

Pasture Land Nationalization Act, 2031 (1974)

Date of Authentication and Publication

2031.6.20 (6 Oct. 1974)

Amendment:

Republic Strengthening and Some Nepal

Laws Amendment Act, 2066(2010)¹

2066.10.7(21 Jan. 2010)

Act Number 12 of the year 2031 (1974)

.....²

An Act Made to Nationalize the Pasture Land

Preamble: Whereas, it is expedient to nationalize the pasture land in order to maintain the convenience and economic interest of the general public;

Now, therefore, His Majesty King Birendra Bir Bikram Shah Dev has, on the advice and with the consent of the National *Panchayat*, made this Act.

1. Short title, extension and commencement: (1) This Act may be called as "Pasture Land Nationalization Act, 2031 (1974)."

(2) It shall extend to the whole of.....³ Nepal.

(3) It shall come into force in such district and on such date as may be specified by the Government of Nepal by publishing a notice in the Nepal Gazette.⁴

¹ This Act came into force on 15 *Jestha* 2065(28 May 2008).

² Deleted by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

³ Deleted by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

⁴ By a Notification published in the Nepal Gazette of 2033.9.27(10 Jan. 1977), this Act commenced in Kavrepalanchok, Sindhupalchok, and Rasuwa Districts on 2033.10.1(14 Jan. 1977).

2. **Definitions:** Unless the subject or context otherwise requires, in this Act:

- (a) "Pasture land" means any land that has been used only for animal grazing by any name including pasture, pasture *Chowk* (junction), whether registered with any office or not.
- (b) "Registration holder" means a person or persons who has or have registered a pasture land in his or her name or collectively subject to the payment of land revenue or pasturing fee to the Government of Nepal pursuant to the prevailing Nepal law and who has or have the right in the pasture land by virtue of that registration.
- (c) "Land Revenue Office" means the Land Revenue Office in a place where such office is situated, and the Land Administration Office where such office is not situated.

3. **Nationalization of pasture land:** After the date of commencement of this Act, all pasture lands situated in.....⁵ Nepal shall be nationalized and the ownership of such lands shall devolve on the Government of Nepal, and the right relating to the ownership of landholders in such pasture lands existing prior to the commencement of this Act shall *ipso facto* lapse.

Provided that,

- (a) Notwithstanding that the land has been used only for pasturing for personal use, the landholder shall be entitled to hold the land if it is within the ceiling specified by the prevailing Nepal law.

⁵ Deleted by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(...).

(b) The Government of Nepal may grant exemption pursuant to the prevailing Act, law, for the following purposes even after the commencement of this Act:

- (a) Fruits farming,
- (b) Animal husbandry,
- (c) Herbs farming,
- (d) Tea farming.

4. **Compensation to be provided:** (1) The Government of Nepal shall, on recommendation of the committee formed as per the Rules, determine reasonable amount of compensation to be provided to the landholders of the pasture land nationalized pursuant to Section 3.

Such a committee shall consist of, *inter alia*, the president of the concerned District Development Committee⁶, Chairperson⁷ of the local Village Development Committee⁸ or their representatives.

(2) The Land Revenue Office shall affix a notice for the information to the concerned landholders, and calling upon them to show up to receive the amount of compensation as referred to in Sub-section (2).

(3) A landholder shall make an application, accompanied by the evidence of his or her title and possession, to the concerned Land Revenue Office, to obtain compensation within one year after the date of affixation of notice as referred to in Sub-section (2).

⁶ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

⁷ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

⁸ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

Provided that, if any person fails to make application even within One year after the date of affixation of notice, the person shall not be entitled subsequently to make any claim on the compensation.

(4) The Land Revenue Office shall make necessary examination of the applications made pursuant to Sub-section (3) and give compensation to the landholders on pro rata of the land revenue/tariff.

Provided that, if there arises any question on the right to compensation or the figure of compensation, the Land Revenue Office shall provide compensation as decided by the court.

5. **Arrangement of pasture land:** (1) The Government of Nepal shall cause the Land revenue Office to maintain separate inventory of the pasture land nationalized pursuant to Section 3 and assign the responsibility to the local Village Development Committee⁹ for the protection of such land and pasturing.

Provided that, nothing contained in this Sub-section shall be deemed to prevent the Government of Nepal from providing the pasture land in which more than one Village Development Committee¹⁰ has right of way to more than one Village Development Committee.

(2) The local Village Development Committee¹¹ shall protect and reform the pasture land of which responsibility has been assigned to it pursuant to Sub-section (1), and not use, or cause to be used, the land for any other purpose except pasturing.

⁹ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

¹⁰ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

¹¹ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

6. **Land to be allowed for grazing upon collection of grazing**

fee: (1) The Village Development Committee shall allow the pasture land under its jurisdiction for the grazing by all animals including those animals who have been grazing there since ago by collecting the annual grazing fee at the rate of a maximum of Three Rupees for each big animal including a yak, cow, buffalo, horse and mule and a maximum of One Rupee for each small animal including a he-goat, she-goat, sheep and mountain goat.

(2) The grazing fee recovered pursuant to Sub-section (1) shall be credited to the fund of the Village Development Committee.

7. **Power to give direction to Village Development**

Committee¹²: If the Government of Nepal so considers necessary, it may give necessary direction to the Village Development Committee¹³ for the protection, reform of the pasture land and pasturing, and it shall be the duty of the Village Development Committee¹⁴ to abide by such direction.

8. **Power to frame Rules:** The Government of Nepal may frame Rules to implement the objectives of this Act.

¹² Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

¹³ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).

¹⁴ Amended by Republic Strengthening and Some Nepal Laws Amendment Act, 2066(2010).