

H.P. Govt. Notification regarding entry of "Khudro Drakhtan Malkiat Sarkar"

**Government of Himachal Pradesh
"Revenue Department"**

No.Rev.D(D)1-18/85-I, Dated Shimla-171002, the 26th Dec., 1989.

NOTIFICATION

Whereas the Government of Himachal Pradesh had appointed a Committee headed by Shri Dharam Singh, Hon'ble Revenue Minister (also known as Dharam Singh Committee) to go into the matter of Ban Sarkar vide Notification No. Rev. D(D)1-18/85, dated 22-1-1986.

2. Whereas according to the survey conducted at the instance of this Dharam Singh Committee:

- (a) an area measuring 802 hectares of land was identified Ban Sarkar in Kangra and Hamirpur Districts, and Bangana Tehsil of Una District, in which there was no tree growth; and
- (b) land measuring about 2873 hectares was identified as Ban Sarkar in the above areas which was under cultivation; and
- (c) land measuring about 1434 hectares was identified as Ban Sarkar which could be brought under cultivation in the same areas.

3. Whereas the recommendations of the State Committee have been considered by the Govt. and certain decisions have been taken.

4. Now, therefore, in exercise of the powers vested in him under Section 80 of the Indian Forest Act, 1927 (Central Act No. XVI of 1929) and Section 38 of the H.P. Land Revenue Act, 1953 (H.P. Act No. 6 of 1954) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to prescribe the following procedure in order to give effect to the above referred decisions:-

- (i) In regard to the areas specified in clause (a) of para 2 above, the entry "Khudro Drakhtan Malkiat Sarkar" in the remarks column of the Jamabandi in respect of the relevant khasra numbers will be deleted;
- (ii) In regard to the areas specified in clause (b) of para 2 above, the entry of "Khudro Drakhtan Bakisam Chil Malkiat Sarkar" will be substituted for the entry of "Khudro Drakhtan Malkiat Sarkar" in the remarks column of the Jamabandi in respect of the Khasra numbers concerned;
- (iii) In regard to the lands mentioned in clause (c) of para 2 above, the entry of "Khudro Drakhtan Bakisam Chil Malkiat Sarkar" shall be substituted for the existing entry "Khudro Drakhtan Malkiat Sarkar" in the remarks column of the Jamabandi in respect of the khasra numbers concerned in respect of the land which can be brought under cultivation;
- (iv) These decisions will be implemented through mutations in the revenue records which will be entered by the Patwari concerned after a spot inspection and checking of entry by the Kanungo also after a spot inspection and attestation thereof by the Assistant Collector (Tehsildar)/Settlement Tehsildar/Consolidation Officer concerned within their respective jurisdictions after inspecting the spot;
- (v) The decisions from (i) to (iii) above will be subject to the rights of the estate rightholders, if any, on such trees other than Chil and also keeping in view the considerations of the forest conservancy.

5. The "Khudro Drakhtan Malkiat Sarkar" under demarcated protected forests will not, however, be affected by the above decisions.

6. Felling of trees where the ownership has been transferred to the owners of the land will be governed under ten years' felling programme framed under the H.P. Land Preservation Act of 1978.

7. The above order issues in consultation with the Govt. in the Forest Deptt. vide their U.O. No. FTS(A) 4-2/86, dated 26-12-1989.

By order

Sd/-
Secretary (Revenue) to the
Govt. of Himachal Pradesh.

Endst. No. Rev.D(D)1-18/85-I, Dated Shimla-2, the 26th Dec., 89.

Copy forwarded for information and necessary action to:--

1. The Commissioner-cum-Secretary, Forest Deptt. to Govt. H.P., Shimla-2.

2. The Principal Chief Conservator of Forests, Shimla-1.

3. The Divisional Commissioner, Kangra at Dharamshala.

4. The Deputy Commissioners, Hamirpur, Kangra and Una.

5. The Settlement Officer, Kangra at Dharamshala.

6. The Director of Land Records, Shimla.

They would ensure immediate implementation of the above order, keeping in view the context of the Dharam Singh Committee Report.

7. The Controller of Printing Press, Shimla for immediate publication in Himachal

Rajpatra if necessary, in as extraordinary issue.

8. The Deputy Secy. (GAD) to the Govt. of H.P., Shimla-2.

9. Guard file (with 50 spare copies).

M.C. Chauhan,
Under Secy. (Revenue) to the
Govt. of Himachal Pradesh.