

# Forest Rules, 2051 (1995)

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### Amendments:

1. Forest (First Amendment) Rules, 2056 (1999) 2056.05.21 (6 Sept. 1999)
2. Forest (Second Amendment) Rules, 2059 (2002) 2059.04.27 (12 Aug. 2002)
3. Forest (Third Amendment) Rules, 2062 2005) 2062.06.10 (26 Sept. 2005)

In exercise of the power conferred by the Section 72 of the Forest Act, 2049 (1993) Government of Nepal has made the following Rules.

## **Chapter - 1**

### **Preliminary**

1. **Short Title & Commencement** : (1) These Rules may be called "Forrest Rules, 2051 (1995)".  
(2) These Rules shall come into force immediately.
2. **Definitions** : Unless the subject or context otherwise requires, in these Rules :
  - (a) "Act" means Forest Act, 2049 (1993).
  - (b) "Director General" means the Director General of the Department of the Forest.
  - (c) "Director" means the Regional Forest Director of the Regional Forest Office.

- (d) "Authorized Officer" means the District Forest Officer and in case such officer has not been appointed an officer designated by the Government of Nepal.
- (e) "Firewood" means wood other than that of Acacia Catechu of less than two feet in length and one foot and six inches in girth which cannot be used as beams and poles or sawn Timber.
- (f) "Agency" means an agency authorized by the Government of Nepal to manage the task of collecting, cutting, sorting out, transporting and stacking at depots and selling and distributing of Timber and Firewood.
- (g) "Constitution" means the Constitution of a Users' Group.

## **Chapter - 2**

### **Government Managed Forest**

**3. Work Plan to be Prepared :** (1) For the purpose of management of the Forest managed by Government the Department shall have to prepare a Forest Management Work Plan mentioning the following matters for one or more districts according to the topography and natural boundaries.

- (a) All areas covered by forests, shrubs, bushes, grass and uncultivated areas,
- (b) Situation of Forest Boundaries,
- (c) A Forest map prepared in such a way as to clearly show the details of land use and trees species,
- (d) Details relating to population and population density and the use of forest products,
- (e) Details relating to Forest products,
- (f) Programs and techniques for developing and protecting the Forest,

- (g) Annual details relating to the collection, use and sale of Forest products,
- (h) Forest products to be required to the local people,
- (i) Estimates of annual revenue to be received from Forest products during the entire period of the Work Plan,
- (j) Details of human resource and expenses required to implement the Work Plan,
- (k) Programs relating to soil-conservation, tourism development, protection of environment and the historical heritage,
- (l) Other details appropriate for the management of the Forest.

(2) The Work Plan approved prior to commencement of these Rules shall be considered to have been prepared according to these Rules.

**4. Implementation and Evaluation :** The Director shall submit a report to the Ministry after monitoring and evaluating the implementation of the Work plan in his region and send a copy of the report to the Department for information.

**5. Amendments in the Work Plan :** (1) The District Forest Officer may send a report along with his opinion to the Department if he deems appropriate to amend in the Work Plan.

(2) The Department shall send a report along with its opinion to the Ministry if it deems appropriate to amend in the Work Plan as per the report received pursuant to Sub-rule (1).

**6. Collection, Sale and Distribution to be prohibited :** (1) Forest products shall not be collected, sold and distributed exceeding the

quantity of collection, sale and distribution specified in a Work Plan for the whole year.

(2) Notwithstanding anything contained in Sub-rule (1) the limitation of quantity specified in the Work Plan shall not be considered to obstruct the collection, sale and distribution of those Forest products from a Forest Area in the circumstances when any Forest Product has been destroyed due to natural calamities such as floods, landslides, snowfall and fire and causing to decompose or damage the forest product.

**7. License to be Obtained and Marking to be Affixed :** (1) No one shall obtain, collect, takeout, sale and distribute, export or transport any Forest products or enter into a Forest Area with these intentions, without obtaining a License from the Authorized Officer pursuant to these Rules.

