

Kanchenjunga Conservation Area Management Rules, 2064 (2008)

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

Chapter - 1

Preliminary

- 1. Short Title and Commencement:** (1) These Rules may be called "Kanchenjunga Conservation Area Management Rules, 2064 (2008)."
(2) These Rules shall come into force immediately.
- 2. Definition:** Unless the subject or context otherwise requires, in these Rules:-
 - (a) "Chairperson" means the Chairperson of the Council.
 - (b) "Mothers Group or Womens Group" means the consumer group constituted pursuant to Sub-rule (2) of the Rule 13.
 - (c) "Consumer Group" means the consumer group constituted pursuant to Rule 13 and the phrase also refers to the mothers group of women's group.
 - (d) "Act" means the National Parks and Wildlife Conservation Act, 2029 (1973).
 - (e) "Work Plan" means the work plan as pursuant to Rule 9.
 - (f) "Council" means the Conservation Area Management Council constituted pursuant to Rule 10, by obtaining the responsibility of

management of the Conservation Area of pursuant to Section 16B of the Act.

- (g) "Ministry" means the Ministry of Forests and Soil Conservation.
- (h) "Management Plan" means the Management Plan as pursuant to Rule 6.
- (i) "Department" means the Department of National Park and Wildlife Conservation.
- (j) "Conservation Area" means the Kanchenjunga Conservation Area declared by the Government of Nepal as pursuant to Section 3 of the Act.
- (k) "Conservation Officer" means the Conservation Officer or Chief of Conservation Officer assigned by the department as pursuant to Sub-rule (1) of Rule 57.
- (l) "Committee" means the consumer committee that has to be constituted as pursuant to the Rule 15.

Chapter - 2

Boundary of the Conservation Area and Establishment of the Office

3. **The Boundary of the Conservation Area:** The boundary of the Conservation Area shall be as declared by the Government of Nepal by publishing a notice in the Nepal Gazette.
4. **Establishment of Office:** The Council may establish its office and open contact office as per the necessity for the protection and management of the Conservation Area.
5. **Division of the Territory of the Conservation Area and Office of the Territory:** (1) The Council may divide the Conservation Area in various conservation territories, as per the necessity, coordinating

with the local Village Development Committee and community based organizations for the conservation and management of the Conservation Area.

(2) While dividing the conservation territory pursuant to the Sub-rule (1), the geographic structure, expansion, residential area and natural boundary shall be considered as the basis.

(3) The Council may establish conservation territory offices in the conservation territories divided pursuant to Sub-rule (1) as per the necessity.

Chapter - 3

Drafting and Approval of the Management Plan and Work Plan of the Conservation Area

6. **Drafting and Approval of Management Plan:** (1) The Council shall draft a Management Plan for five years, coordinating with the concerned consumer group and committee for the protection and management of the Conservation Area by mentioning the details as pursuant to Schedule-1.

(2) While drafting Management Plan pursuant to Sub-rule (1), the Council shall make discussion on drafting of Management Work Plan and collect the opinions by calling a meeting of Chairperson of the group and Committees and the Management Plan shall be drafted on the basis of such collected opinions.

(3) While drafting the Management Plan pursuant to Sub-rule (1) and (2), if the technical service has been required, the Council may take the service of the technicians related to the subject.

(4) The Chairperson shall submit the Management Plan, drafted pursuant to Sub-rule (1) and (2), before the Department for its approval endorsing it by the meeting of the Council.

(5) If the Committee consist of the following officials deemed necessary to refine the Management Plan submitted to the Department pursuant to Sub-rule (4), after studying, it shall submit to the Department for its approval along with the recommendations after making its refinement:-

- (a) Deputy Director General,
Department of National Park and
Wildlife Conservation. – Chairperson
- (b) Officer Representative,
Environment Division, Ministry of
Forest and Soil Conservation. – Member
- (c) Officer Representative, Planning
and Human Resource Division,
Ministry of Forests and Soil
Conservation. – Member
- (d) Chairperson of the organization
getting responsibility to manage the
Conservation Area. – Member
- (e) Management Officer, Department
of National Parks and Wildlife
Conservation. – Member

Secretary

(6) The Committee pursuant to Sub-rule (5) may constitute a technical sub-committee for technical opinion and consultation on the Management Plan and other matters relating to it.

(7) The Department, after studying the Management Plan submitted pursuant to Sub-rule (4), shall approve it in its original form or by refining or amending it, if deemed necessary to refine or amend it.

(8) It shall be the duty of the Council and all the concerned to follow the Management Plan approved pursuant to Sub-rule (7).

7. **Amendment on the Management Plan:** If any amendment has to be made on the Management Plan approved pursuant to Rule 6, the procedure as pursuant to Rule (6) shall be followed.

Provided,

If any alteration or amendment has to be done on the programs mentioned in the Schedules of the Management Plan, the Council itself may make such alteration or amendment.

8. **Re-drafting of the Management Plan:** Even after the completion of the implementation period of the approved Management Plan if the period obtained by the Council for taking the responsibility of the management of Conservation Area still remained valid, the Management Work Plan shall be implemented by re-drafting as pursuant to Rule 6.

9. **Work Plan to be Drafted and Approved:** (1) Each Consumer Committee shall submit a Work Plan in the office of the Council for its approval after drafting it as prescribed in the Management Plan, approved pursuant to Sub-rule (7) of the Rule 6, mentioning the details pursuant to Schedule - 2 with the consultation of the subordinate consumer groups for the conservation of the natural resources and the environment, the balanced utilization of natural heritage and community development of its area.

(2) While drafting the Work Plan by the Committee as pursuant to Sub-rule (1), it shall be drafted for the period of five years. In the such draft Work Plan, the goals of all the programs to be conducted during the five years shall be divided by separating them annually.

(3) The Chairman shall present the Work Plan, submitted pursuant to sub-rule (1), in the meeting of the Council and the Council shall approve, also with the amendment if required, the Work Plan.

(4) If the Committee requested to the Council to make available any technical assistance in the course of making a Work Plan, the Council shall arrange to provide such technical service.

Chapter - 4

Constitution of the Council and Its Functions, Duties and Power

10. Constitution of Conservation Area Management Council: (1)

For the conservation and management of the Kanchanjunga area a Kanchenjunga Conservation Area Management Council shall be constituted as follows:-

- (a) Chairpersons of the Consumer Committees within the Conservation Area. – Member
- (b) Four persons selected by the women members among themselves representing the mother's or women's groups on the Committee by making representation of one person from the each Village Development Committee. – Member
- (c) One person among from the members representing the community forest consumer groups in the Committee. – Member
- (d) One representative of the District Development Committee representing the Village

Development Committees within the
Conservation Area. – Member

(e) One person assigned by the
Chairperson among the
underprivileged class, caste within
the Committee or social activists. – Member

(f) One person nominated by the
Chairperson among from the persons
within the Conservation Area who
has made a special contribution or
role for the conservation. – Member

(2) The Council shall select one Chairperson, one Member Secretary and one Treasure among from the members mentioned in Clause (a), (b), (c) and (e) of Sub-rule (1). The selection process shall be as determined by the Council itself.

(3) The Council constituted pursuant to the Sub-rule (1) shall submit an application for the registration of the Council before the Department in the format prescribed in Schedule-3.

(4) If an application has been submitted pursuant to Sub-rule (1), the Department, after making necessary inquiry, if found appropriate to register the Council, shall issue a certificate, after registering the Council, in the format prescribed as pursuant to Schedule-4.

