

## **Himalayan National Park Rules, 2036 (1979)**

### **Date of Publication in Nepal Gazette**

**2036.05.25 (10 Sep. 1979)**

In exercise of the powers conferred by Section 33 of National Parks and Wildlife Conservation Act, 2029 (1973), the Government of Nepal has framed the following Rules.

**1. Short Title & Commencement :** (1) These Rules may be called "Himalayan National Park Rules, 2036 (1979)".

(2) These Rules shall come into force immediately.

**2. Definition :** Unless the subject or context otherwise requires in these Rules,

(A) "Act" means National Parks and Wildlife Conservation Act, 2029 (1973).

(B) "Park " means Sagarmatha National Park, Langtang National Park, Rara National Park or other Himalayan National Parks declared by the Government of Nepal under the Act.

(C) "Warden (Samrakshak) " means the main officer of the Government of Nepal having administrative responsibility of the Park.

(D) "Assistant Warden" means the assistant warden of the Park.

(E) "Local people" means the person having permanent residence in the village surrounded by the park but not declared as the area of the park.

**3. Boundaries of the National Park :** The boundaries of the National Park shall be as declared by the Government of Nepal by publishing a notice in Nepal Gazette, pursuant to Section 3 of the Act.

4. **Entry into the Park** : The person desiring to enter into the park shall obtain (receive) an admission card as pursuant to Schedule - 1 from the warden and to obtain the admission card, the fee as prescribed in Schedule - 2 shall be charged.

5. **Entry may be prohibited** : The warden may restrict the entry of any person within the park for the benefit of the park.

Provided that,

Such restriction, shall not be considered that restrict. It has on the travel of the local people and the person of the village where can only be reached through the park or has restricted to travel through the prescribed road as pursuant to Rule, 18.

6. **Entry into the park to be one's own liability**: If any type of harm, damage or injury or even the death has been occurred to the person who has entered into the park whether obtaining an admission card or not, the Government of Nepal shall not be liable for the compensation of such harm, damage, injury or death.

7. **Prohibited Activities within the park** : No person without obtaining (taking) a written permission of the warden shall be allowed to perform the following activities within the park ;—

(A) To build or possess any type of house, huts, residence or other structures.

(B) To occupy (capture) any land, to clear or destroy (damage), palnts to cultivate, to farm or to grow or harvest any crops,

(C) To graze (pasture) domestic animals or birds and to feed water to them in the river or ponds,

(D) To cut, fell down, remove, obstruct or trim the trees, plants, bushes or any other plants or to perform any activity for drying

out such plants or to set fire on such plants or to harm or cause damage in any form,

- (E) To halt (stay) for a night or to camp or to set fire in any places.
- (F) To excavate stones, sand or mines or to remove any minerals, earth or other similar materials or to damage the land in any form,
- (G) To stop (block) or divert the rivers, springs or any resources of water which has been flowing within the park or to use the harmful or explosive substances in them,
- (H) To bring or leave exotic (grown up in foreign environment) plants, animals or birds within the park.

**8. Prohibited Goods to be possessed, carried or used :** No person without a written permission of the warden shall be allowed to carry, keep or use the following goods with him/her while entering into the park or staying in the park, or passing (travelling) through the road prescribed pursuant to Rule 18:—

- (A) A Bow, a Spear (Spike) a Trap (*Darjan*), A snare (knotted trapping rope - *Paso*), a trapping net (*Jaal*), an obstacles (*Dharap*), a catapult or any weapons (arms) which may cause wound or fires the bullets, ammunitions, poison, explosives or any devices using those explosives,
- (B) Trophy or dried or fresh meat (flesh) of any wildlife.

Provided that,

It shall not restrict (obstruct) to carry a knife (*Khukuri*), an Axe (*Bancharo*) and similar weapons through the Park by the local persons or persons of the village where can only be reached through the Park for their won domestic purpose (activities).

