

5. It is further clarified that it is only under Nautor Rules, 1968 that grant of land to the estate right holders for the construction of residential house subservient to agriculture has to be given with the prior permission of the Government by the sanctioning authorities and the transfer of land vested in the Govt. under the two Acts mentioned above, is not admissible under the law, in any manner, except as provided in the Acts or Schemes made thereunder.

6. The receipt of this letter may kindly be acknowledged.

Yours faithfully,

Sd/-

(Attar Singh)

Financial Commissioner-cum-Secy.  
(Revenue) to the Govt. of  
Himachal Pradesh, Shimla-2.

No.Rev.D(G)6-13/87- Dated, Shimla-2, the 30.5.88.

Copy for information and necessary action is forwarded to:-

All the Sub-Divisional Magistrate/Tehsildars/Naib Tehsildars working in Sub-Tehsils in Himachal Pradesh.

Sd/-

Deputy Secretary (Revenue) to the  
Government of Himachal Pradesh,  
Shimla.

No.Rev.(D)(G)6-13/87 Dated, Shimla-2, the

All the Assistants working in Revenue 'B' and 'D' Sections of H.P. Secretariate.

Guard file.

Sd/-

Deputy Secretary (Revenue) to the  
Government of Himachal Pradesh.

#### **Rules governing the grant of Nautor in the undemarcated waste of the Rupji Jagir in the Kulu Sub-Division**

1. (1) These rules shall be called the Nautor (Rupi Jagir) Rules.

(2) They shall be applicable to the undemarcated waste of the Rupji Jagir in the Kulu Sub-Division.

2. In these rules (a) "Kothi rightholder" means a land owner recorded as the owner of a holding of agricultural land assessed to land revenue recorded in the Revenue Settlement of 1911-12 in the Kothi in which it is proposed to grant nautor, or persons who have acquired such holding by inheritance from a person so recorded.

(b) "Kothi artisan" means a member of a family of artisans which has been settled in the Kothi in which it is proposed to grant nautor since 1868.

(c) "Kulu rightholder" means a Kothi rightholder who is recorded as holding agricultural land assessed to land revenue in any kothi of the Kulu Sub-Division other than in which it is proposed to grant nautor.

(d) "Kullu artisans" means a member of a family of artisans which has been settled since 1868 add in any kothi of the Kullu Sub-Division other than that in which it is proposed to grant Nautor.

(e) "Outsider" means a person who has a rights of the Kulu Sub-Division or who or whose predecessor in interest has acquired such rights otherwise than by inheritance, if at the time of such acquisition he or his predecessor-in-interest as neither a kothi or a Kulu "rightholder" or "artisan" as defined above.

3. "Nautor" means the grant on payment of Nazarana of are interest in undemarcated waste land owned by the Jagirdar of Rupji as defined in the patta hereto annexed.

4. Grants of nautor will only be made either to Kothi or Kulu rightholders or to Kothi or Kulu artisans.

5. Nautor will be granted to Kothi rightholder or Kothi artisans or to Kulu rightholders or Kulu artisans who do not pay land revenue exceeding Rs. 25/- per annum or income tax.

6. Nautor will only be granted for subsistence or for the construction of a house on necessity proved to the satisfaction of the Jagirdar of Rupji.

**Explanation**— The grant will not be deemed to be necessary if the applicant for the grant or has arable land in his possession lying uncultivated or in the opinion of the Assistant Commissioner, Kulu, has not adequately safeguarded such land against erosion.

7. The grant of nautor in land on a slope of steeper than one vertically in two horizontally or more will be subject to an additional condition that the grant must be safeguarded against erosion to the satisfaction of the Assistant Commissioner, Kulu.

8. Grants of nautor will be made by the Jagirdar of Rupin.

9. Grants of nautor to Kothi rightholders or Kothi artisans shall not be made until nazarana at the rate of Rs. 1/- per bigha has been paid when the land is to be granted for agricultural purposes, and at the rate of Re 1/- per biswa when the land is granted for other purpose, statement where such land granted for purpose other than agriculture is within 100 feet of a road in the charge of the Public Works Department, Buildings and Roads Branch, Nazarana at the rate of Rs. 2/- per biswa shall be paid.

10. Grants of Nautor to Kulu rightholders of Kulu artisans shall not be made until nazarana at the full market value of the land to be granted has been paid.

11. Nautor shall not ordinarily be granted of land which has been encroached upon, but if the Jagirdar of Rupin is satisfied that the grant of nautor of such land encroached upon should be made, then such grants shall not be made until a sum which in the opinion of the Jagirdar of Rupin is equivalent to the full market value of the land has been paid by way of nazarana.

12. (1) Applications (for the grant of nautor) will in first instance be presented to the Jagirdar of Rupin but no application for nautor in any bihal or in any of the undermentioned Kothis will be entertained without written permission of the Assistant Commissioner, Kulu:—

1. Kothi Chung.
2. Kothi Harkandhi.

The number of Kothis and phatis which are to be excluded under this rule may be extended to protect other areas where grazing is found to be insufficient. Land adjacent to Government buildings and roads may also be protected.

(2) The application will be investigated by the Jagirdar of Rupin in the following manner:—

A notice to the Kothi rightholders showing the area applied for and its situation will be published by putting up in a conspicuous place in the villages of rightholders concerned, and on the land applied for. One month from such publication will be allowed for objections from rightholders. A responsible member of the Jagirdar's staff will inspect the site, record the rightholder's statements on all existing rights in the land and any objection to its being taken up for cultivation. He will also note whether there are any reserved trees on the land the proximity of roads, paths or water channels and the slope of land. When any reserved trees stand on the land, reference will be made to the Divisional Forest Officer, through the Assistant Commissioner, Kulu. If objections are raised by the Forest Department or by the people who have been accustomed to exercise rights in the waste, the matter shall unless the application is forthwith rejected, be referred to the Assistant Commissioner for decision.

(3) After the nautor has been sanctioned, the Jagirdar of Rupin will issue a patta in the form attached and the file will be sent through the tahsil to the Patwari for entry of the mutation. Field Kanungo will check the corrections of the tatima shajra before the mutation is entered up.

13. Grantees being given possession must at once mark out the land accurately by burjis or low walls according to the demarcation of the Patwari.

14. If a kothi rightholder lodges an objection within one month of the date from which possession is taken and the objection is upheld, the grant may be cancelled without the grantee being entitled to any compensation other than the refund of the Nazarana paid.

15. At the end of each quarter, a statement showing the particulars of the grants of nautor sanctioned in the preceding three months will be forwarded by the Jagirdar of Rupin to the Divisional Forest Officer concerned for the information of the Forest Staff.

16. For waste land required by Government for public purposes, such as timber slides, encamping-grounds, roads, buildings and protective works for preventing or remedying land slips no compensation will be paid to the Jagirdar for his proprietary rights in such waste.

17. Government retains all its present rights to minerals existing in the undermarked waste.