11. Functions, Duties and Power of the Council: The Council shall have the following functions, duties and power:–

(A) To protect and manage the Conservation Area and to operate the daily administration of the Council,

(B) To prepare the Management Plan for the conservation and management of Conservation Areas,

- (C) To implement the approved Management Plan,
- (D) To approve the Work Plan submitted by the Committee,
- (E) To mobilize the Committee to do, cause to do for conserving, managing and conducting the community development activities of the Conservation Area,
- (F) To prescribe the fees for making available the resources or conservation service of inside the Conservation Area
- (G) To manage or to make managed tourism related conservation area within the Conservation Area,
- (H) To distribute (provide) money to the Committee for conducting programs according to the Work Plan,
- (I) To perform regular monitoring and evaluation of the conservation and community development programs conducted by the Committee and to give direction as per the necessity,
- (J) To manage (collect) the resources for the implementation of the approved Work Plan,
- (K) To conserve and promote the natural, religious, cultural or other similar kinds of important heritages within the Conservation Area,
- (L) To prepare and implement the special programs for the development women, ethnic, *Dalit* and underprivileged classes,
- (M) To make public the annual programs, income, expenditure details and audit reports of the Council by calling an assembly of the Consumer Group and Committee and to provide one copy of that to the Ministry and Department,
- (N) To make (arrange) necessary coordination with the non-governmental organization and government agencies of the

district and local level, which are involved in the conservation and community development,

(O) To perform or cause to perform any other necessary functions for the wider benefit of the Conservation Area.

12. Meeting of the Council: (1) The Member Secretary of the Council shall call the meeting of the Council as according to the direction of the Chairperson.

(2) The procedure of the meeting shall be as determined by the Council itself.

Chapter-5

Provisions on the Formation, Functions, Duties and Power of the Consumer Group and Committee

13. Formation of the Consumer Group: (1) A Consumer Group or Consumer Groups shall be formed by making representation of each household residing under the concerned Village Development Committee within the Conservation Area, to make active participation in the conservation activities of the Conservation Area and get direct benefit from that area.

(2) While forming consumer groups pursuant to Sub-rule (1), the required number of mother's groups or women's group shall be formed by making the representation of women under the concerned committee, to ensure the active participation of women in the protection and management of Conservation Area.

(3) The consumer groups formed pursuant to Sub-rule (1) and (2) shall be registered in the office of the Council on the recommendation of concerned committee and for the purpose of the registration, an application shall be submitted in the office of the Council in the format

as prescribed in Schedule-5 by attaching the statute and Work Plan of the concerned consumer group.

(4) If an application has been received as pursuant to Sub-rule (3), the council shall issue a certificate in the format prescribed in Schedule-6 after making registration of that group.

(5) In the group formed pursuant to Sub-rule (1) and (2), representatives representing from each household shall consist as a member of the group and such members shall select a Chairperson and a Secretary from among themselves.

14. Functions, Duties and Power of the Consumer Group: The Consumer Group formed as pursuant to Rule 13 shall have the following functions, duties and power:–

- (A) To promote the people's awareness for the protection of the forest, wildlife and natural heritage.
- (B) To protect the forest, wildlife and other natural heritage in their own area,
- (C) To make plantation in the barren lands available in their own area,
- (D) To operate and implement the plans taken under own responsibility or handed over to them,
- (E) To protect the forest of their own area from the encroachment,
- (F) To make arrangement for the operation and maintenance system of the plan completed by themselves,
- (G) To mobilize the subservient consumers for the protection and management of biological diversity of own area,
- (H) To manage the voluntary labor required to complete the projects that have to be conducted in their own area,

- (I) To provide the necessary assistance to the concerned committee in conducting and maintaining the projects.
- (J) To collect the maintenance fee of the completed projects within their own area from the consumers.
- (K) To make public the financial and other periodic details of the programs to be conducted by themselves by calling a meeting of the consumers.
- (L) To keep accurate account of the income and expenditure of the plans/projects implemented by themselves and inform (notify) to the consumer by calling a meeting of them.
- (M) To make public all the details about the plans to be conducted by themselves, prior to implementing of such plans, by calling a meeting of the consumer,
- (N) To follow, make to follow the guidelines provided by the Committee,
- (O) To perform the other functions prescribed by the Committee.

15. Formation of the Consumer Committee: (1) The Council shall constitute maximum two Consumer Committee in a Village Development Committee by making a coordination with the local Consumer Group and local Village Development Committee for the protection and management of the Conservation Area according to the Management Plan.

(2) The following members shall be comprised in the Consumer Committee:–

- (A) Five persons selected by the chairpersons of the consumer groups, under the Committee, from among themselves. - Member

- (B) Three persons selected by the chairpersons of mother's or women's groups, under the Committee, from among themselves. - Member
- (C) One person selected by the chairpersons of community forest consumer groups from among themselves. - Member
- (D) One person among from the backward class, caste or social activists. - Member
- (E) The Chairperson of the concerned Village Development Committee. - Ex Officio Member

(3) The nomination of the member as pursuant to clause (D) of Sub-rule (2) shall be made by the meeting of the members as pursuant to clause (A), (B) and (C).

(4) The members of the Committee shall select one Chairperson, Vice-chairperson, Secretary and, Treasure from among the members pursuant to clause (A), (B), (C) and (D) of Sub-rule (2).

(5) The selection procedure of the officials of the Committee shall be as determined by the Committee itself.

(6) The tenure of the official and the member of the Committee shall be for five years from the date of the formation.

16. Function, Duty and Power of the Community: The function, duty and power of the Community shall be as follows:-

- (A) To promote the public awareness for the protection and conservation of the forest, wildlife and natural heritage,
- (B) To conserve or cause to be conserved the wildlife and natural heritage,

- (C) To plant or cause to be planted the trees,
- (D) To conduct the programs to control the landslide and soil-erosion,
- (E) To prescribe the method of the utilization of the forest product necessary for daily use of the local residents within own area and the fees,
- (F) To prepare own annual and five years work plan,
- (G) To prescribe the area allowed for pasteurization or shed keeping, the types of animal, number and the fees,
- (H) To operate and implement the plans or projects that have been taken on their own responsibility by themselves or have been transferred to them,
- (I) To mobilize the local level non-governmental organizations and community organizations for the conservation of the Conservation Area,
- (J) To inform to the Consumer Group by keeping the accurate account of the income and expenditure of the projects,
- (K) To carry out, cause to be carried out the conservation and development related construction programs, as per the goal of the Work Plan, from the grant assistance received from the various donor agencies, organizations and persons,
- (L) To perform, cause to be performed the activities prescribed by the approved Management Plan or Work Plan,
- (M) To follow, cause to be followed the guidance given by the Chairperson of the Council for achieving the objectives of these Rules,
- (N) To submit the details asked time to time by the Council,
- (O) To submit the detail of the work progress, by preparing it regularly, before the Chairperson of the Council,
- (P) To work with other committees under the jurisdiction of the Conservation Area by making necessary coordination,

- (Q) To mobilize the sub-ordinate consumer groups to complete or make to be completed the activities mentioned (prescribed) in clause (A) to (J), to coordinate among them and to monitor their programs,
- (R) To determine the standard (ranking) of the tourism businesses (hotel, lodge, tee-coffee shops and campsites, etc.) that have been operating or to be operated within the jurisdiction of the Committee by keeping their record (legal inventory) and to submit a recommendation before the Council for prescribing the fees that has to be collected from such business person.
- (S) To perform or cause to be performed other functions deemed necessary for the benefit of the Conservation Area.

17. The Meeting and Procedure of the Committee: (1) The meeting of the Committee shall be held at least once in every three months.

(2) The Secretary of the Committee shall call the meeting of the Committee on the date, time and place as prescribed by the Chairman.

(3) The quorum for the meeting shall be considered fulfilled if at least fifty one percent members have been attended.

(4) The meeting shall be presided by the Chairperson of the Committee and in his/her absence it shall be presided by the Vice-chairperson. In the absence of the both Chairperson and Vice-chairperson, the member selected by the members among from themselves shall preside the meeting.

(5) The decision of the meeting shall be made by simple majority and if the vote divided equally, the person presiding shall give the decisive vote (opinion).

(6) The decisions of the meeting shall be kept updated authenticating by the presiding person and the Secretary.

(7) Any technician or expert may be invited to the meeting of the Committee as per the necessity.

