTTAYAM DISTRICT**

1. Garden	1.25 acres
2. Dry land principally cultivated with cashew	1.75 "
3. Other dry land	3.00 "
4. Palliyal land	3.00 "

<b>Class of land</b>	<b>Standard acre</b>
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 2.50
4. Palliyal land	... 4.00
<b>Quilon District</b>	
1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
(iii) Land used principally for growing peppervines	... 1.50
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 2.50
4. Palliyal land	... 3.00
<b>Alleppey District</b>	
1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
(iii) Land used principally for growing peppervines	... 2.00
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 2.50
4. Palliyal land	... 4.00
<b>Kottayam District</b>	
1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
Footnote No. 85 (contd...)	
5. Rubber plantation	1.75 "
6. Tea plantation	0.50 "
7. Coffee plantation	1.00 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "
<b>ERNAKULAM DISTRICT</b>	
1. Garden	
2. Dry land principally cultivated with cashew	1.00 acres
3. Other dry land	1.75 "
4. Palliyal land	3.00 "
5. Rubber plantation	3.00 "
6. Tea plantation	2.25 "
7. Coffee plantation	1.00 "
8. Cardamom plantation	1.00 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "
<b>TRICHUR DISTRICT</b>	
1. Garden	
2. Dry land principally cultivated with cashew	1.00 acres
3. Other dry land	1.75 "
4. Palliyal land	3.00 "
5. Rubber plantation	3.00 "
6. Tea plantation	2.25 "
	0.50 "

<b>Class of land</b>	<b>Standard acre</b>
(iii) Land used principally for growing peppervines	... 1.50
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 2.00
4. Palliyal land	... 3.00

**Ernakulam District**

1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
(iii) Land used principally for growing peppervines	... 1.50
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 2.50
4. Palliyal land	... 3.00

**Trichur District**

1. Garden land:	
(i) Land used principally for growing coconut trees	... 1.00
(ii) Land used principally for growing arecanut trees	... 0.50
(iii) Land used principally for growing peppervines	... 1.50
2. Dry land principally cultivated with cashew	... 2.00
3. Other dry land	... 3.00
4. Palliyal land	... 3.00

Footnote No. 85 (contd...)

7. Coffee plantation	1.00 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**PALGHAT DISTRICT**

1. Garden	1.00 acres
2. Dry land principally cultivated with cashew	2.25 "
3. Other dry land	4.00 "
4. Palliyal land	4.00 "
5. Rubber plantation	2.25 "
6. Tea plantation	0.50 "
7. Coffee plantation	0.75 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**KOZHIKODE DISTRICT**

1. Garden	0.75 acres
2. Dry land principally cultivated with cashew	1.75 "
3. Other dry land	3.00 "
4. Palliyal land	3.00 "
5. Rubber plantation	2.25 "
6. Tea plantation	0.50 "
7. Coffee plantation	0.75 "
8. Cardamom plantation	1.50 "
9. Cinnamon plantation	1.50 "
10. Cocoa plantation	1.50 "

**Class of land****Standard acre****Palghat District**

1. Garden land:		
(i) Land used principally for growing coconut trees	...	1.25
(ii) Land used principally for growing arecanut trees	...	0.50
(iii) Land used principally for growing peppervines	...	3.00
2. Dry land principally cultivated with cashew	...	2.00
3. Other dry land	...	2.50
4. Palliyal land	...	4.00

**Malappuram District**

1. Garden land:		
(i) Land used principally for growing coconut trees	...	1.00
(ii) Land used principally for growing arecanut trees	...	0.50
(iii) Land used principally for growing peppervines	...	3.00
2. Dry land principally cultivated with cashew	...	2.00
3. Other dry land	...	2.50
4. Palliyal land	...	3.00

**Kozhikode District**

1. Garden land:		
(i) Land used principally for growing coconut trees	...	1.00
(ii) Land used principally for growing arecanut trees	...	0.50
(iii) Land used principally for growing peppervines	...	3.00
2. Dry land principally cultivated with cashew	...	2.00
3. Other dry land	...	2.50
4. Palliyal land	...	3.00

**Cannanore District**

1. Garden land:		
(i) Land used principally for growing coconut trees	...	1.25
(ii) Land used principally for growing arecanut trees	...	0.50
(iii) Land used principally for growing peppervines	...	3.00

Footnote No. 85 (contd...)