9. **No harm to be made for plants or other goods** : No persons shall harm the plants, herbs or any other goods within the park by setting a fire inside or out of the park or in any other form.
10. **Prohibition on hunting the wildlife or birds and destroying the eggs, nests or hives of birds or insects** : Except in condition of obtaining a permission as pursuant to the Act, no person without the written permission of the warden shall be allowed to hunt chase or frighten any wildlife or birds or to kill, catch or injure any wildlife, birds or insects or to remove, destroy or disturb the eggs, nests or hives of any birds or insects or to collect any insects, fishes or natural products, in other situations.
11. **No fishing to be allowed without taking a permission** : (1) No person shall be allowed for fishing in the river (springs) or ponds situated within the park without taking (receiving) a permit in the format as prescribed in Schedule – 3 from the warden and by paying the fees that has to be charged as prescribed in Schedule – 2.
- (2) The person desiring to fishing by obtaining a permit as pursuant to these Rules shall not use any other instrument except than the hook while fishing.
- (3) Notwithstanding anything contained in Sub-rule (1) and (2), No fishing shall be allowed since 1<sup>st</sup> date of Chaitra to the end (*Masant*) of the Ashwin.
12. **Prior approval of the Government of Nepal to be taken (obtained)** : (1) Any person desiring to perform any research or functions within the park shall be allowed to perform such functions by obtaining (taking) prior approval of the Government of Nepal. One copy of the research done by taking such approval shall be submitted before the Government of Nepal.

13. **Prohibition to post or keep the poster** : Except than the employee of the office of the park for the purpose of the park, No person shall be allowed to post or keep any type of signboard, notice board, advertisement or other similar types of posters within the park.
14. **Prohibition to paly musical instruments** : Except in the religious place or residence, hotel, lodge or restaurant; No one shall be allowed to play a radio, tape recorder or any other musical instrument in other place within the park.
15. **Prohibition on producing or throwing waste** : No one shall be allowed to produce waste or to throw waste within the park.
16. **Prohibition on throwing, putting or spraying the toxic substances** : No person shall be allowed to throw any type of pesticides or chemical substances or narcotic or poisonous substances within the park or out of the park in such a way that making it to reach into the park or to put or spray in the river, springs or any other water resources flowing through the park or to put in any from by making it to reach into the park.
17. **Prohibition on Travel** : No person without the written permission of the warden shall be allowed to enter or travel (walk) or to move any vehicle or transport including Yak, Mule (*Khachchad*) within the park since Seven P.M. in the evening to Five A.M. in the morning.

Provided,

It shall not restrict the local persons or the persons of the village where can only be reached through the park or the Government employee to enter into the park at any time for the purpose of their duty.

18. **Privilege (facility) of road (transit)** : (1) The warden may prescribe a road for the trekking, making walk to the domestic animals or driving any vehicles (transports) including yak or mule (*Kachchad*) through the road as prescribed in Schedule – 4, for the benefit (privilege) of the

general public by putting signboards and the General public also shall use only the road which has been prescribed by putting the signboards.

(2) No person without the written permission of the warden shall be allowed to use other roads (way) leaving the road prescribed by putting signboards pursuant to Sub-rule (1), in any situations.

(3) Notwithstanding anything contained in Sub-rule (1) in adverse weather if it deemed appropriate to close the prescribed road by putting the signboards, the warden may close any such road (way) till the weather becomes favorable.

**19. To submit vehicle or domestic animals for taking action after capturing :**

If domestic animal has been found walked through the other road (way) except than the provided convenient (privileged) road (way) within the park as pursuant to these rules, the warden or an employee deployed by him/her shall submit such domestic animal after capturing it, before the concerned officer for taking the action.

**20. May be Arrested :** (1) The assistant warden, wildlife guard or other employees of the park, obtaining a warrant from the warden may arrest any person on the charge of violation of the Act or may search the house, goods or vehicles of such person.

(2) Notwithstanding anything contained in Sub-rule (1), the assistant warden, ranger or wildlife guard up to Subedar in rank may arrest the convict (culprit) or may search his/her goods or vehicles even without a warrant in the situation that the convict has a chance to escape.

**21. Matters to be followed while entering into the park :** Each person entering into the park whether obtaining an admission card or not shall follow the following matters :-

(A) After entering into the park, the boxes of the foods, bottles of the alcohols or other goods, boxes of the film roles, packing papers, plastic bags, oxygen pot or cylinders or any other types of pots or

other throwing substances used by one self or accompanying guide, porters, cooks or other person shall be thrown on the place prescribed by the warden or any other employees of the park.