(8) The Chairperson shall call the meeting of the Committee if at least one third members of the total members of the Committee made a written demand to call the meeting of the Committee or at least fifty percent chairpersons of the total subsidiary consumer groups made a written request to the Chairperson of the Committee to call the meeting.

18. Provision of the Registration of the Committee: (1) Subsequently the formation of a Committee first time as pursuant to Rule 15, an application also attaching its statute shall be submitted in the format prescribed in Schedule-5, for the registration before the office of the Council.

(2) If an application has been received as pursuant to Sub-rule (1), the Council shall register the Committee and provide a certificate in the format as prescribed in Schedule-6.

(3) After the end of tenure of the officials and members of the Committee which has already once been registered as pursuant to Sub-rule (2), the Chairperson of the Committee shall submit the name list of the officials and members of the Committee which shall have been re-elected.

19. Subcommittee to be Formed: (1) The Committee may constitute thematic sub-committees if it deemed necessary to constitute such sub-committee to perform or cause to be performed the functions assign to it as pursuant to the Rules in a systematic way.

(2) The functions, duties, power and procedure of the sub-committee constituted pursuant to Sub-rule (1) shall be as determined by the Committee at the time of the formation of such sub-committee.

20. Dissolution of the Committee: (1) The Council may dissolve the Committee of if it found the following conditions during the monitoring

or any consumer makes a written complain mentioning the prevailing of the following conditions and such complain found reasonable:–

- (A) If any functions performed without approving the work plan or in contrary to the work plan,
- (B) If the functions, duties and responsibilities as pursuant to Rule 16 has not been fulfilled or unable to fulfill,
- (C) If an amount received to operate and complete any program and the fund as pursuant to Rule 21 has been misused (abused) or misappropriated,
- (D) If responsibility assigned to it has not been fulfilled despite of any reason (cause),
- (E) If any actions has been performed against the interest of the local consumers or failed to protect the interest of the consumers.

(2) The Council may ask for the concerned Committee to perform its responsibility or direct to reform its activities or direct to correct any act or any fault that has been occurring against the Act and Rules while performing them with good faith,

(3) Prior to dissolving the Committee pursuant to Sub-rule (1), it shall ask for a clarification, providing the thirty five days of time period to respond, to the concerned Committee by mentioning the reasons of the dissolution to be taken.

(4) If a clarification has been asked as pursuant to Sub-rule (3), the Committee shall submit the clarification within the prescribed time-period.

(5) If the clarification submitted as pursuant to Sub-rule (4) has not been satisfied, the Council may make required investigation of the functions and activities of the Committee by constituting a three person team among from its members.

(6) While making an investigation as pursuant to Sub-rule (5), if a report has been received mentioning the prevailing of the situation as pursuant to Sub-rule (1) or defying the directives given as pursuant to Sub-rule (2), the Council may dissolve such Committee.

(7) Notwithstanding anything contained in the Rules, if the two third members of any Committee have made a written request to dissolve such Committee by mentioning the reason before the Council, the Council may dissolve such Committee after necessary (required) investigation.

(8) If any Committee has been dissolved as pursuant to Sub-rule (6) or (7), the Council may again constitute another Committee. The tenure of the Committee which has been constituted as such, shall be for the remaining period of the Council.

(9) The Council itself performs the activities performed by the dissolved Committee until another Committee as pursuant to Sub-rule (8) has not been constituted.

21. The Treasury of the Committee: (1) The Committee shall have a separate treasury and such treasury may contain the following funds:-

- (A) The fees prescribed by the consumer committee as pursuant to clause (E) of Rule 16,
- (B) The amount that has to be received by the committee as pursuant to Sub-rule (1) of rule 29,
- (C) The amount to be received from any organization, institution or person,
- (D) The amount prescribed by the council out of the revenue which has to be received (collected) from the community forest,
- (E) The amount received from the consumption of the forest products,

(F) The amount to be received for providing the recommendation to consume the non-timber forest product and

(G) The amount to be received from any other sources.

(2) If any kind of assistance has been received from any organization or institution, information (notice) of it shall be given to the Council as quickly as possible.

(3) The amount that has to be collected as pursuant to Sub-rule (1) shall be deposited by opening an account in any commercial bank and the account shall be operated with the joint signature of the Chairperson and Treasure of the Committee.

22. Expenditure of the Committee: (1) The Committee shall expense the amount received by it, in the programs prescribed by the Work Plan.

(2) The expenses that have to be made on behalf of the committee and other administrative expenses shall be funded from the treasury of the Committee.

Provided that, the administrative cost shall not exceed twenty five percent of the total expenditure of the committee.

23. Committee's Audit: (1) Auditing of the account of the Committee shall be performed by the registered auditor appointed by the Council, within the six months of the end of every fiscal year.

(2) While auditing as pursuant to Sub-rule (1), the auditor may demand the documents and accounts to the Chairperson of the Committee and in case of such demand, it shall be the duty of the Chairperson to make available such documents and accounts.

(3) One copy of the auditing report of the audit made by an auditor as pursuant to Sub-rule (1) shall be submitted before the Council.

(4) If any official of the Committee has been found responsible for financial abusing in the audit report, the Council shall recover that amount from him/her immediately.

(5) If a recovery as pursuant to Sub-rule (4) has not been made, such amount shall be recovered as pursuant to prevailing law considering it as a governmental dues and the Council may request the concerned authority for this purpose.

Chapter-6

Financial Management of the Council

24. Fees, Revenue may be Charged: (1) The Council, for the purpose sustainable protection and management of the Conservation Area, may prescribe the following fees or revenues and recover it:–

- (A) Entry fee for the entrance of tourists within the Conservation Area,
- (B) Sanitation fee that has to be received from mountaineers and trekkers,
- (C) Revenue for providing the authorization to collect and transport the forest products and herbs into the Conservation Area,
- (D) Revenue for providing a permission to shoot documentary or feature film within the Conservation Area for commercial purpose,
- (E) Revenue for landing a helicopter or any equipment within the Conservation Area,
- (F) Revenue for issuing permits to operate any other entertaining or adventurous, (Bungee jumping, Mountain-walking, Canoeing, Skiing, Rock

climbing, Hang gliding, Paragliding, etc.) activities within the Conservation Area,

- (G) Revenue for issuing permits to operate tourism service within the Conservation Area,
- (H) Revenue for issuing permits to operate the small hydropower project within the Conservation Area,
- (I) Revenue received by selling the power which has to be generated from the construction of small hydropower, solar power, wind power, etc. by the Council's own resources or other resources that has been received by it and
- (J) Any fees or revenue that has been prescribed after taking the approval of the Ministry for other activities.

(2) The fees or revenues that have to be collected by issuing the permit in the name of the Conservation Area, for any activity out of the activities mentioned in Sub-rule (1), shall be deposited in the account of the Council according to the percentage prescribed by the Ministry as pursuant to the Section 25A of the Act.

(3) Notwithstanding anything contained in Sub-rule (1) and (2), no fee, the revenue shall be charged for the rescue activities.

25. The Treasury of the Council: (1) The Council shall have a separate treasury and the following amounts shall be deposited in the treasury:

- (A) The amount to be received as pursuant to Section 25(A) of the Act.
- (B) The amount that has to be received from the Government of Nepal or District Development Committee,

(C) The amount that has to be received from the domestic or foreign organizations, institutions or persons,

(D) The amount that has to be received from any other sources.

(2) While receiving any kind of assistance from the foreign organizations or persons as pursuant to Clause (C) of Sub-rule (1), the prior approval of the Government of Nepal shall be taken.

26. Operation of the Treasury and Account of the Council: (1) The amount that has to be received in the treasury of the Council shall be deposited by opening an account in any commercial bank.

Provided that, the amount up to five thousand rupees at a time shall be allowed to expense by depositing in a small cash fund.

(2) The account of the Council shall be operated by joint signature of the Chairperson and Treasure. In the absence of one person among Chairperson or Treasure operation of the account shall be as prescribed (determined) by the Council.

