

## Land Laws in Himachal Pradesh

As noted earlier, land classification in H.P. is still being undertaken. In the meantime, since the RvD and FD records overlap, exact land classification cannot be estimated. Land laws in H.P., as in other States, are complex. There is one thing common to them all, however, and that is that none of them have been enacted out of ecological considerations. They deal with acquisition, transfer of property, and regulations concerning taxation, sale, mortgage, housing, etc. Even the Land Development Act, 1973, or the Mandi State Anti-Erosion Act, 1964, do not embody appropriate land use policies. They deal mainly with agricultural land. For the mountain regions, 60 per cent of the land is supposed to be covered with forest according to the National Forest Policy. The States' FD reports 38.5 per cent, but even this is doubtful, given the uncertainty of the land records. A recent study of the H.P. Government reports that there is 18 per cent forest coverage. In other words, nearly one per cent of the land surface has been stripped of forest coverage each year over the last 25 years. This is a result of the forest policy or the forest act. The Kulu Valley, once fully covered with tall deodars, is now almost barren. The laws regulating land use in H.P. are stated below and Table 15a and b presents the land utilisation statistics of H.P.

### *Laws Concerning Land*

- The Slum Areas (Improvement and Clearance) Act, 1956
- The Mandi State Anti-Erosion Act, 1964
- The Mandi Land Revenue Regulation, 1975
- The H.P. Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act, 1972, (for vestment of alienable rights in agriculturists).
- The H.P. Agricultural Pests, Diseases, and Noxious Weeds' Rules, 1971
- The H.P. Agricultural Produce Market Act, 1969
- The H.P. Bhoodan Yagna Act, 1954
- The H.P. Ceiling on Land Holdings' Act, 1972
- The H.P. Land Revenue Act, 1954
- The H.P. Land Revenue (Amendment) Act, 1955
- The H.P. Land Revenue (Amendment) Act, 1956
- The Land Acquisition (H.P. Amendment) Act, 1964
- The H.P. Land Revenue (Amendment) Act, 1965
- The H.P. Urban Immovable Property Tax Act, 1968
- The H.P. Transfer for Land (Regulation) Act, 1969
- The H.P. Agricultural Pests, Diseases, and Noxious Weeds Act, 1968
- The H.P. Roadside Land Control Act, 1968
- The H.P. Urban Estates (Development and Regulation) Act, 1968
- The H.P. Land Revenue (Amendment) Act, 1971
- The H.P. Holdings (Consolidation and Prevention of Fragmentation) Act, 1971
- The H.P. Public Premises and Land (Eviction and Rent Recovery) Act, 1971
- The H.P. Housing Board Act, 1972

**Table 15 a: Land Utilisation by Agricultural Year  
('000 hectares)**

Agricultural Year	1972/73	1973/74	1974/75	1975/76	1976/77	1977/78	1978/79	1979/80	1980/81(P)
<b>Total Geographical Area</b>									
- By professional survey	5,567.3	5,567.3	5,567.3	5,567.3	5,567.3	5,567.3	5,567.3	5,567.3	5,567.3
- By village papers	2,939.9	2,937.3	2,932.6	2,936.3	2,938.4	3,010.3	3,002.1	2,986.9	2,985.2
- Forests	637.6	630.1	638.4	637.5	637.5	677.1	704.7	835.8	806.8
<b>Land Available for Cultivation</b>									
- Barren and cultivable land	129.7	130.2	130.8	124.6	121.8	154.2	156.5	155.5	141.4
- Land put to non agricultural	190.2	193.4	203.2	192.2	203.1	197.7	188.6	188.6	161.9
<b>Total</b>	319.9	323.6	334.0	316.8	324.9	351.9	344.1	344.1	303.3
<b>Other Uncultivated land Excluding Current fallows</b>									
- Cultivable waste	127.0	131.1	130.4	130.6	132.9	135.2	136.0	124.3	223.7
- Permanent pastures and other grazing lands	1,191.0	1,86.2	1,184.3	1,145.9	1,190.9	1,178.4	1,45.9	1,020.4	985.9
- Land under misc. tree crops, etc.	44.0	43.4	41.6	46.9	42.8	53.1	46.9	41.6	39.4
<b>Total</b>	1,362.0	1,360.7	1,356.3	1,328.8	1,366.6	1,366.7	1,328.8	1,186.3	1,249.0
<b>Classification of Area</b>									
- Current flows	49.6	55.0	56.0	54.4	54.6	557.8	53.5	552.2	51.1
- Other fallows	3.2	4.1	3.5	916.8	3.3	923.6	3.7	929.2	3.4
<b>Total</b>	52.8	59.1	59.5	372.4	57.9	365.8	57.2	377.0	45.5
- Net area sown	558.6	555.8	544.4	557.8	552.2	560.1	560.9	572.1	572.1
- Total cropped area	929.3	906.7	914.8	923.6	929.2	934.6	934.7	942.9	946.4
- Areas sown more than once	370.7	350.9	327.4	365.8	377.0	374.5	373.8	370.8	374.3

Source: Annual Season and Crop Reports, Directorate of Land Records, Himachal Pradesh.

