

Ukhada Rules, 2021 (1965)

Date of publication in the Nepal gazette

2021/10/12 (Jan. 25, 1965)

Amendments:

1. *Ukhada* (First Amendment) Rules, 2022
(1965) 2022.2.18 (May 31, 1965)
2. *Ukhada* (Second Amendment) Rules, 2022
(1965) 2022.7.2 (Oct. 18, 1965)
3. *Ukhada* (Third Amendment) Rules, 2024
(1968) 2024.11.21 (March 4, 1968)
4. *Ukhada* (Fourth Amendment) Rules, 2042
(1986) 2042.9.22 (Jan. 6, 1986)

The Government of Nepal, having exercised the power conferred by Section 16 of the *Ukhada Act, 2021 (1964)* has enacted the following Rules.

1. **Short title and commencement:** (1) These Rules may be called as the "*Ukhada Rules, 2021 (1965)*".

(2) These Rules shall come into force immediately.

2. **Definition:** (1) Unless the subject or context otherwise requires, in these Rules:-

(a) "Act" means the *Ukhada Act, 2021 (1964)*.

(b) "Official relating to *Ukhada*" means the official prescribed by the Government of Nepal by publishing a notice in the Nepal Gazette.

(2) Meaning of the terms and phrases used but not defined in these Rules shall be as given in the Act.

3. **Collection of statement of the Ukhada land:** (1) The official relating to *Ukhada* shall publish a notice by prescribing a time limit of fifteen days in the format prescribed in Schedule 1 by announcing to submit before him the statement of *Ukhada* land which is given by its owner for tilling and which is being tilled by the farmer.

(2) The notice under Sub-rule (1) shall be forwarded to the Chairperson of Village Development Committee; and the Chairperson shall have to pin up such notice in the public place of his area and make publicity to be known by all in an extensive manner.

(3) The land owner or farmer both or their guardian in the case of their being minor or insane, shall submit the statement within fifteen days of pinning up of the notice under Sub-rule (2).

Provided that, the official relating to *Ukhada* may, in the case of a written request for extension of time limit to submit the statement by the person supposed to submit the statement or being deemed necessary to extend the time limit of submission of such statement by the official relating to *Ukhada*, may extend the time limit for Seven days in the maximum for submission of the statement and such extension of time limit should have been made publicity to be known by all.

4. **To be mentioned in the Notice:** The official relating to *Ukhada* shall have to mention the content in the notice published under Sub-rule (1) of Rule 3 stating that submission of the statement under these Rules by any one party only between the owner of land and farmer having their duty to submit the statement and failure of the second party to submit the statement

shall result the consequence to be carried on under Sub-section (3) of Section 5 of the Act.

5. **To be published a statement notice:** The Official relating to *Ukhada*, in a situation of submission of statement by any one party only between the owner of land and farmer, shall publish a notice in the format prescribed in Schedule-2 and such notice shall be forwarded to the Chairperson of the concerned Village Development Committee; and the Chairperson shall pin up the notice in the public place of his area to be viewed by all and shall make an extensive publicity of the same.
6. **Complaint:** A person dissatisfied at the notice after its publication under Rule 5, may complain before the official relating to *Ukhada* by enclosing his evidences also in this regard.
7. **To be submitted the citizenship certificate:** In the case of debate regarding one's citizenship of Nepal, the farmer shall have to submit his citizenship certificate of Nepal within the time limit not exceeding Seven days prescribed by the official relating to *Ukhada*; and the land shall not be registered in the name of the farmer in the case of his failure to submit the said certificate.
- ¹7A. **Prescription of court:** (1) District Court is prescribed as the court for the purpose of Section 7 of the Act.
 - (2) Court of Appeal is prescribed as the court for the purpose of Sub-section (2) and (3) of Section 8 of the Act.
 - ²(3) The concerned District Court is prescribed for the purpose of Sub-section (1) and (2) of Section 8A of the Act and the concerned Court of Appeal for the purpose of Sub-section (3) of the same.

¹ Inserted by Third Amendment

8. To be forwarded the case file and document regarding ownership to ³ the District Court and to be issued a certificate of registration of land:

(1) The Official relating to *Ukhada*, after making inquiry upon the statement submitted under Rule 3 and 5 and the complaint filed under Rule 6, shall have to make the farmer sign a bond to pay the compensation of land as proved by the evidences in lump sum or installment in case of his agreement to pay to that effect.

(2) The official relating to *Ukhada* shall inform the matter of acceptance of the farmer to pay the compensation in lump sum or installment under Sub-rule (1) to the owner of land.

(3) The official relating to *Ukhada*, in the situation of submission of receipt of payment of the amount as promised in Sub-rule (1) to the owner of land or evidence of deposit at the Land Revenue Office of that area by the farmer within Seven days, shall register such land in the name of the farmer and issue a certificate in the format of Schedule-3.

(4) The official relating to *Ukhada* shall inform the matter of registration of land under Sub-rule (3) in the format of Schedule-4 to the Land Revenue Office of that area and issue a copy of the same to the owner of land.

(5) In the case of being arisen a dispute regarding the ownership of a particular land owner, the official relating to *Ukhada* shall have to forward the concerned case file to the ⁴District Court and inform the same to the concerned person.

² Inserted by Fourth Amendment (This sub-rule is deemed to be commenced from 2042/7/20 (Nov. 5, 1985).

³ Amended by Third Amendment.