(2) Any individual or Agency which has obtained a License pursuant to Sub-section (2) of Section 22 of the Act shall fulfill the conditions mentioned in the License as well as the conditions specified by Government of Nepal on a compulsory basis while cutting, making the peices or exporting any timber or firewood from a Forest.

(3) The markings specified by the Department shall be affixed when cutting, using, selling, distributing, transporting or exporting timber or firewood form a Forest.

(4) Forest products other than timber and firewood shall be cut, made into pieces, used, taken out, sold and distributed, transported or exported subject to the procedures prescribed by the Government of Nepal.

**8. Application to be Submitted to Obtain the Forest products :**

(1) Any person, District Forest Product Supply Committee or Agency desiring of obtaining the Forest products shall submit an application to the Authorized Officer mentioning the following details :

- (a) Name of the Forest Product,
- (b) Name of the area from where the Forest Product desired to be obtained.
- (c) Category and quantity of the Forest Product.
- (d) Propose for which the Forest Product has to be obtained, and
- (e) Place where the Forest Product has to be used.

(2) If an application has been received pursuant to Sub-rule (1), the Authorized Officer by conducting necessary enquiries and keeping in view the quantity specified for sale and distribution in the Work Plan, may issue a License in the format as prescribed in Schedule-1.

(3) The Authorized Officer shall issue a License only after collecting the price, fee or charge that has to be paid for Forest Product pursuant to these Rules from the person submitting application, District Forest Product Supply Committee or Agency in advance.

**9. Provisions Relating to the Sale and Distribution of Timber and**

**Firewood** : <sup>1</sup>(1) Government of Nepal by notification in the Nepal Gazette, may constitute a District Forest Product Supply Committee comprising of the following chairman and members in a specified district in order to sell and distribute the Forest Products pursuant to Sub-rule (2) keeping the convenience of general public in mind :

- (a) District Forest Officer – Chairperson
- (b) Assistant Chief District Officer – Member
- (c) Funds and Accounts Controller – Member
- (d) A member of the District development committee specified by the committee – Member

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<sup>1</sup> Amended by First Amendment.

- (e) Two persons nominated by the Ministry among the persons involved in social service and well recognized – Member
- (f) Assistant Forest Officer – Member

<sup>2</sup>(1a) The tenure of the members appointed pursuant to Sub-rule (1) shall be for Two years.

(2) The committee constituted in a district pursuant to Sub-rule (1) shall obtain a License from the Authorized Officer pursuant to Rule 8 and make arrangements for the sale and distribution of timber and firewood for the following purposes:

- (a) For the domestic use of rural people,
- (b) For low cost development and construction works to be undertaken through peoples participation,
- (c) For relief from natural calamities and for agricultural tools.

(3) The Committee constituted pursuant to Sub-rule (1) shall comply with the directives issued by the Government of Nepal from time to time, in addition to the provisions contained in these Rules.

(4) Where a committee pursuant to Sub-rule (1) has been constituted in each such district the Authorized Officer may, make available to the committee a single or various lots of timber and firewood for sale and distribution, subject to the quantities specified for sale and distribution in the Work Plan, and a committee shall affix marking, cut, saw and transport timber and firewood at its own cost, obtaining a license pursuant to Rule 8.

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<sup>2</sup> Inserted by First Amendment.

(5) In the case of a district where the timber and firewood has not available according to a Work Plan, the Government of Nepal may make arrangements for the sale and distribution by bringing wood from another district.

(6) Timber and firewood sold and distributed for the purposes mentioned in Sub-rule (2) shall not be used for any other purpose and transported out of the district.

(7) The Authorized Officer may sell and distribute by auction, all firewood and the timber that has not been taken out in time even after sale or that has been left in the stock after sale or distribution, considering the current market price as the basis and at a rate not lower than the rate as prescribed in Schedule - 2.

(8) The quantities and procedures of timber and firewood to be sold and distributed shall be as specified by the Work Plan.

Provided that, in circumstances when the Work Plan has not been prepared, action shall be taken as decided and prescribed by the Government of Nepal.

(9) The Authorized Officer shall sell and distribute timber and firewood only after collecting prices as prescribed in Schedule-2.