27. Expenditure of the Council: The Council may allocate maximum Twenty Five percent amounts of the annual income that has to be received by the Council for its day-to-day operation.

28. Auditing of the Council: (1) The Council shall make an audit of the income and expenditure of every fiscal year from the registered auditor.

(2) The Council shall appoint an auditor as pursuant to Sub-rule (1).

(3) The Chairperson of the Council shall provide the documents and accounts that has been desired to be seen by the auditor who has been assigned for auditing as pursuant to Sub-rule (1).

(4) If any official or member of the Council has been found responsible for misappropriation or abuse of resources of the fund of the Council from the audit, the Council shall immediately recover that amount from him/her.

(5) If the amount has not been recovered as pursuant to Sub-rule (4), it shall be recovered as government due a pursuant to the prevailing laws and the Council shall request the concerned authority for this purpose.

(6) The audit report shall be submitted at the meeting of the Council and it's one copy shall be sent to the Department.

29. The Grant to be provided to the Committee: (1) The Council shall provide the necessary amount to the Committee annually to implement the projects prescribed in the Work Plan of the Committee.

(2) While providing the grant amount to the Committee as pursuant to Sub-rule (1), the amount shall be released four-monthly on the basis of the work progress.

(3) The Council shall provide the amount as pursuant to the sub-rule (1) to the various Committees on the following basis:-

- (A) The size of the area (territory) and population of the Committee,
- (B) The demand and need of the community development,
- (C) The effects on the wildlife in the area of the Committee,
- (D) The contribution of the local inhabitants of that area for the conservation of the wildlife, forest products and natural resources,

- (E) Conservation of biological diversity and initiation and participation of the local peoples in the community development,
- (F) The cost of the partnership project that has to be operated in a special area,
- (G) The quantity and quality of the programs operated by the Committee.

Chapter - 7

Prohibited Activities Within Conservation Area

30. Prohibited Activities within Conservation Area: No person or an organization shall be allowed to perform the following activities within the Conservation Area without obtaining written permission from the authorized officials:-

- (A) To hunt the wildlife,
- (B) To construct or possess a house, hut, resident or any similar type of construction in the government land,
- (C) To occupy to clear, to cultivate to farm or to grow any crops in the government land or to cut down trees,
- (D) To cut down, fall down, remove trees, plants, herbs or any other forest products that has been existed in a government land or to perform any activities for drying out forest products or to set fire or to cause harm in any way,
- (E) To excavate mines, stones or to harm any minerals, stones, gravels, soils or other similar products in government land,
- (F) To possess by oneself or to use any arms and ammunitions or any kind of poisonous substances,

- (G) To take or carry any kind of animals or trophies or to collect trophies within the Conservation Area,
- (H) To block/stop, divert, river, tributary or any source of water flowing within the Conservation Area, or to use harmful or explosive substances in it,
- (I) To deforest the plants for cultivation,

31. May Prohibit the Activities: (1) If any activities conducted or going to be conducted within the Conservation Area has made adverse impact or seems possibility of the effect on the land-use, public health, protection of the natural environment and natural resources of the Conservation Area, the Council may issue a written order to stop or prohibit or to reform the such activities.

(2) The order that has been issued as pursuant to Sub-rule (1) shall clearly mention the reason for stopping, prohibiting or reforming such activities.

32. Written Permission to be Obtained: If the residents within the Conservation Area desire to extract the soil, stores, gravels or sand for their own personal use a written permission of the Council shall be obtained. While issuing such permission by the Council, it shall be issued on the recommendation of the Committee.

33. Not to be Harmed: No person shall be allowed to do any harm or damage to the road, bridge, house, office buildings, fence, signboard or any other things in any way.

34. Permission to be Obtained: (1) Any person prior to the commencement of any activities, making use of natural resources or causing adverse effects on natural resources within the Conservation Area, for the business purpose shall submit an application for obtaining the consent of the Council.

(2) If an application as pursuant to Sub-rule (1) has been received, the Council may provide a consent by making required inquiry and prescribed necessary conditions.

35. Consent to be Obtained: (1) Prior to issuing a license to operate any industry in the private land within the Conservation Area, a consent of the Council shall be obtained.

(2) While providing a consent as pursuant to Sub-rule (1), the Council may impose necessary conditions to be followed by such industry.

(3) The Council may impose a necessary condition even to the industry, which has been operating prior to the commencement of these Rules.

Chapter - 9

Special Provisions on the Management of Forest

36. Management of forest may be Provided: (1) The protected forest consumer group desiring to protect and manage any forest area within the Conservation Area, in the form of protected community forest for making sustainable management and use of forest products as according to the Management Plan, shall submit an application in the forest prescribed in Schedule - 7 by mentioning protected community forest also along with the Work Plan and the recommendation of the committee.

(2) If an application as pursuant to Sub-rule (1) has been received, the Council shall make a required inquiry on it and, in such inquiry, if it deemed appropriate to hand over the forest area mentioned in the application as a whole or part, such protected community forest may be handed over to the concerned group. While handing over the

protected community forest, a certificate as pursuant to Schedule - 8 shall also be issued.

(3) If a forest area demanded by two or more than two Committees as a protected community forest, the Council may provide that forest area to the appropriate Committee on the basis of the consent by coordinating all concerned committees.

37. Protected Community Forest may be Withdrawn: (1) If a consumer group, which has obtained the protected community forest in its guardianship as pursuant to Rule 36 has not performed the activities according to the forest management work plan, the Council shall ask a clarification from such group by giving fifteen days of time period for submission.

(2) If the clarification asked as pursuant to Sub-rule (1) has not been submitted or the submitted clarification has not been satisfied or if it's deemed appropriate to withdraw the protected community forest from the field report, the Council may withdraw such forest. The protection of the such withdrawn protected community forest shall be protected and managed by the Council itself or through any consumer group.

(3) The group, which has not been satisfied with the decision made by the Council as pursuant to Sub-rule (2), may submit a complaint before the Department within thirty five days from the date of the notice of such decision received.

(4) If a complaint has been submitted as pursuant to Sub-rule (3), the Department shall give its own decision and the decision made by the Department shall be final.

(5) If a complaint has been submitted as pursuant to Sub-rule (3) the protection and management of such forest shall be made by the Council until the final decision has not been made on that complaint.

38. May be Handed Over as a Protected Religious Forest: (1) any religious organization, group or community which has desired to manage any forest area within the Conservation Area as a religious forest according to the Management Plan shall submit an application before the Council in the format prescribed in Schedule - 9 along with the forest management work plan.

(2) If an application as pursuant to Sub-rule (1) has been received, the Council may perform necessary (essential) inquiry and on such inquiry if it deems appropriate to provide the forest area mentioned in the application as a whole or in partial form, such protected religious organization, groups or community after making a registration.

(3) While providing protected religious forest as pursuant to Sub-rule (2), a certificate related to it shall also be issued in the format prescribed in Schedule - 10.

(4) The woods and timbers available in the protected religious forest shall be allowed to use for the religious purpose of the religious place while making use as such. No trees may be allowed to cut down in such a way that cause or may cause adverse effect on the environment or may make soil erosion in the Conservation Area.

39. Protected Religious Forest may be Withdrawn: (1) If a concerned religious organization, group or community which has obtained the protected religious forest in its guardianship as pursuant to Rule 38 has not performed the activities according to the forest management work plan, the Council shall ask for the clarification to such religious organization, group or community by giving fifteen days of time period for the submission.

(2) If the clarification asked as pursuant to Sub-rule (1) has not been submitted or the submitted clarification has not been satisfied or if it's deemed appropriate to withdraw the protected religious forest from

the field report, the Council may withdraw such protected religious forest.

(3) The religious organization, group or community which has not been satisfied with the decision made by the Council as pursuant to Sub-rule (2), may submit a complaint before the Department within thirty-five days of receiving of the notice of such decision.