Table 15 b: Land Utilisation by District  
('000 hectare)

District	Bilaspur	Chamba	Hamirpur	Kangra	Kinnaur	Kullu	Lahaul-Spiti	Mandi	Simla	Sirmaur	Solan	Una
<b>Total Geographical Area</b>												
- By Professional survey	116.7	652.8	111.8	537.9	640.1	550.3	1,383.5	395.0	513.1	282.5	193.6	154.0
- By Village papers	115.5	692.4	109.6	560.7	19.1	48.8	194.8	197.3	287.8	224.8	180.2	154.2
- Forests	11.5	252.4	14.0	188.4	0.1	-	43.5	150.2	48.9	49.8	19.6	28.4
<b>Land Available for Cultivation</b>												
- Barren and cultivable land	6.3	2.5	19.8	30.1	2.2	6.3	0.8	12.5	12.0	7.3	10.3	31.3
- Land put to not agricultural	14.9	13.7	12.1	61.1	0.9	1.5	1.5	9.3	8.2	9.1	8.3	20.8
<b>Total</b>	21.2	16.2	31.9	91.2	3.1	7.8	2.3	22.3	20.2	16.4	18.6	52.1
<b>Other Uncultivated land Excluding urrent fallows</b>												
- Cultivable waste	4.2	5.5	8.6	143.6	3.3	3.3	2.7	3.7	12.7	13.1	13.0	10.0
- Permanent pastures and other grazing lands	44.5	374.4	7.0	12.7	2.6	-	142.9	127.2	126.9	63.6	76.2	7.7
- Land under misc. tree crops, etc.	0.1	0.1	-	-	-	0.3	0.1	0.1	1.2	34.2	3.3	-
<b>Total</b>	48.8	380.0	15.6	156.3	5.9	3.6	145.7	131.2	140.8	110.9	92.5	17.7
<b>Classification of Area</b>												
- Current flows	1.9	2.6	8.9	4.5	1.4	3.1	0.3	3.7	4.7	2.9	3.6	3.8
- Other fallows	0.6	0.3	-	-	0.2	-	-	0.2	1.2	0.6	0.5	9.0
<b>Total</b>	2.5	2.9	8.9	4.5	1.6	3.1	0.3	3.9	5.9	3.5	4.1	12.8
- Net Area sown	31.5	40.9	39.2	120.3	8.4	34.3	3.0	89.7	72.0	44.2	45.4	43.2
- Total cropped area	59.6	64.1	71.6	193.2	10.4	32.1	3.2	159.2	108.4	81.3	71.9	71.4
- Area sown more than once	28.1	23.2	32.4	72.9	2.0	17.8	0.2	69.5	16.4	37.1	26.5	28.2

The H.P. Agricultural Credit Operations and Miscellaneous Provisions' (Banks) Act, 1972  
 The H.P. Land Development Act, 1973  
 The H.P. Tractor Cultivation (Recovery of Charges) Act, 1973  
 The H.P. Utilisation of Lands' Act, 1973  
 The H.P. New Mandi Townships' (Development and Regulation) Act, 1973  
 The H.P. Ceiling on Landholdings' Act, 1972  
 The H.P. Requisition and Acquisition of Immovable Property Act, 1972

### Land Utilisation

The land use statistics, 1983/84, compiled by the Department of Statistics, Ministry of Agriculture, are as follows:

	<u>'000 ha</u>
(i) geographical area	5567
(ii) reporting area	3186
(iii) forests	862

(As per existing village records, the forest area reported by the Chief Conservator of Forests for 1983/ 84 is 1,300 ha. The large variation between the two sets of figures are under examination in the Department of Statistics of the Ministry of Agriculture.)