Provided that, this Rule shall not deemed to have obstructed the power of the Authorized Officer to provide timber and firewood to the District Forest Product Supply Committee, with a provision to pay their prices only after the Committee sells and distributes the timber and firewood.

**<sup>3</sup>10. Selling of Acacia Catechu Wood (Including Roots):**

Notwithstanding anything contained in Rule 9, the Authorized Officer shall sell the root of Acacia Catechu on the basis of its weight and Acacia catechu wood (*Goliya*) on the basis of cubic meter through an

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<sup>3</sup> Amended by Third Amendment.

auction and also considering current market price as the basis for a rate and not being lower than the rate as prescribed in Schedule - 2.

**11. Collection, Sale and Distribution of Herbs :** (1) Any one desiring of collecting herbs as prescribed in Schedule-3 from any Forest Area shall submit an application to the Authorized Officer, explicitly mentioning the type of herbs, the area of collection, the quantity and the purpose of collection.

(2) If it is found through enquiries into the application filed pursuant to Sub-rule (1) that no ban has been imposed on the collection of the herbs for which the request has been made, the Authorized Officer may issue a License to collect herbs in the format prescribed in Schedule - 4.

(3) The Authorized Officer shall tally the herbs collected according to the License is issued for their collection pursuant to Sub-rule (2) with the License, check quantities of collected herbs and issue a release order in the format as prescribed in Schedule -5 after collecting the fees prescribed in Schedule - 3.

(4) Notwithstanding anything contained in Sub-rule (3), the License to collect, sell and distribute a variety of the herbs specified by the Government of Nepal may be issued to the person who offers the highest bid in an auction.

(5) For the purpose of identifying, selling and distributing herbs not mentioned in Schedule and which have yet to be identified, the Authorized Officer shall submit the matter to the Government of Nepal and taken an action as sanctioned by the Government of Nepal.

**12. Collection, Sale and Distribution may be banned :** The Government of Nepal by publishing a notification in the Nepal Gazette may impose a ban on the collection, use, sale distribution and transportation of any specified category of Forest Products.

**13. Provisions Related to Export of the Forest Products :** (1) If any person submits an application to export any of the Forest products collected or obtained pursuant to these Rules other than those forest products that has been banned to export abroad pursuant to Sub-rule (2), to a foreign country, then the Authorized Officer may recommend to the Customs Office to grant permission to export abroad.

(2) The Government of Nepal by publishing a notification in the Nepal Gazette may ban the export of any specified categories of Forest Products to foreign countries.

(3) If any person, organization, association or industry submits an application along with a customs declaration form and authentic evidence from a concerned foreign country, for the permission to import any Forest Products other than those products whose collection, use, sale and distribution, transportation and export have been banned, from a foreign country and to sell and distribute or re-export to a third country, then the Authorized Officer may grant permission to import such Forest Products from that foreign country in order to sell, distribute or re-export to a foreign country (third country).

**14. Sale and Distribution of Other Forest Products :** (1) Any person desiring of using any Forest Products prescribed in Schedule - 6 other than the timber, firewood, acacia catechu and herbs shall have to submit an application to the Authorized Officer.

(2) If an application for any Forest Product other than timber, firewood, acacia catechu and herbs has been filed pursuant to Sub-rule (1), the Authorized Officer may sell and distribute such Forest Products by collecting the fee as prescribed in Schedule -6.

(3) Notwithstanding anything contained in Sub-rule (2), the Government of Nepal may sell and distribute Forest Products other than

timber, firewood, acacia catechu and herbs to the person who offers the highest bid amount in an auction.

**15. Timber and Firewood may be provided Free of Cost for Religious Purposes** : Notwithstanding anything contained elsewhere in these Rules, if any request for the timber and firewood has been received for the purpose of carrying out traditional religious functions other than construction works, the Authorized Officer may supply timber and firewood free of charge as ascertained by the Government of Nepal subject to the annual quantities specified by a Work Plan.