(4) If a complaint has been submitted as pursuant to Sub-rule (3), the Department shall give its own decision and the decision made by the Department shall be final.

(5) In case a complaint has been submitted as pursuant to Sub-rule (3) the Council itself shall conserve and manage such forest until the final decision is made on it and the other arrangements has not been made of such withdrawn forest.

40. The Provisions on the Protected Private Forest: (1) The landowner within the Conservation Area may develop, protect and manage private forest and use the forest products, persisting under the Management Plan of the Conservation Area.

(2) The Council may provide required technical assistance to the owner of the private forest to develop, protect and manage the private forest as pursuant to these Rules.

(3) The owner of the protected private forest shall transport, sell and distribute the forest products of that forest provided that it shall be utilized within the conservation forest.

(4) Notwithstanding anything contained in Sub-rule (3), if the owner of the protected private forest of the Conservation Area desires to take the forest products out from the area of the protected forest and sale and distribute, it shall submit an application before the Council along with the recommendation of the concerned committee by mentioning the species, type and quantity of the forest products.

(5) If an application as pursuant to Sub-rule (4) has been received, the Council shall make necessary inquiry and if it deemed that such forest products has been owned by the owner of the private forest, the Council shall issue a release letter by mentioning species, type and quantity in the format prescribed and in case of the timber by putting a marked sign, to take out from the Conservation Area.

Provided that,

No release letter shall be issued to export the timber out of Nepal.

41. Utilization of the Forest Products: The utilization of forest products, obtained by making plantation and growing the plants by itself or by protecting any forest area as a protected community forest by a committee or a forest consumer group, may be made by the consumer groups without exceeding the prescription and quantity as prescribed by the forest product utilization work plan and by paying the fees (revenue) prescribed by the concerned committee or consumer group.

42. Utilization of Non-timber Forest Products and Herbs to be Allowed: (1) Except the non-timber forest products and herbs that have been prohibited by the prevailing law, the Council may issue a permit on the basis of the approved Work Plan and technical report for the sustainable collection and utilization of the non-forest products and herbs and to take it out of the Conservation Area.

(2) The Council may prescribe the fees (revenue) for the permission to collect and to take cut the non-timber forest products and herbs from the area.

Provided,

The fees (revenue) that has to be prescribed as mentioned shall not be prescribed in such a way that it will be less than the fees (revenue) prescribed as pursuant to the Forest Rules.

(3) The Council shall determine the list of the non-timber forest products and herbs that has to be allowed to collect and utilize and to take out from the Conservation Area.

(4) If the non-timber forest products and herbs, which has been determined as timber forest to Sub-rule (3), has been obtained from the protected conservation forest, then the Chairperson of the Council may issue a permit to collect, utilize and take out such non-timber forest products and herbs from the Conservation Area on the basis of the recommendation of the Chairperson of the concerned committee and report of the technician who has been assigned by the Government of Nepal as pursuant to Sub-rule (1) of Rule 57.

(5) If permission has been granted to collect and utilize the herbs and to take out of the Conservation Area, the Council shall provide the Seventy Five percent of the received revenue (fee) to the Committee of the area from which the permission has been granted.

(6) A person or organization which desires to collect and utilize any herbs or to take out of the Conservation Area as pursuant to this Rule shall submit an application before the Council in the format prescribed in Schedule - 12.

(7) If an application has been received as pursuant to Sub-rule (6) the Council may issue herbs collection permission in the format prescribed in Schedule - 13.

(8) If the herbs, collected as pursuant to Sub-rule (7), have to be taken out of the Conservation Area, the Chairperson shall issue a release letter in the format prescribed in Schedule - 14.

In spite of that, prior to the issuing such release letter, the Chairperson may make an investigation on whether the quantity of the herbs corresponding with the permit or not.

(9) Any person or organization desiring to bring any herbs into the Conservation Area outside from the Conservation Area, or to carry to another place by using the route through the Conservation Area shall submit a permit issued by the concerned district forest office before the Chairperson and the Chairperson shall issue a permit to bring such herbs within the Conservation Area or to carry out through the Conservation Area, after making a necessary inquiry.

Chapter - 9

Operation of Community Development Projects

43. The Operation of community Development Projects: (1) The Committee shall select the programs on the priority basis to operate the programs mentioned in its action plan. Thus selected plans or programs shall be submitted before the Council after preparing a proposal and also with the cost estimation of the plan or program.

(2) The submitted proposal as pursuant to Sub-rule (1) also shall mention the portion of voluntary labor of the consumers and the portion of such voluntary labor shall be at least Ten to Thirty percent of the total cost.

(3) The Council shall manage to provide the technical assistance to the Committee in preparing the cost estimate as pursuant to Sub-rule (1), if deemed necessary.

(4) The Council shall submit the plan or program received as pursuant to Sub-rule (1), in its meeting and the meeting shall approve the program or plan even with the required amendment if such amendment has been essential to it. The Council shall release the amount four monthly basis for the implementation of thus approved program or plan on the basis of the work progress.

(5) Prior to implement the program or plan approved pursuant to the Sub-rule (4), the Committee shall make it public by calling a meeting of the officials of the sub-ordinate groups.

(6) The concerned committee shall make a request before the Council to conduct an inspection and clearance after the completion of the program or plan implemented pursuant to this Rule and the Council shall provide the required technical assistance to inspect and release such projects or plans if such request has been made.

(7) The Committee shall submit the account, audit and inspection report before the Council after the completion of the work of such program or plan.

(8) After receiving the accounts, bills and receipts and inspection report as pursuant to Sub-rule (7), the Council shall approve the program or plan, if the work has been found completed after its inspection as per the necessity.

(9) If the technician in the related field has not been available in the Council to operate the inspection and clearance as pursuant to this Rule, the Council may request to the District Development Committee to provide the technician of the related field.

(10) If a request has been made as pursuant to the Sub-rule (9), the District Development Committee shall assign a technician.

(11) The expenses made for the cost estimation and inspection of the program or plan as pursuant to this Rule shall be included in the expenses of the related plan or program.

44. Approved to be Obtained: If any person or organization desires to operate any projects or program within the Conservation Area, it shall obtain a pre-approval from the Ministry.

45. Development Projects to be Operated without Duplication: While operating and cause to be operated community development

works by the Council as pursuant to Rule 43, it shall operate the program without making any duplication on the any community development program or plan that has been operated by any other entities, organization or office.

Chapter - 10

Miscellaneous

46. Management of Wildlife: (1) If the number of other wild lives except than the protected wildlife has been increased within the Conservation Area and it deemed that it may destroy the agriculture cultivation, domestic animals of local consumers, the Council may send a recommendation letter to the Department for allowing commercial hunting by fixing a quota after making the situation study of the concerned species and prescribing the places for the management of such wildlife.

(2) The Council shall obtain the consultation and suggestion of the Conservation Officer while determining the wildlife and their quota for the purpose of commercial hunting as pursuant to Sub-rule (1).

(3) The Department may issue a permit for hunting mentioning the species, place and number on the basis of the recommendation send as pursuant to Sub-rule (1).

(4) The fees for hunting, supplementary hunting permit fees and other provisions shall be as pursuant to National Park and Wildlife Conservation Rules, 2030.

(5) The Department shall deposit fifty percent amount of the total amount received by issuing a hunting permit as pursuant to Sub-rule (3) in the treasury of the Council.

47. Admission Card to be Obtained: (1) If a foreign tourist desires to enter into the conservation area, he/she shall obtain an admission card

by paying the entry fee as prescribed by the office of the Council or contact office.

(2) The format of the admission card that has to be provided as pursuant to Sub-rule (1) shall be as prescribed in Schedule-15.

48. Permit to be Obtained for Landing within the Conservation

Area: (1) If anyone desired to land any type of Helicopter, Hot Air Balloon or similar type of air equipments in the Conservation Area, he/she shall submit an application in the format as prescribed in Schedule -16 for obtaining a permit before the Department or Council.