**CANNANORE DISTRICT**

1. Garden	1.00	acres
2. Dry land principally cultivated with cashew	1.50	"
3. Other dry land	3.00	"
4. Palliyal land	3.00	"
5. Rubber plantation	2.25	"
6. Tea plantation	0.75	"
7. Coffee plantation	0.75	"
8. Cardamom plantation	1.50	"
9. Cinnamon plantation	1.50	"
10. Cocoa plantation	1.50	" "

2. Dry land principally cultivated with cashew	...	2.00
3. Other dry land	...	2.50
4. Palliyal land	...	3.00

**Part II****Standard acres of nilam**

<i>Sl. No.</i>	<i>Taluks</i>	<i>Double crop nilam (acre)</i>	<i>Single crop nilam (acre)</i>
(1)	(2)	(3)	(4)
1.	Neyyattinkara Trivandrum Nedumangad Chirayinkil	1.00	2.00
2.	Quilon Kottarakkara Kunnathur Pathanapuram Pathanamthitta	1.00	2.00
3.	Karunagappally Karthigapally Mavelikkara	1.00	2.00
4.	Chengannur Thiruvalla Kuttanad	1.00	1.75
5.	Ambalapuzha Sherthalai	1.50	2.50
6.	Changanacherry Kanjirappally Peermade Kottayam Vaikom Meenachil Devikolam Udumbanchola	1.00	2.00
7.	Thodupuzha Moovattupuzha Cochin Kanayannur	1.00	2.00

8.	Kunnathunad Parur Alwaye	1.25	2.25
9.	Crangannur Mukundapuram Trichur Talappally	1.25	2.00
10.	Chittur Alathur Palghat	0.75	1.50
11.	Ottappalam Perinthalmanna Mannarghat Ernad	1.00	2.00
12.	Chowghat Ponnani Tirur	1.25	2.25
13.	Kozhikode Quilandy Badagara	1.50	3.00
14.	South Wynad North Wynad	1.25	2.25
15.	Tellicherry Cannanore Taliparamba Hosdrug Kasargod	1.25	2.25]

<sup>1</sup>[x x x]

(2) The Land Tribunal shall pay the amount of each instalment made available to it under Sub-section (1) to the persons entitled thereto on such date and in such manner as may be prescribed.

### CHAPTER III

#### RESTRICTION ON OWNERSHIP AND POSSESSION OF LAND IN EXCESS OF CEILING AREA AND DISPOSAL OF EXCESS LANDS

**§1. Exemptions.**— (1) The provisions of this Chapter shall not apply to—

(a) lands owned or held by the Government of Kerala or the Government of any other State in India or the Government of India or a local authority <sup>2</sup>[or the Cochin Port Trust] or any other authority which the Government may, in public interest, exempt, by notification in the Gazette, from the provisions of this Chapter.

<sup>3</sup>[Provided that the exemption under this clause shall not apply to lands owned by the Government of Kerala and held by any person under lease whether current or time expired or otherwise.]

<sup>4</sup>[**Explanation I.**— "Lands owned by the Government of Kerala" shall, for the purposes of this clause, have the same meaning as "Government Lands" under Sub-section (1) of Section 2 of the Kerala Government Land Assignment Act, 1960; <sup>2</sup>[but lands escheated to the Government and held by tenants entitled to fixity of tenure under Section 13 shall not be deemed to be lands owned by the Government of Kerala.]

<sup>2</sup>[**Explanation II.**— Lands, the right, title and interest in respect of which have vested in the Government under Sub-section (9) of Sec-

1. Omitted by KLR (Amendment) Act 1989  
2. Inserted by Act 35 of 1969  
3. Inserted by Act 17 of 1972  
4. Numbered as Explanation I by Act 35 of 1969

tion 66 or Section 72, shall not be deemed to be "lands owned by the Government of Kerala" for the purposes of this clause;]

<sup>1</sup>[**Explanation III.**— For the purposes of this clause, "other authority" shall include a corporation owned or controlled by the Government of Kerala or the Government of any other State in India or the Government of India;]

(b) lands taken under the management of the Court of Wards:

Provided that the exemption under this clause shall cease to apply at the end of three years from the commencement of this Act;

(c) lands comprised in mills, factories or workshops and which are necessary for the use of such mills, factories or workshops;

(d) private forests;

(e) plantations;

<sup>2</sup>[(f) cashew estate

**Explanation.**— For the purpose of this clause "cashew estate" shall mean dry land principally cultivated with not less than 150 cashew trees per hectare.]

(g) <sup>3</sup>[x x x]

(h) lands mortgaged to the Government, or to a co-operative society (including a co-operative land mortgage bank) registered or deemed to be registered under the Co-operative Societies Act for the time being in force, or to the Kerala Financial Corporation, or to the Kerala Industrial Development Corporation or to the State Small Industries Corporation, as security for any loan advanced by the Government or by such Society or Corporation, so long as the mortgage subsists:

1. Inserted by Act 25 of 1971  
2. Inserted by KLR (Amendment) Bill, 2004  
3. Omitted by Act 35 of 1969



Provided that the exemption under this clause shall cease to apply at the end of three years from the commencement of this Act;

- (i) lands purchased by the Kerala Co-operative Central Land Mortgage Bank or a Primary Mortgage Bank under Section 18 of the Kerala State Co-operative Land Mortgage Banks Act, 1960, or by the Kerala State Co-operative Bank Ltd., or by a primary agricultural credit co-operative society or by a scheduled bank as defined in the Reserve Bank of India Act, 1934 so long as such lands continue in the possession of the bank;
- (j) lands purchased by the Kerala Financial Corporation or lands the management of which has been taken over by that Corporation, under Section 32 of the State Financial Corporations Act, 1951, so long as such lands remain in the ownership, or continue under the management, as the case may be, of the said Corporation:

<sup>1</sup>[Provided that the exemption under this clause shall not apply in the case of lands the management of which has been taken over by the Corporation on or after the 1st day of April, 1964;]

- (k) lands belonging to or held by an industrial or commercial undertaking at the commencement of this Act, and set apart for use for the industrial or commercial purpose of the undertaking;

Provided that the exemption under this clause shall cease to apply if such land is not actually used for the purpose for which it has been set apart, within such time as the District Collector may, by notice to the undertaking, specify in that behalf;

(l) <sup>2</sup>[x x x]

<sup>3</sup>[(m) house sites, that is to say, sites occupied by dwelling houses and lands, wells, tanks and other structures nec-

1. Added by Act 35 of 1969

2. Omitted by Act 35 of 1969

3. Substituted by Act 17 of 1972

essary for the convenient enjoyment of the dwelling houses.

*Explanation.*—For the avoidance of doubt, it is hereby declared that a compound wall shall not be deemed to be a structure necessary for the convenient enjoyment of a dwelling house, if the land on which the dwelling house is situated and enclosed by the compound wall is more than the land necessary for the convenient enjoyment of the dwelling house.

(n) <sup>1</sup>[x x x]

(o) sites of temples, churches, mosques and cemeteries and burial and burning grounds;

(p) sites of buildings including warehouses;

(q) commercial sites;

(r) land occupied by educational institutions including land necessary for the convenient use of the institutions and playgrounds attached to such institutions;

(s) lands vested in the Bhoodan Yagna Committee;

(t) lands owned or held by—

(i) a University established by law; or

(ii) a religious, charitable or educational institution of a public nature; or

(iii) a public trust which expression shall include a wakf;

Provided that—

(i) the entire income of such lands is appropriated for the University, institution or trust concerned; and

(ii) where the University, institution or trust comes to hold the said lands after the commencement of this Act, the Government have certified previously that such lands are *bona fide* required for the purposes

1. Omitted by Act 35 of 1969

of the University, institution or trust, as the case may be; and

(u) lands granted to defence personnel for gallantry.

(2) <sup>1</sup>[x x x]

<sup>2</sup>[(3) The Government may if they are satisfied that it is necessary to do so in the public interest—

- (a) on account of any special use to which any land is put; or
- (b) on account of any land being bonafide required for the purpose of conversion into plantation or for the extension or preservation of an existing plantation or for any commercial, industrial, educational or charitable purpose, by notification in the Gazette, exempt such land from the provisions of this Chapter, subject to such restrictions and conditions as they may deem fit to impose:

Provided that the land referred to in clause (b) shall be used for the purpose for which it is intended within such time as the Government may specify in that behalf; and, where the land is not so used within the time specified, the exemption shall cease to be in force.]

**82. Ceiling area.**— <sup>2</sup>[(1) The ceiling area of land shall be,—

- (a) in the case of an adult unmarried person or a family consisting of a sole surviving member, five standard acres, so however that the ceiling area shall not be less than six and more than seven and a half acres in extent;
- (b) in the case of a family consisting of two or more, but not more than five members, ten standard acres, so however that the ceiling area shall not be less than twelve and more than fifteen acres in extent.
- (c) in the case of a family consisting of more than five members, ten standard acres increased by one standard acre

1. Omitted by Act 35 of 1969

2. Substituted by Act 35 of 1969

for each member in excess of five, so however that the ceiling area shall not be less than twelve and more than twenty acres in extent; and

- (d) in the case of any other person, other than a joint family, ten standard acres, so however that the ceiling area shall not be less than twelve and more than fifteen acres in extent.]

(2) For the purposes of this Chapter, all the lands owned or held individually by the members of a family or jointly by some or all of the members of such family shall be deemed to be owned or held by the family.

<sup>1</sup>[(3) In calculating the extent of land owned or held by a family or an adult unmarried person, the shares of the members of the family or the adult unmarried person, as the case may be, in the lands owned or held—

- (a) by one or more of such members jointly with any person or persons other than a member or members of such family or by such adult unmarried person jointly with any other person or persons; or
- (b) by a co-operative society or a joint family, shall be taken into account.

**Explanation.**— For the purposes of this Sub-section, the share of a member of a family or an adult unmarried person in the lands owned or held jointly or by a co-operative society or a joint family shall be deemed to be the extent of land which would be allotted to such member or person had such lands been divided or partitioned, as the case may be, on the date notified under Section 83.

(4) Where, after the commencement of this Act, any class of land specified in Schedule II has been converted into any other class of land specified in that schedule or into a plantation, the extent of land liable to be surrendered by a person owning or holding such land shall be determined without taking into consideration such conversion.]

1. Substituted by Act 25 of 1971