

Kharka Land Nationalization Rules, 2033 (1967)

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The Government of Nepal having exercised the power conferred by Section 8 of the *Kharka Land Nationalization Act, 2031 (1974)* has enacted the following Rules.

1. **Short Title and Commencement:** (1) These Rules may be called "*Kharka Land Nationalization Rules, 2033 (1967)*".

(2) These Rules shall come into force from the date of coming into force of the Act in the Districts in which the Act comes into force.

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

(a) "Act" means the *Kharka Land Nationalization Act, 2031 (1974)*.

(b) "Committee" means the Committee constituted under rule 5.

3. **To be Given the *Kharka Land* under Charge of Village *Panchayat*:** The Land Revenue Office shall maintain record of the nationalized *Kharka Land* by mentioning the four sides boundary thereof and deliver its charge to the Village *Panchayat*.

4. **Responsibility of the Village *Panchayat* in Regard to the *Kharka Land*:** The Village *Panchayat*, in regard to the *Kharka Land* that is delivered under its charge, shall accomplish the following functions:-

(a) To maintain records by mentioning four sides boundaries also of the land that is come under its charge.

(b) Not to allow the *Kharka Land* for any purpose other than pasture.

- (c) Not to deprive of any one to put the cattle in the *Kharka* land for pasture purpose in the situation of payment of pasture fee.
- (d) To prescribe pasture fee on pro rata basis for a certain period.
- (e) Not to levy pasture fee at the rate more than as prescribed by the Act.
- (f) To maintain account of pasture fee and deposit in the Village Assembly Fund.
- (g) To issue receipt of pasture fee in the format of schedule.
- (h) To accomplish other necessary function for the protection and improvement of *Kharka* land including the function of not allowing anyone to encroach the *Kharka* land and growing up improved quality of grass.

5. Constitution of Committee: (1) There shall be a Committee in each district to recommend to the Government of Nepal in regard to provide compensation to the registered owner of *Kharka* land that is nationalized under the Act.

(2) In addition to the members prescribed in sub-rule (3) there shall be the following members in each Committee constituted under sub-rule (1).

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|-----|---|------------------|
| (a) | Chief District Officer | Chairperson |
| (b) | President of District <i>Panchayat</i> or his representative | Member |
| (c) | President of District Farmer's Organization or his representative | Member |
| (d) | Incharge of Land Revenue Office or Fund and Account Office | Member Secretary |

(1) In the committee constituted under sub-rule (1), the *Pradhanpancha* of the respective Village *Panchayat* in which the

respective *Kharka* land falls under agenda of the Meeting in regard to provide compensation or his representative also shall remain as member.

6. Procedure Relating to the Meeting of Committee: (1) The meeting of the Committee shall be held in the time and place as prescribed by the Chairperson of Committee.

(2) The Member Secretary, having obtained permission of the Chairperson shall prepare the agenda to be tabled at the meeting.

(3) Presence of Chairperson and other two Members shall be deemed as sufficiency of quorum of meeting.

(4) Opinion of majority shall be valid in the meeting of Committee; and in a situation of tie, the Chairperson shall be entitled to give his decisive vote.

(5) The Member Secretary shall have responsibility to write the subjects of decisions of Committee in the minute book and keep by getting signed by the Chairperson and Members.

(6) The Members of Committee shall be paid meeting allowance at the rate of Rs. twenty five for each meeting of the Committee.

(7) The Member Secretary shall certify the minute of Committee.

(8) The procedure of meeting other than the aforementioned ones shall be managed by the Committee itself.

7. Function of the Committee: The Committee shall make recommendation to the Government of Nepal in regard to payment of compensation to the registered owner of the nationalized *Kharka* land on pro rata basis of land revenue.

8. Compensation to be Distributed by the Land Revenue Office: The Government of Nepal, after submission of recommendation by the Committee under rule 7, shall prescribe the amount of compensation to

be paid to the registered owners of *Kharka* land on the basis of the recommendation. After prescription of amount of compensation in this way, the Land Revenue Office shall distribute the amount to the concerned registered owners of the *Kharka* land.

9. **Pinning up of Notice:** The Land Revenue Office shall pin up notice for the information of the concerned registered owners to come to receive the amount of compensation of the nationalized *Kharka* land. While pinning up the notice in this way, one copy each of the notice should be pinned up at the Village *Panchayat* of the nationalized *Kharka* land, District *Panchayat* Office, Office of the Chief District Officer and the main places of the concerned District also.
10. **Other Functions and Actions of the Land Revenue Office:** The Land Revenue Office shall accomplish the following functions and actions in regard to *Kharka* Land:
- (a) To maintain separate records by mentioning the four sides boundary also of the nationalized *Kharka* land, *Kharka* land within the limitation allowed to the registered owner for keeping with him, and the *Kharka* land exempted by the Government of Nepal.
 - (b) To supervise whether the function and actions to be accomplished by the Village *Panchayat* in the *Kharka* land under these Rules are accomplished or not; and if not, to take necessary action immediately,
 - (c) To furnish recommendation to the Government of Nepal in case of being found to issue necessary direction to the Village *Panchayat* for the improvement, protection and pasture of the nationalized *Kharka* land.

Schedule

(Relating to Clause (g) of Rule 4)

Receipt of Pasture Fee

Receipt of receiving the pasture fee of year from Mr.

..... a resident of Zone

District *Panchayat* Ward No.

Four sides boundary of the <i>Kharka</i> land approved for pasture purpose	Name and surname of payer	Type and name of cattle to be grazed	Number	Rate	Total	Remarks

Received by:

Signature:

Name and

surname:

Post:

Date: