

## THE FORESTS (WORKMEN'S RESIDENCES) RULES

L.N.190/1965.

1. These Rules may be cited as the Forests (Workmen's Residences) Rules.

2. These Rules shall apply to all Central Forests and forest areas.

3. In these Rules -

"authorized officer" means a forest officer authorized by the Chief Conservator of Forests in writing to grant licences;

"family", in relation to a forest workman or retired forest workman, means his wife or wives and such of his wife's or wives' children as are under the age of eighteen years and are unmarried;

"family of a deceased retired forest workman" means the family of a retired forest workman who is deceased or the family of a deceased forest workman who would, if he had retired at the date of his death, come within the meaning of retired forest workman;

"forest workman" means any non-pensionable employee of the Forest Department, but does not include a casual labourer, nor a member of the unestablished or subordinate service;

"licence" means a licence granted under these Rules;

"retired forest workman" means a person who has retired after having served for not less than fifteen years as a forest workman and has attained the minimum age of fifty years, or any person, employed as a forest workman before the 29th May, 1963, who has retired after a lesser period of service than fifteen years, but whom the Chief Conservator of Forests deems to be a retired forest workman for the purposes of these Rules.

4. (1) An authorized officer may grant a licence upon such terms and conditions as the Chief Conservator of Forests may from time to time approve, permitting a forest workman and his family, or a retired forest workman and his family, or the family of a deceased retired forest workman, to reside in a specified place and to cultivate a specified plot of land in a specified Central Forest or forest area, and to depasture stock in that Central Forest or forest area (or to do one or more of those things.)

(2) A licence granted under this rule -

(a) shall not exceed 12 months, where the forest workman or retired forest workman is not accompanied by his family; and

(b) shall not exceed 24 months for a family of a deceased retired forest workman or where the forest, workman or retired forest workman is accompanied by his family.

5. (1) An authorized officer may renew a licence for any period permitted by rule 4(2), by endorsement signed by him.

(2) An authorized officer may at any time amend a licence by adding or deleting names of members of the licensee's family.

6. There shall be paid by the holder of a licence granted under rule 4 such fees for cultivation and for depasturing stock as the minister may, by notice in the Gazette, prescribe.

7. (1) Where a licensee's contract of service is terminated, an authorized officer may cancel his licence after giving to him notice in writing expiring one month after the date of termination of the contract of service.

(2) Where it is the intention of the authorized officer not to renew a licence at the date of its expiry, the authorized officer shall give one month's notice in writing of his intention to the licensee.

8. (1) Where the licensee has been given notice of the intended cancellation or non-renewal of his licence he shall make the necessary arrangements for removing himself, his family and his moveable property from the Central Forest or forest area as the case may be, and shall remove himself therefrom before the date on which his licence comes to an end and shall remove his family and his moveable property from the forest area before one month after that date.

(2) A licensee who has removed himself from the Central Forest or forest area in accordance with paragraph (1), may make all necessary arrangements for the harvesting in due course and disposal of any crops planted before the relevant date, and such arrangements may, if the authorized officer so directs, include the return to the Central Forest or forest area of the former licensee or his family or both for such period as the authorized officer specifies.

(3) In paragraph (2), "relevant date" means the date on which a licensee was informed that his licence would be cancelled or not renewed.

(4) In the event of the death of a forest workman or retired forest workman during the currency of his licence, this family shall be permitted to remain in the Central Forest or forest area for such period, not exceeding nine months, as the authorized officer considers necessary for harvesting any crops planted before the death of the licensee, and during this time to reside in the house formerly occupied by the deceased and to depasture the deceased's permitted stock in the Central Forest or forest area.

9. Any person who -

(a) commits a breach of or fails to comply with any of these Rules; or (b) commits a breach of or fails to comply with any of the terms and conditions of a licence issued under these Rules,

shall be guilty of an offence and, on conviction before a subordinate court of the first or second class, be liable to a fine not exceeding three thousand shillings or to a term of imprisonment not exceeding six months, or to both, and the court may, in addition to imposing any other penalty, cancel the licence.

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