(2) If an application as pursuant to Sub-rule (1) has been received, the Department or the Council may issue a permit to land a helicopter, Hot Air Balloon or similar type of equipment, in the Conservation Area by taking prescribed fees.

(3) While issuing a permit as pursuant to Sub-rule (2), a permit shall be issued in the format prescribed in Schedule – 17.

(4) Notwithstanding anything contained in Sub-rule (2) or (3), no prior approval shall be obtained for emergency landing or landing during the rescue related operation.

(5) The information of a landing that has been made for an emergency landing or landing made during the rescue operation shall be provided to the Department or Council as quickly as possible.

49. Permit to be Obtained for Film Shooting: (1) If any domestic or foreign person, agency or organization desires to shoot a commercial, documentary or feature film within the Conservation Area, he/she shall submit an application before the department or council as in the format prescribed in Schedule - 18.

(2) If an application has been received as pursuant to Sub-rule (1), the Department may issue a permit in the format prescribed in Schedule – 19 by taking a prescribed fee.

(3) If a permit has been issued by the Department as pursuant to Sub-rule (2), it shall deposit fifty percent amount of the permit fee in the treasury of the Council.

(4) While a shooting has been operated as according to the permit issued pursuant to Sub-rule (2), the Council may assign its own employee as a liaison officer during the whole shooting period and may manage that the shooting shall only be made in his/her presence.

50. Approval to be Obtained for Operating Scientific Research: (1) The Department may give approval if any person desires to perform the activity relating to the scientific research or observation within the Conservation Area. The notice of such approval shall be provided to the Council.

(2) If a research has been completed after taking an approval as pursuant to Sub-rule (1), the concerned person or organization shall submit one copy of such report before the Department and Council.

51. Not to be Liable for Compensation: If a person entered into the Conservation Area caused any kinds of loss and damage or injury or death within the Area, he/she him/herself shall be liable and the Government of Nepal or the Council shall not be liable for the compensation of such event.

52. Jurisdiction for the Proceeding of a Case: (1) The Jurisdiction for the proceeding of the offenses under the Act and these Rules within the Conservation Area shall be on Conservation Officer.

(2) Without having any adverse effect on the overall generality of Sub-rule (1), the power for the proceeding of the following offenses shall be on Technical Ranger of the non-gazetted first class assigned by the Government of Nepal:-

(A) If entered within the Conservation Area without obtaining a permit.

(B) If the forest products which value to be established up to five thousand rupees has been illegally destroyed, cut down or removed.

(C) If the works prohibited in clauses (B), (C), (D), (E), (F), (G), (H) and (I) of Rule 30 has been performed.

53. Investigation and Registration of a Case: The investigation and registration of a case that has to be made pursuant to Sub-rule (1) of Rule 52, shall be made by a Technical Ranger employee of the non-gazetted first class staff assigned by the Government of Nepal.

54. The Punishment to be Made for Working Against the Work Plan: If any person has done any activities in the protected community forest in contrary to the Work Plan, the concerned committee may take action against him/her as mentioned in the Work Plan. If any harm or damage has been caused by doing work against to the Work Plan, the cost amount of such damage shall be considered as a claim amount and shall be recovered as pursuant to the prevailing law.

55. The Land-utility System to be Implemented: (1) The Council may, taking the consent of the concerned committee, cultivate any crops or farm fruits or make plantation of any plant or fodder trees or may operate or cause to operate any other activities by adopting land-utility system according to the Work Plan in the area prescribed for the implementation of the land utility system in the Management Work Plan.

(2) The Council may provide technical and other assistance to the person who has supposed to operate the activities by adopting the land-utility system as pursuant to Sub-rule (1).

56. Assistance to be Provided to the Council: The local bodies, local administration, police, government or non-government organizations,

committees and all concerned shall assist to the Council in the protection and management activities of the Conservation Area.

57. Government Employees to be Deputed: (1) The Department shall assign at least a conservation officer of non gazetted third class and additional technical employees as per the necessity to assist in the protection and management activities of the Conservation Area.

(2) The employees deputed pursuant to Sub-rule (1) shall assist to the Council as follows:-

- (A) To provide required technical and legal opinion or advice,
- (B) To monitor the matters related to the protection and management of bio-diversity,
- (C) To collect the data about the status of wild lives which are existing or available within the Conservation Area,
- (D) To assist in the protection and management activities of natural resources and heritage,
- (E) To submit periodic reports before the Department about the major activities performed by the Council and committee and,
- (F) To assist or cause to assist to implement the directives prescribed by these Rules and other directives issued by the Government of Nepal in time to time.

58. Ad-hoc Committee: (1) An ad-hoc committee shall be constituted to constitute another consumer group, committee and Council after the completion of the tenure of the members of the consumer group,

committee and Council. Such committee shall comprise the following persons:-

- (A) Conservation Officer - Coordinator
- (B) Three persons, including women and men who are not desiring to submit a candidacy for any post of the group or committee - Members
- (C) Secretary of the office of the Council - Member Secretary

(2) While appointing (assigning) members as pursuant to clause (B) of Sub-rule (1), the Conservation Officer shall appoint according to the recommendation of the Council.

(3) The ad-hoc committee shall already constitute a consumer group, committee and Council three months prior to the end of the tenure of the Council.

(4) The Council constituted pursuant to Sub-rule (1) shall take the charge of its responsibilities from the date of the end of the tenure of the previous Council.

59. Provision on the Extension of the Tenure: (1) If the constitution of another Council has not immediately been possible after the end of the tenure of the Council due to the existence of extraordinary or beyond the control circumstances, the Department may extend the tenure of the Council for one year on the recommendation of the ad-hoc committee as pursuant to Rule-59.

(2) If the tenure of the Council has been extended as pursuant to Sub-rule (1), the Council may also extend the tenure of the Committee and Consumer Group for one year.

60. Council to be Dissolved: (1) The Department may dissolve the Council in the following circumstances:-

- (A) If the Council performed any activities without making approval of the Management Plan or contrary to the approved Management Plan,
- (B) If the Council failed or unable to perform its function and responsibility pursuant to the Rule 11,
- (C) If the amount received by the Council and the treasury of the Council has been found misappropriated,
- (D) If the two third members of the total members of the Council have made a written request before the Department to dissolve the Council mentioning the reason.

(2) If the Council has to be dissolved as pursuant to Sub-rule (1) the Department shall provide an opportunity for clarification to the Council by giving thirty five days time period by mentioning the reason for which dissolution has to be made.

(3) If the clarification asked as pursuant to Sub-rule (2) has been satisfied, an opportunity for one time may be provided to the Council to make reforms in its activities.

Provided that,

Even providing such opportunity to make reforms in its activities if the Council fails to perform own responsibilities or the clarification submitted by the Council has not been satisfied, the Department may dissolve the Council.

(4) A new Council shall be constituted by following the process as pursuant to these Rules after the dissolution of the Council pursuant to Sub-rule (3).

61. Bylaw or Guidelines to be Formulated: (1) The Council may formulate the bylaw on the terms of services and privileges of the officials and employees of the Council and implement it after obtaining an approval of the Ministry.

(2) The Council may formulate the guidelines under these Rules and implement it for the purpose of the implementation of these Rules.

62. Alteration or Change in the Schedule: The Ministry, if deemed necessary, may make alteration or change in the Schedule on the recommendation of the Council.

63. Liaison with Government of Nepal: The Council while making correspondence with the Government of Nepal shall make it through the Department.

64. Saving: (1) The consumer groups, consumer committees and conservation area council constituted as pursuant to Conservation Area Government Management Rules, 2057 in the Kanchanjungha Conservation Area and, the functions and activities that has been performed pursuant to these Rules shall be considered as preferred under these Rules after the commencement of these Rules.

(2) If any permit has been obtained for the utilization and management of the natural resources available within the Conservation Area as pursuant to the prevailing laws, except than the Rules mentioned in Sub-rule (1), it shall be as pursuant to the permit till the tenure of the permit and after the expiry of that it shall be as pursuant to these Rules.