- (B) No wood, fire wood, leafy branch (*Syaula*) and poles for fixing tents or the wood to be required for any other purpose for the daily use of one self and accompanying guide, porters, cooks or any other persons within the park shall be used from the bushes, shrubs, or felled (collapsed) trees or even from a living tree and such wood, firewood shall not also be bought from the local people.
- (C) While entering into the park sufficient quantity of the kerosene, gas, petrol or other similar fuel which requires for one self and accompanying guide, porter, cook or any other person shall be taken in possession.

**22. Concession for entry fee :** (1) No fee shall be charged for any employee entering into the park for the Government functions.

(2) No fee shall be charged for entering into the park to anyone who has to make worship or religious visit in any religious place situated inside the park.

(3) No fee shall be charged to the Nepalese or Non Nepalese employees of a public enterprise established within the park or in the village where can only be reached through the park and the service receiver (costumer) of such enterprise for walking through the park.

(4) The person or team operating any service after making a contract with the Government of Nepal, pursuant to rule 28, the fees for entering the employee into the park shall be as according to such contract.

(5) the warden may allow to enter into the park without a fee for a person or team of any educational institution or any other institution desiring to make a study visit of the park.

(6) No one shall be charged for entering into the park in the course of mountaineering expedition.

Provided,

If the employee of the park has desired to see the permit for expedition, the concerned person shall show it,

**23. Accident and death to be notified :** If any person entering into the park has encountered an accident or died, the other persons accompanying such person shall notify such events to the nearby police post or office of the park.

(2) Notwithstanding any adverse effect on the generality of the Sub-rule (1), the power to adjudicate the cases of the following offences shall be on the assistant warden and in his/her absence on the Ranger :-

**24. Wood, firewood to be provided :** (1) If the local person desiring to take (obtain) wood, firewood for making or repairing the house has paid the required fee, as pursuant to the prevailing Rules on sales of forest products, the warden may provide a slip (*Purji*) to such person as prescribed in Schedule – 5 by allowing to obtain wood / firewood.

(2) The wood / firewood as according to the slip (*Purji*) provided as pursuant to Sub-rule (1), shall be obtained from the area prescribed on that slip (*Purji*).

**25. List to be taken :** The warden may collect take the list of local persons and their house, lands, fields and domestic animals as in the format prescribed in Schedule – 6 for the record of the office of the park.

**26. Evidence of identify and mark may be provided :** The warden may provide an evidence of identity to the local peoples and also put mark to their domestic animals for the interest (benefit) of the park.



27. **To be pastured** : The local person shall be allowed to pasture their domestic animals or to keep (establish) shed within the park only in the area prescribed by the warden.

28. **The Government of Nepal for the interest (benefit) of the park may operate, make to operate services** : (1) The Government of Nepal for the interest of the park, may operate herself or make to operate by making a contract with any person the hotel, lodges, huts, public transport or similar types of other services within the park.

(2) On operating the services from other person as pursuant to Sub-rule (1), the Government of Nepal may prescribe its terms and conditions as per the necessity.

(3) The owner of the hotel, lodge, restaurant or tea shop that has been operated prior to the commencement of these Rule shall make a contract with the Government of Nepal as pursuant to these Rules within the six months of commencement of these Rules.

29. **Adjudicating officer** : (1) The power to adjudicate the cases of the offences under these Rules shall be on the warden.

(2) Notwithstanding any adverse effect on the generality of Sub-rule (1), the power to adjudicate the cases of the following offences shall be on the assistant warden if he/she exists and if he/she not exist then on the ranger :-

(A) If entered into the park against (contrary to) Rule 4, without taking admission card,

(B) If perform any activity contrary to clause (C), (E) or (F) of Rule 7 or if make a harm / damage in any form to the forest products up to Five hundred rupees cost and contrary to clause (D) of the same Rule,

- (C) If make fishing without taking permission as pursuant to Rule 11,
- (D) If posted or kept any signboard, notice, advertisement or posters, contrary to Rule 13,
- (E) If played any musical instruments, contrary to Rule 14,
- (F) If produced or thrown waste contrary to Rule 15,
- (G) If entered, walked or driven a vehicle into the park, contrary to Rule 17,
- (H) If travelled through other way by leaving the prescribed way, walked domestic animals or driven any vehicle, contrary to Rule 18.

30. **Approval of the Government of Nepal to be obtained for construction work** : While operating or making to operate any Governmental or Non Governmental construction work or plan within the park, the approval from the Government of Nepal Ministry of Forest shall be obtained.
31. **No entry fee to be charged** : The Government of Nepal by publishing a notice in Nepal Gazette may waive the entry fee to the Nepalese Citizens to enter into the prescribed parks prescribed on the same notice by prescribing or not prescribing a duration for such waiver.
32. **Power of the assistant warden** : Except than the Adjudicating power as pursuant to Rule 29 the power of the warden as pursuant to these Rules shall be allowed to be exercised by the assistant warden, in the absence of the warden in any park.
37. **Power to make Amendment in Schedule** : The Government of Nepal by publishing a notice in Nepal Gazette may make amendment in the Schedules of these Rules.

Schedule – 1

**(Related to Rules 4)**

Government of Nepal

..... National Park

**Admission Card**

S. N. :- .....

Date of Issued :- .....

Date of Entry:- .....

Entry point :- .....

Name and Surname :-

Address :-

Nationality :-

Age :-

Entry Fees :- Rs. .... (In words) .....

Admission card issuing officer's

Name : .....

Signature : .....

Designation : .....

Office Seal : .....

**Note :-**

1. The person of Five to Twelve years in age shall pay half of the entry (admission) fee.
2. This admission card shall be valid only for one time entry and may not be transferred to any other person.

3. In next page of this admission card, the Rule on parks shall be mentioned.
4. The person entering into this park shall follow (obey) the National Park and Wildlife Conservation Act, 2029 (1972) and the Rules framed under that.
5. This Admission card shall be kept with one self and if the concerned employee of the park wants to see, it shall be shown.

NEPAL LAW COMMISSION

<sup>1</sup>Schedule – 2  
(Related to Rules 4 and 11)

Fees

S.N.	Details	Fees (Rs.)		
		Nepalese Citizen	SAARC Countries Citizen	Other Foreign Citizen
A	1. Entry (Admission) Fee for National Park (per person per entry )  (The minor below 10 years age shall not be charged the entry fee)	Free of charge	1500.00	3,000.00
	2. Entry Fee for Tourist porters in National Park	25.00		
B	1. Fishing Fee (only with hook, per person per day)	200.00	1,000.00	2,000.00
	2. The local Bote, Darai, Kumal, Majhi, Tharu and other similar ethnic people traditionally fishing for livelihood	100.00		

<sup>1</sup> Amended by the notice published in Nepal Gazette on date 2069.03.04

**Note :-**

- (a) Only the valid admission card holder shall be allowed to enter into the park.
- (b) No local person residing in the village settlements within the park shall be charged for entry into park.
- (c) No fee shall be charged for domestic animals while carrying through the available privileged (convenient) road (way).
- (d) The person entering into the National Park without obtaining an admission card or permit or performing any such activities shall be provided the permit by taking cent percent additional fees on the prescribed fee.

NEPAL LAW COMMISSION

Schedule – 3

**(Related to Rule 12)**

Government of Nepal

..... National Park

This permit has been issued to Mr./Mrs./Ms. .... resident of ..... for fishing into this park by taking the following fees.

1. S.N. :-
2. Fees for fishing :-
3. Name of the river (spring) or pond allowed for fishing :-
4. Valid period (duration) for the permit :-
5. Signature of the person receiving the permit :-  
Age :- .....  
Citizenship :- .....  
Address :  
    Permanent :- .....  
    Temporary :- .....
6. Date :- .....

Permit issuing officer's,-

Name :-

Signature :-

Designation :-

Office Seal :-

Schedule – 4  
(Related to Sub-rule (1) of Rule 18)

**Roads (Ways)**

(A) For Lamtang National Park :-

1. Ramche – Dhunche Syabru – Rasuwagadhi – Moolbato.
2. Dhunche–Bharsu–Syabru–Lamtang–Kyanjing Dhyang–Muulbato
3. Dhunche – Chandanbari (Singh Gumba) – Gosaikund –Thade Melamche – Moolbato.
4. Syabrubesi–Bangal, Khanjim–Sherpa Gaun–Lamtang – Moolbato
5. Chhwangdur – Ganjrila Pass – Helambu – Moolbato.
6. Dhunche – Chandanbari – Gosaikund – Thadaipati – Gulph Bhangyang – Moolbato.