**<sup>4</sup>16. Time Limitation for Collection and Removal of Forest Products** : (1) Timber and Firewood may be collected and taken out from the Forest area during the period between *Kartik* (October 17) to *Jestha* (June 14), in the districts specified by the Government of Nepal by publishing notification in the Nepal Gazette and in the case of forest are of other districts, the District Forest Officer shall, in consultation with the District Development Committee shall determine a period for collection and removal of Timber and firewood from the forest area maximum for eight months in a year and timber an firewood shall be collected and taken out from the Forest Area within that time limit.

Provided that, this Rule shall not deemed to have obstructed the power to collect timber from a Forest Area at any time for sale and distribution to victims of natural calamities.

(2) Notwithstanding anything contained in Sub-rule (1), the district forest officer may extend the time limitation maximum for two months if there has been sufficient reason to explain the situation that in which it had not possible to collect and taken out all the timber and firewood out of the jungle within the specified time limit.

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<sup>4</sup> Amended by Third Amendment.

**17. Technique for Marking Trees, Measuring Timber and Firewood and Calculating Volume :** (1) Trees shall be marked subject to the terms of sale determined by the Government of Nepal.

(2) The techniques of calculating the volume of trees and timber shall be as prescribed in Schedule-7.

**18. Value to be determined :** (1) If a Forest has been damaged, so that only the tree stumps (cut root) has been traced out but no timber can be found, the value thereof shall be determined by multiplying the volume of the tree stumps calculated as prescribed in Schedule by the price as prescribed in Schedule-2.

(2) If the timber has been found and a stump has not been traced, then three blocks from a tree shall be considered as a single tree and the value thereof shall be determined by calculating the volume with the largest end of the largest block as the base of the stump and multiplying it by the price as prescribed in Schedule-2.

(3) If some timber has been located and stumps also exists than the value thereof shall be determined by calculating the volume at the basis of the stump and then multiplying it by the price as prescribed in Schedule-2.

**19. License for Grazing the Animals :** The Authorized Officer may issue a License in the format as prescribed in Schedule-9 to any person to graze his/her animals in any area other than those areas not covered by a Work Plan or those where grazing has been prohibited by the Authorized Officer, by collecting the specified fee as prescribed in Schedule-8.

**20. Forest Areas may be Available :** (1) The Government of Nepal may provide through an auction a prescribed Forest Area for a period and on conditions to any national or international government or non-

governmental organization for carrying out activities prescribed by a Work Plan or for Forest development activities.

(2) Forest products contained in the Forest Area made available pursuant to Sub-rule (1) shall be used in the manner mentioned in this chapter.

**21. Transportation of Timber :** (1) The Authorized Officer shall issue a release order for the transportation of round logs from the stockpile collected within a National Forest area after affixing markings on them.

(2) After sawing round logs for which a release order issued pursuant to Sub-rule (1), the concerned saw mill or furniture company shall transport the logs as products with marking registered at the District Forest Office. While transporting timber as such the District Office shall be informed in advance and this should be endorsed at each check post en route.

(3) The Authorized Officer may inspect saw mills and furniture industries at any time on the basis of suspicion.

**22. Provisions Related to Forest Development :** (1) Development activities (establishment of nurseries, production of saplings, plantation, weeding, thinning pruning harvesting, felling etc.) specified by the Work Plan or approved by The Government of Nepal shall be initiated by an employee of at least the rank of non-gazetted first class Forest Assistant only after preparing cost estimates and having them approved by the Authorized Officer, subject to the directives issued by the Department.

(2) The District Forest Office may use Timber and Firewood needed for carrying out forest development and protection activities included in the approved program and for the construction, repair and maintenance of Forest office, after keeping records thereof.

(3) From among the activities pursuant to Sub-rule (2), activities such as construction, repair and maintenance etc. of buildings, houses, huts, forest paths and bridges may be executed after preparing their cost estimates and having them approved by the immediate superior officer by an employee of the Forest Assistant of non-gazetted first class level, if they are worth up to Two Hundred Thousands Rupees and by the District Forest Officer if they are worth more than that amount.

(4) The Officer designated by the Authorized Officer shall have the power to inspect and approve development activities.

Provided that, the power to approve shall be exercised only by a technical employee of one level higher than the employee who completes the activities.