Schedule - 1

(Related to Sub-rule (1) of Rule 6)

Matters to be Included in the Management Plan

- (1) Details of the forest, Jungle, Bushes, Plants, Pasture land (*Khark*) uncultivated land (*Parti*), cultivated land (*Awadi*) and other lands (land use),
- (2) Position of forest border,
- (3) A Map prepared by showing the rivers and other water resources,
- (4) Details of local population and population density,
- (5) Details of wildlife, plants and other natural resources existing in the conservation area,
- (6) The details of forest area and forest which can be handed over as a community, religious forest within the conservation area.
- (7) Details of the plantation, land conservation and forest development programs,
- (8) A program related to the protection of the indigenous and traditional knowledge and skill of the local people,
- (9) An annual program for the collection and use of the forest products which has to be required for local consumers,
- (10) Program on community conservation area tourism development, protection of wildlife, vegetation and environment, Historical and Natural heritage preservation,
- (11) Details of the annual income and resources that has been possible in their area,

- (12) Details of the required materials, resources, human resources and budgets to implement the management plan,
- (13) The details of the collection and utilization of the herbs,
- (14) The details of the region where the land utilization system has to be implemented,
- (15) Health service centers, schools, temples and monasteries, bridges and other necessary infrastructures existing within the conservation area.

Schedule -2

(Related to Sub-rule (1) of Rule 9)

Details to be Included in the Work Plan of the Consumer Committee

- (1) Name and Address of the consumer committee,
- (2) Boundaries of the conservation area under the jurisdiction of the consumer committee,
- (3) Management programs adopted for the protection of the forest, wildlife and environment,
- (4) Place and techniques for grazing in the forest area,
- (5) Techniques / Approaches of plantation, trimming, retreating, cleaning and other forest promotion architecture,
- (6) Collection and sale and distribution technique of herbs and forest products,
- (7) Policies and techniques to be adopted for land management,
- (8) Community development program and implementation techniques,
- (9) Approaches to preserve the biological diversity,
- (10) Income generation and capacity enhancing programs,
- (11) Conservation education and promotional (advertisement) programs,
- (12) Health service centers, schools, temples, monasteries, bridges and other necessary infrastructures situated within the conservation area.

Schedule -3

(Related to Sub-rule (3) of Rule 10)

**Application to be Submitted for the Registration of Kanchanjungha
Conservation Area Management Council**

Date:-

The Director General,
Department of National Park and Wildlife
Conservation,

We are submitting this application mentioning the following details and for making registration of the management council after constituting it as pursuant to the Kanchanjungha Conservation Area Management Rules, 2064.

1. The name of the Management Council :-
2. No. of Consumer Groups :-
3. No. of Consumer Committees :-
4. Total Population :-
5. Officials and Members of the Council :-

<u>S.N.</u>	<u>Name</u>	<u>Designation</u>	<u>Signature</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			

- 8.
- 9.
- 10.
- 11.

Applicant's,-

Signature :

Name & Surname :

Address :

Designation :

Date :

Schedule -4

(Related to Sub-rule (4) of Rule 10)

Government of Nepal

Ministry of Forests and Soil Conservation

Department of National Park and Wildlife Conservation

Registration Certificate of the Council

Registration No.:-

Shree Kanchanjungha Conservation Area

Management Council,

.....

This certificate has been issued by registering that management Council in the exercise of the power conferred by the Kanchanjungha Conservation Area Management Rules, 2064.

Certificate issuing officers,-

Signature :

Name and Surname :

Designation :

Note:- If this certificate has been lost, torn or destroyed, Fifty rupees fee shall be charged to receive another certificate.

Schedule -5

(Related to Sub-rule (3) of Rule 13 and Sub-rule (1) of Rule 18)

Application to be Submitted for the Registration of Consumer Committee / Groups

Date :-

The Chairperson,

Office of Kanchanjungha Conservation

Area Council.

We have submitted this application mentioning the following details and requesting to register this consumer group / committee after constituting a consumer group / committee as pursuant to the Kanchanjungha Conservation Area Rules, 2064.

1. Name of the Consumer Group / Committee :
2. Boundaries :
East :
West :
North :
South :
3. Estimated Area :
4. No. of Consumers / Consumer Groups :
5. Number of Household :
6. Total Population :
7. Details of the officials and members of the consumer group / committee:

S.N. Name Address Father/Mother's Grandfather/ Address Signature Designation
Name mother's Name

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

Person Submitting application on behalf
of the Consumer Group/Committee:

Signature :

Name and Surname :

Address :

Designation :

Date :

Schedule -6

(Related to Sub-rule (4) of Rule 13 and Sub-rule (2) of Rule 18)

Registration Certificate of Consumer Group / Committee

Office of the Kanchanjungha Conservation Area Council

Registration No.

Date :

..... Consumer Group / Committee

.....

This certificate has been issued by registering the consumer group / committee upon exercising application the powers conferred by National Parks and Wildlife Conservation Act, 2029 (1973) and Kanchanjungha Conservation Area Management Rules, 2064.

1. Name of the Consumer Group / Committee :
2. Boundaries :
East :
West :
North :
South :
3. Estimated Area (Hectare) :
4. Number of Consumer / Consumer Groups :
5. Number of Household :
6. Total Population :

Certificate issuing officials,-

Signature:

Name and Surname :

Designation :

Note :- If this certificate has been lost, torn or destroyed, Fifty rupees fees shall be charged to receive the another certificate.

Schedule -7

(Related to Sub-rule (1) of Rule 36)

Application to be Submitted for the Registration of Conservation Community Forest

The Chairperson,

Office of the Kanchanjungha

Conservation Council,

We have submitted this application requesting to handover (transfer) the following forest area to this committee with the purpose of making conservation, promotion, utilization and management as a protected community forest under the provisions of National Parks and Wildlife Conservation Act, 2029 (1973) and Kanchanjungha Conservation Area Management Rules, 2064.

(A) Desired to manage as a protected community forest,-

1. Name and Area of the Forest:

2. Type of the Forest :

3. Boundaries :

(a) East

(b) West

(c) North

(d) South

4. Area :

(B) Details about the Wildlives :

1.

2.

- 3.
- 4.
- 5.

(C) Details of the officials and members the committee :

<u>S.N.</u>	<u>Name</u>	<u>Designation</u>	<u>Address</u>	<u>Signature</u>
-------------	-------------	--------------------	----------------	------------------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.

On behalf of the Forest consumer committee

Signature :

Name and Surname :

Designation :

Date :

The person Recommending on behalf of the consumer committee

Signature :

Name and Surname :

Designation :

Date :

Note:- The forest management work plan related to conservation and management of the protected community forest shall be attached herewith.

Schedule -8

(Related to Sub-rule (2) of Rule 36)

Certificate of Registration of Protected Community Forest

Office of the Kanchanjungha Conservation Area Council.

Registration No.

Date :

..... Conservation Committee

.....

This registration certificate has been issued by transferring (handover) the following protected community forest to that making for conservation and management upon exercising the power consumer committee conferred by National Parks and Wildlife Conservation Act, 2029 (1973) and Kanchanjungha Conservation Area Management Rules, 2064.

(A) Details of the protected community forest,-

1. Name :
2. Boundaries :
 - (a) East
 - (b) West
 - (c) North
 - (d) South
3. Area (Hectre) :

(B) Details about the Wildlives :

- 1.
- 2.

3.

4.

Certificate issuing officials,-

Signature :

Name and Surname :

Designation :

Note:-If this certificate has been lost, torn or destroyed, Fifty rupees fees shall be charged to receive the another certificate.

Schedule -9

(Related to Sub-rule (1) of Rule 38)

Application to be Submitted for the Registration of Protected Religious Forest

The Chairperson,
Office of the Kanchanjungha
Conservation Area Council,

We have submitted this application requesting to handover (transfer) the following forest to this religious Organization / Group / Community with the purpose of making conservation, promotion, utilization and management as a protected community forest under the provisions of National Parks and Wildlife Conservation Act, 2029 (1973) and Kanchanjungha Conservation Area Management Rules, 2064.

