

Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964)

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Amendment:

Rules on Exemption of Stream Cut, Land Slide
Decay, River Cut and Alluvial Soil and
Registration of the More Cultivated Land in the
Land of Contract Status, 2021 (1964)

(Amendment) Rules, 2021 (1964)

2021.5.30(14 Sept. 1964)

The Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964) mentioned below framed by the Government of Nepal by exercising the power conferred by Section 2 of the Administrative Procedure (Regulating) Act, 2013 (1956) is published for public information.

1. Short Title and Commencement: (1) These Rules may be called as "Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964)".

(2) These Rules shall come into force immediately.

2. Definition: Unless the subject or context otherwise provides, in these Rules:-

- (a) ♥"Land of Contract Status" means the land in which the exemption of stream cut, land slide decay, river cut and alluvial soil is not granted and in which more cultivated land need not to be registered until it is examined.
- (b) "Increased portion" means the increased land of the land cultivated at present within the four sides boundary of the land of contract position.
- (c) "Stream cut land slide decay and alluvial soil" includes to cover-up the land by the soil after a land slide from the uphill when a river runs after a heavy rainfall to destroy the riverside by the river and to cover-up land by the sand.
- (d) "Land holder" means the contractor cultivating the land of contract status
- (e) "Committee" means the Committee framed pursuant to Rule 4 of these Rules.

3. Stream Cut, Land Slide Decay, River Cut and Alluvial Soil in the Land of Contract Status may be Exempted:

(1) The land holder, in a situation of loss of crops in the land of contract status as a result of natural calamity, flood caused by over rainfall or landslide from the uphill or wash away by a river or dump of the soil and sand come by flowing, may submit an application to the Local Land Revenue Office by mentioning the details of such loss requesting for exemption of land revenue.

(2) The Local Land Revenue Office, having made inquiry of all the matter upon the application received under Sub-rule (1), shall make declaration and forward with recommendation to the Committee framed under Rule 4.

♥ Amended by the Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964) (Amendment) Rules, 2021 (1964).

(3) The Committee also, having considered upon the application, may exempt the land revenue in the case of being recognized the loss caused by the reason mentioned in Sub-rule (1) as right; and the matter should also been forwarded to the Ministry of Finance, Department of Land Revenue immediately.

4. **Formation of Committee:** (1) A Committee having the following persons has been framed to accomplish the function mentioned in Sub-rule (3) of rule 3.

- (a) Local Zonal Commissioner - Chairperson.
- (b) Local P.D.O. - Ex-officio Member
- (c) In-charge of the Local Land Revenue Office - Ex-officio Member Secretary

(2) The Government of Nepal, if it deems necessary, may alter and change the members of the Committee as referred to in Sub-rule (1) by publishing a Notice in the Nepal Gazette from time to time.

5. **To be Registered the Increased Portion of More Cultivated Land:** In a situation of increment of land by any way afterwards in the land of contract status, such increased portion should be made examined and surveyed and got registered.
6. **To be Levied Land Revenue Equal to Adjoining Land:** Land revenue of the land registered under Rule 5 should be paid equal to a adjoining and the transfer of ownership should be made accordingly.
7. **Records to be Cut Off in Case of the Land of Contract Status is used for Development Purpose:** The Local Land Revenue Office, in a situation when the land of contract status is used for development purpose, shall cut off the record of the exact land which is used for development purpose.

♦ **7A. Saving:** Notwithstanding anything contained in these Rules, the tradition and custom as usual shall be deemed of being existed on part of the land of contract status of the *Limbu Kipatiya* Community of *Palla Kirant* of Nepal.

8. ♦ **Repeal:** The *Sanad* and *Sawal* regarding the land of contract status existing earlier shall be deemed of being amended or repealed in consonance with these very Rules.

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- ♦ Inserted by the Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964) (Amendment) Rules, 2021 (1964)
 - ♦ Amended by the Rules on Exemption of Stream Cut, Land Slide Decay, River Cut and Alluvial Soil and Registration of the More Cultivated Land in the Land of Contract Status, 2021 (1964) (Amendment) Rules, 2021 (1964).

N.B.: 1. Terms changed by the Local Administration Act, 2022 (1965):
"Zonal Commissioner" in lieu of the "*Badahaikim*" or "Magistrate"