⁴ Amended by Third Amendment.

⁵ (6) Notwithstanding anything written in the prevailing law of Nepal, the ⁶District Court shall take action and finalize the case filed under Sub-rule (5) without levying the court fee.

9. **To be issued a receipt of the received compensation:** The owner of land, in the case of reception of amount of compensation from the farmer either lump sum or first installment in accordance with the Act, shall issue a receipt of receiving of such amount.
10. **Land not to be registered until the final decision:** In case of being arisen a dispute regarding the ownership of a particular land, such land shall not be registered in the name of the farmer until the final decision thereof.
- ⁷11. **Land to be registered in the name of owner of land:** The following land shall be registered in the name of the concerned owner of land in the following situation:-
- (a) Land whose first installment is not paid under clause (a) of Sub-section (1) of Section 4 of the Act, or
 - (b) Land which is not accepted by any one while being auctioned in the situation of failure to pay the amount of prescribed installment under Section 4 of the Act.
12. **To be informed to come for compensation:** In case of failure of submission of statement by the person mentioned as the owner of land by the farmer while submitting the statement and his failure to receive the amount of compensation in lump sum or first installment, the farmer shall deposit the amount at the Land Revenue Office of that area within seven days from the date of signing the land under Sub-rule (1) of Rule 8 and the

⁵ Inserted by First Amendment.

⁶ Amended by Third Amendment.

⁷ Amended by Second Amendment.

Land Revenue Office shall carry on in accordance with Section 4 of the Act.

13. **To be informed in the case of the farmer's failure to pay the amount of installment:** The owner of land, in the situation of the farmer's failure to pay the amount of compensation supposed to be paid to him in accordance with the Act within the time limit, shall inform that matter in written form to the Land Revenue Office of that area and the Land Revenue Office shall take action in accordance with the Act within seven days of acknowledgment of such information.

NEPALI LAW COMMISSION

Schedule 1

(Relating to Rule 3 (1))

- a. (a) Name, surname and address of the owner of land:
 (b) Citizenship
- b. (a) Name, surname and address of the farmer:
 (b) Citizenship
- c. Details of the land:
 (a) District of location of land
 (b) Area or unit
 (c) Village
 (d)

Plot No.	Name if the land is addressed with any name	Four sides boundary	<i>Bigha</i>	<i>Kattha</i>	<i>Dhur</i>	Area	Remarks

- d. Document or receipt of evidence relating to the land.
 (a)
 (b)
 (c)
- e. Reason in case of not having any document or receipt of evidence.

Signature or thumb-impressions of owner of land or his guardian	Signature or thumb-impressions of farmer or his guardian Date:
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Schedule 2

(Relating to Rule 5)

1. (a) Name, surname and address of the owner of land:-

(b) Content of the statement presented by the owner of land:-

District of location of land			Village/Area or unit				
Plot No.	Name if the land is addressed with any name	Four sides boundary	<i>Bigha</i>	<i>Kattha</i>	<i>Dhur</i>	Area	Remarks

2. (a) Name, surname and address of the farmer:-

(b) Content of statement presented by the farmer:-

District of location of land			Village/Area or unit				
Plot No.	Name if the land is addressed with any name	Four sides boundary	<i>Bigha</i>	<i>Kattha</i>	<i>Dhur</i>	Area	Remarks

3. Document or receipt regarding the evidence of land

(a) ..

(b) ...

(c)

As the owner of land or farmer has forwarded the aforementioned statement; the owner of land or farmer, in case of his dissatisfaction at the aforementioned statement, is informed to file a complaint in this regard by enclosing the evidences within the time limit prescribed by the Act.

Official relating to *Ukhada*:

Place:

Date:

NEPALI LAW COMMISSION

Schedule 3

(Relating to Rule 8 (3))

Government of Nepal

Ministry of Finance

As the following land is registered in the name of Mr. aged ... years, the son/daughter of Mr. , the grandson/granddaughter of Mr., a resident of Village, District; now, therefore, this certificate is hereby issued in accordance with Rule 8 (3) of the *Ukhada* Rules, 2021 (1965).

District and s. No. and name of village	Plot No.	Name if the land is addressed with any name	Four sides boundary	Four sides boundary	Bigha	Kattha	Dhur	Area	Remarks

Seal of the Office

Official relating to *Ukhada* on
behalf of the Government of Nepal

Date:

Schedule 4

(Relating to Rule 8 (4))

Government of Nepal

Ministry of Finance

The Office Incharge

... Land Revenue Office

Please recover the land revenue by registering the land including the area in *bigha* in the name of aged years, the son/daughter of Mr., the grandson/granddaughter of Mr., a resident of

Particular

- (1) District of location of land
- (2) Area/unit
- (3) Village
- (4) Plot No. of land and name if available
- (5) Four sides boundary of land
- (6) Area of land in *bigha*

Seal of the Office

Official relating to *Ukhada* on

behalf of the Government of Nepal

Date:-

Note:

- (a) As the aforementioned farmer has paid the amount Rs. of the first installment to the owner of land on the date; now, it is informed to that effect.
- (b) As the aforementioned farmer has paid the whole amount in lump sum Rs. to the owner of land.....; now, it is informed to that effect.

NEPALI LAW COMMISSION

Note: In case of failure of the farmer to pay the amount of installment supposed to be paid in accordance with the Act to the owner of land, the owner of land shall inform the said matter in written form to the Land Revenue Office of that area.