Desired to integrate as a protected religious forest :

- (1) Name and Area of the Forest :
- (2) Boundaries :
 - (a) East
 - (b) West
 - (c) North
 - (d) South
- (3) Area :
- (4) Details about the Wildlives :
 - 1.
 - 2.
 - 3.

(5) Details of the members of religious Organization /Group and Community :

- 1.
- 2.
- 3.

The person submitting the application on behalf on the religious Organization/Group/Community,-

Signature :

Name :

Designation :

Date :

Note:- The religious forest management work plan shall be attached with the application submitted for the registration of the protected religious forest.

Schedule -10

(Related to Sub-rule (2) of Rule 38)

Certificate of Registration of Protected Religious Forest

Office of the Kanchanjungha Conservation Area Council

Registration No.:

Date:

Shree

.....

This certificate has been issued by transferring (handed over) the forest area with the following details to that religious Organization / Group for making conservation promotion and utilization and management of the following forest area as a religious forest as according to the forest management work plan attached herewith, under the provisions of the National Parks and Wildlife Conservation Act, 2029 (1973) and Kanchanjungha Conservation Area Management Rules, 2064.

Desired to integrate as a protected religious forest :

- (1) Name and Area of the Forest :
- (2) Boundaries :
 - (a) East
 - (b) West
 - (c) North
 - (d) South
- (3) Area :

(4) Details about the Wildlife :

1.

2.

3.

Certificate issuing officers,-

Signature :

Name, Surname :

Designation :

Note:- If this certificate has been lost, torn or destroyed, Fifty rupees fees shall be charged to receive the another certificate.

Schedule -11

(Related to Sub-rule (5) of Rule 40)

Release Slip (ChhodPurji)

Office of the Kanchanjungha Conservation Area

Ref. No.:

Date:

Shree

.....

This release slip (*ChhodPurji*) has been issued after making an investigation on the application submitted on date and It has found that the following forest products has been collected from your private forest so, it is allowed to transfer from to within days. Please transfer it by making an endorsement (*Darpith*) in the nearby post.

Particulars

S.N.	Name of the Forest Product	Quantity (Weight/Load)	Remarks

For information and implementation:

1. Committee
2. All check post which are situated it the transit route

Release slip issuing officers,-

Signature :

Name :

Designation :

Schedule -12

(Related to Sub-rule (6) of Rule 42)

Application to be Submitted for the Collection and Utilization of the Timber and Non-timber Forest Products and for Allowing to Carry it out the Conservation Area

The Chairperson,
Office of the Kanchanjungha Area
Management Council.

I have requested for the permission of collecting, utilizing or carrying the following herbs / non-timbers forest product out of the conservation area as pursuant to the Sub-rule (4) of Rule 42 of Kanchanjungha Conservation Area Management Rules, 2064 by attaching Rs. 5.00 herewith this application.

Details (Tapasil)

S.N.	Name of Herbs/Non-timber Forest Product	Quantity (Weight/ Load)	Area and techniques for collection/ utilization or transfer	Duration from upto	Remarks

Applicants,-

Name:

Address:

Signature:

Schedule -13

(Related to Sub-rule (7) of Rule 42)

License for the Collection of Herbs

Office of the Kanchanjungha Conservation Area Council.

Shree

.....

This license has been issued to collect the following herbs after making processing on your application submitted on date

Details (Tapasil)

S.N.	Name of Herbs/Non-timber Forest Product	Quantity	Collection/ Utilization / Transfer Area and Means	Duration from upto	Remarks

License Issuing Officers,-

Signature :

Name :

Designation :

Date :

Schedule -14

(Related to Sub-rule (8) of Rule 42)

**Release slip for carrying the Herbs / Non-timber Forest Product out
of the Conservation Area**

Office of the Kanchanjungha Conservation Area Council.

Shree

.....

On making the inquiry about the application submitted by you on date, It has found that the herbs has been collected as pursuant to the Rules. So the release slip has been issued to carry the following herbs out of the conservation area since date to Please transfer (carry) it by making endorsement on the Release Slip from the consumer committees on the way.

Details (Tapasil)

S.N.	Name of Herbs	Quantity	Route and Place of Destination out of the Conservation Area	Remarks

Herbs Release Slip Issuing Officers,-

Name :

Designation :

Signature :

Date :

Schedule -15

(Related to Sub-rule (2) of Rule 47)

Office of the Kanchanjungha Conservation Area Council and

Contact (Liaison) Office

Admission Card

Admission Card No.:

Date:

1. Name, Surname of Admission Card holder:
2. Sex:
3. Age:
4. Citizenship:
5. Passport No.:
6. Entrance (Admission) Fee:
7. Duration of the Admission Card:

Admission Card Issuing Officers,-

Signature :

Name, Surname :

Designation :

Note:-

- (1) This Admission Card shall be valid for a single entry. This card allows to enter only into the Kanchanjungha Conservation Area.
- (2) If it has found that anybody has been entered into the Conservation Area without taking an admission card, he/she shall be charged the double fee of the original entrance (admission) card fee.

Schedule -16

(Related to Sub-rule (1) of Rule 48)

**Application to be Submitted for Landing a Helicopter, Hot Air
Balloon or any Air Equipments**

Department of National Parks and Wildlife Conservation

Office of Kanchanjungha Conservation Area Management Council

I have submitted this application mentioning the following details for the permission for landing a Helicopter, Hot Air Balloon or any other air equipment as pursuant to the Kanchanjungha Conservation Area Management Rules, 2064.

1. Objective of the desired landing:
2. Equipment desired for landing:
3. Area or times of landing:
4. Duration for landing:
5. Person submitting application for landing:

Signature :

Name :

Designation :

Date :

Schedule -17

(Related to Sub-rule (3) of Rule 48)

Department of National Parks and Wildlife Conservation

Office of Kanchanjungha Conservation Area Management Council

Landing Permit

Permit No.:

1. Name and Address of the person or organization desiring for making landing:
2. Objective of the desired landing:
3. Equipment desired for landing:
4. Area and times of desired landing:
5. Duration required for landing:
6. Name and signature of the person taking (receiving) the permit:
7. Receipt No. received from Account Section:
8. Landing Fees:

Permit Issuing Officers,-

Signature :

Name and Surname :

Designation :

Date :

Schedule -18

(Related to Sub-rule (1) of Rule 49)

Application to be Submitted for Shooting a Film

Department of National Parks and Wildlife Conservation

Office of Kanchanjungha Conservation Area Management Council

.....

I have submitted this application mentioning the following details and requesting for providing a permit for shooting a documentary / feature film in the Kanchanjungha Conservation Area as pursuant to the Kanchanjungha Conservation Area Management Rules, 2064 and attaching a stamp of Rs.5 herewith.

Details (Tapasil)

- A. Name and Address of the person or organization who has been shooting the film:
- B. Name and Summary of the story (script):
- C. Area where the shooting has to be done:
- D. Name and Number of persons (Nationals) to be involved on the shooting of the film:
- E. Name and number of foreign citizens who has to be involved on the shooting of the film:
- F. Duration for the shooting of the film :

Applicants,-

Signature :

Name :

Name and Address of the organization:

Date :

Schedule -19

(Related to Sub-rule (2) of Rule 49)

Government of Nepal

Ministry of Forest and Soil Conservation

Department of National Parks and Wildlife Conservation

Office of Kanchanjungha Conservation Area Management Council

Permission for Shooting a Film

Date:

1. Name of the person or organization desiring for shooting a documentary or a feature film:
2. Address and citizenship of the person obtaining the permission:
3. Boundaries of the area allowed for shooting the documentary or feature film:
4. Duration available for shooting the documentary or feature film and fees:
5. Permit Receivers,-

Signature:

Name:

Address:

Permit Issuing Officers,-

Signature :

Name, Surname :

Designation :