(B) For Rara National Park :-

1. Gum – Rara – Bhurma – Moolbato.
2. Bhurma – Gorusinga – Moolbato.
3. Jhyari – Milichaur – Bhurma – Moolbato.

(C) For Sagarmatha National Park :-

1. Lukla – Jorsalle – Namche – Moolbato.
2. Namche – Thame – Nangpala – Moolbato.
3. Thamegompa – Trasilapcha Pass – Moolbato.
4. Namche – Khunde – Khumjung – Lapharma – Gokyo – Moolbato.
5. Namche – Khumjung – Tyangboche – Moolbato.



6. Namche – Thyangboche – Pangboche – Pheriche – Lobuche – Gorakshap – Kalapathar – Sagarmatha Base Camp – Moolbato.
7. Pangboche – Dingboche – Chhukung – Moolbato.
8. Pangboche – Phortse – Konar Na (Gangtha) – Gokyo – Moolbato.
9. Khumjung – Phortse – Moolbato.
10. Namche – Syangboche Hotel Everest view – Moolbato.
11. Khumjung – Namche – Syangboche – Moolbato.
12. Namche – Syangboche – Khunde – Moolbato.

NEPAL LAW COMMISSION

Schedule – 5

**(Related to Sub-rule (1) of Rule 24)**

Government of Nepal

..... National Park

**Slip to obtain (take) Wood, Firewood (Timber)**

1. S. N. :-
2. The area allowed to take, wood, firewood within the park :-
3. Type and quantity of wood, firewood :-
4. Details of the Seal Mark (*Tancha*) if required to be marked:-
5. Valid period for the slip :-
6. Fees required to take (obtain) the wood, firewood (Timber):-
7. Slip receiving person's :  
Name, Surname :- .....  
Signature :- .....  
Citizenship :- .....  
Address :  
    Permanent :- .....  
    Temporary :- .....  
Date: .....

Slip issuing officer's,-

Name :- .....

Signature :- .....

Designation :- .....

Date :- .....

Office Seal :- .....

## Schedule – 6

**(Related to Rule 25)**

Government of Nepal

..... National Park

**Format of the List**

S.N.:–

1. Name of the Village :–
2. Village Development Committee and Ward :–
3. Name of the Family Head :–
4. Number of Family Members :–
  - (A) Above Twelve years in Age (Male) : .....
  - (Female) .....
  - (B) Up to Twelve years in Age (Male) : .....
  - (Female) .....

5. Domestic Animals :–

<u>Type or Species of Animals</u>	<u>Male Number</u>	<u>Female Number</u>	<u>Total</u>
Yak, Nak	–	–	–
Sheep, Chyangra	–	–	–
Goat ( <i>Boka, Bakhra</i> )	–	–	–
Cow, Oxen ( <i>Goru</i> )	–	–	–
Buffalo ( <i>Bhaisi, Ranga</i> )	–	–	–
Horse ( <i>Ghoda</i> ) and Mule ( <i>Khachchar</i> ) –		–	–
Duck, Chicken ( <i>Kukhura</i> ) and other birds	–	–	–

Dog	—	—	—
Cat	—	—	—
Other Animals	—	—	—

6. House :-

No. of Flats (*Talla*) : .....

Wall (Wood, Stone, Brick or other) :- .....

Roof (Wood, Stone, Gyalvanized sheet (*Jasta*), Tin or other) :- .....

Chimni (Available or not) :- .....

Other details (If any) :- .....

7. Fields (land) :-

Details of field whether Khet, Bari, Goth or Khark etc. :-

Area of Khet, Bari, Khark other (Separately) :-

8. Miscellaneous :-

Estimated Quantity of Firewood required annually (per man load) :- .....

Wood required for the maintenance of the house (Cubic feet) :- .....

Estimated Area required for pasturing :- .....

List collecting officer's,-

Name :- .....

Signature :- .....

Designation :- .....

Date :- .....