(iv) Not available for cultivation:	
a. area put to non-agricultural uses and	177
b. barren and uncultivable area	165
Total (IV)	342
(v) Other uncultivable land excluding fallow land:	
a. permanent pastures and other grazing land,	1161
b. land under miscellaneous tree crops and groves not included in net area sown, and	40
c. cultivable wasteland.	129
Total (V)	1130
(vi) Fallow Land:	
a. fallow lands other than current fallows and	14
b. current fallows	45
Total (VI)	59
(vii) Cultivable area	(14.7% of geographical area)
(ii)-(III)-(iv)-(v) (a)	

(viii)	Net sown area (ii)-(iii)-(iv)-(v)-(vi)	593 (72.2% of cultivable land)
(ix)	Net irrigated area	94 (15.9% of net area sown)
(x)	Total cropped area	971
(xi)	Gross irrigated area	165 (17.0% of total cropped area)

Along with deforestation, the other major causes of land erosion are mining and grazing. Apart from the mentioned land laws and the forest laws, there are no special laws governing mining. Extensive open mining of the hillsides is a major reason for landslides. The mining data are given in Table 16.

**Table 16: Production and Value of Minor Minerals in Himachal Pradesh during 1980 and 1981**

Mineral	1980		1981 (P)	
	Qty. (M.Tons)	Value (‘000 Rs)	Qty. (M.Tons)	Value (‘000 Rs.)
1	2	3	4	5
Building Stones	1,72,273	---	1,02,220	2,658
Limestone	40,962	819	47,337	852
Bajri	32,025	480	73,255	733
Road Metal		---	---	---
Sand	75,633	1,124	1,13,038	1,130
Kankar	---	---	---	---
States (No.)	19,945	1,596	3,16,004	6,632*
Boulders	61,563	1,231	71,175	285

Source: The Department of Industries (Geological Wing), Himachal Pradesh

\* Estimated

Livestock is regulated in H.P. by means of three main laws:

1. The H.P. Livestock Improvement Act, 1959
2. The Cattle Trespass (H.P. Amendment) Act, 1973
3. The H.P. Livestock and Birds Diseases' Act, 1969

Evidently, one of these laws is meant to contain the livestock population; a major problem in the State. The Trespass Act is extremely difficult to enforce because most of the hilly areas cannot be fenced. The livestock data for the State are given in Table 17.

**Table 17: Livestock and Poultry**

Livestock and Poultry	Census		
	1966	1972	1977
1	2	3	4
<b>1. Cattle</b>			
(a) Males over 3 years			
(i) Breeding	18,344	26,690	13,625
(ii) Working	6,54,755	8,68,892	8,06,797
(iii) Others	8,677	6,577	4,966
Total	6,81,776	9,02,159	8,25,388
(b) Females over 3 years			
i) Breeding			
(a) In Milk	2,33,621	2,78,956	2,82,882
(b) Dry and not calved	3,76,491	3,86,686	3,97,845
ii) Working	1,861	4,894	1,725
iii) Others	3,094	3,155	2,984
Total	6,15,067	6,73,691	6,85,436
(c) Young stock	5,94,751	5,99,840	5,59,396
Total Cattle	18,91,594	21,75,690	21,06,220
<b>2. Buffalo</b>			
(a) Males over 3 years			
(i) Breeding	4,285	6,171	5,188
(ii) Working	9,713	8,071	6,882
(iii) Others	656	256	208
Total	14,654	14,498	12,278
(b) Females over 3 years			
(i) Breeding			
(a) In milk	1,17,629	1,96,686	1,86,131
(b) Dry and not calved	1,51,925	1,62,011	1,96,659
(ii) Working	773	1,210	595
(iii) Others	1,488	1,621	1,112
Total	2,71,835	3,61,528	3,84,497
(c) Young stock	1,288,77	1,67,861	1,63,231
Total Buffaloes	4,15,336	5,43,887	5,60,006
<b>3. Sheep</b>	10,48,917	10,39,946	10,55,005
<b>4. Goats</b>	8,13,041	9,06,415	10,35,337
<b>5. Horses and ponies</b>	14,512	16,224	14,858
<b>6. Other livestock -</b>			
(a) Mules	6,488	7,000	8,216
(b) Donkeys	4,625	4,904	6,074
(c) Camels	670	885	872
(d) Pigs	2,869	2,906	5,165
(e) Yaks	3,226	4,589	3,473
Total	17,878	20,284	23,800
<b>TOTAL LIVESTOCK</b>	42,01,298	47,02,456	47,95,226
<b>7. Poultry</b>	2,06,628	1,88,649	3,29,561

Source: Livestock Census- Directorate of Land Records Himachal.