- 23. Areas may be specified :** The Authorized Officer may specify any area of a National Forest as seed production, research or training operation area.

### **Chapter- 3**

#### **Protected Forest**

- 24. Work Plan for Protected Forest :** The Department shall prepare a Work Plan including the following matters forest the management of forest related activities to be undertaken in a protected forest:
- (a) Boundaries and area of a Forest,
  - (b) Techniques to be adopted for the protection of a Forest,
  - (c) Arrangements relating to the use of Forest Products,
  - (d) Techniques relating to the Forest management.
- 25. License to be Issued :** (1) The Authorized Officer may issue a License to take Forest Products from a protected Forest according to the procedures and in quantities specified by the Work Plan.

(2) The format of the License to be issued pursuant to Sub-rule (1) shall be as prescribed in Schedule-10 and the charges for the Forest Products shall be as prescribed in Schedule-2, Schedule-3 and Schedule-6.

NEPAL LAW COMMISSION

## Chapter - 4

### **Community Forest**

**26. Determination of a Community Forest :** (1) The District Forest Officer shall have to take into account the distance between the Forest and a village and the wishes as well as the management capacity of the local users who have to manage the Forest while designating any part of a National Forest to a User's Group as a Community Forest.

(2) If the local users or others have planted and protected trees on any public land outside National Forest area or if the local users desire to plant trees on such land after constituting a Users' Group and obtaining the approval of the agency owning the land on the condition that the concerned agency itself retains the ownership of the land, the District Forest Officer may grant recognition to such Forest Area as a Community Forest.

**27. Constitution and Registration of The Users' Group :** (1) Users who desires to manage a Forest as a Community Forest Shall have to submit an application in a written form to the District Forest Officer either directly or through the concerned Area Forest Office.

(2) If an application pursuant to Sub-rule (1) has been received, the District Forest Officer shall depute as soon as possible a technical employee to the concerned area for the purpose of providing technical and other cooperation.

(3) With the cooperation of the local body, the employee deputed pursuant to Sub-rule (2) shall have to help the Users' Group in preparation of its constitution. The constitution of a Users' Group shall contain provisions in respect to matters mentioned in Schedule –11, in addition to another matters.

(4) While preparing a constitution pursuant to Sub-rule (3) and constituting a Users' Group, every action shall have to be taken on the basis of a consensus so that the boundaries of wards, villages, town and districts shall have no effect on them.

(5) The Users identified pursuant to Sub-rule (3) shall have to compose a Users' Group comprising all users in the manner mentioned in the constitution prepared pursuant to Sub-rule (4) and for the purpose of registration of Users' Group, submit an application to the District Forest Officer, either directly or through the relevant Area Forest Office in the format prescribed in Schedule - 12 along with the constitution of the Users' Group.

(6) If a Users' Group has submitted an application pursuant to Sub-rule (5) has found to have been formed in accordance with its constitution, the District Forest Officer shall have to register it and issue a certificate in the format as prescribed in Schedule - 13 after having a bond to comply with the Act, these Rules and the conditions prescribed by the Government of Nepal.

**28. Work Plan for the Community Forest :** (1) The Users' Group shall have to prepare a Work Plan of Community Forest including the following matters :

- (a) Details of the Forest - name, boundaries, areas, condition of the Forest and types of Forest,
- (b) Map of the Forest,
- (c) Block division and its details-name, boundaries, areas, aspects, slope, soil, type of the Forest, main species, useful species, age and situation in respect to natural regeneration,
- (d) Objectives of Forest management,
- (e) Methods of Forest protection,

- (f) Forest promotion activities-thinning, pruning, cleaning and other Forest promotion activities,
- (g) Nursery, tree plantation, income generation program and time Schedule,
- (h) Details of areas suitable for cultivation of herbs, cultivation programs and time Schedules,
- (i) Provisions relating to the use of income received from the sale of Forest Products and other sources,
- (j) Provisions made for penalties which may be inflicted on users pursuant to Section 29 of the Act,
- (k) Provisions relating to the protection of wildlife,
- (l) Other matters prescribed by the Department.

(2) If the user's group desires to plant any cash crops which fields products (long term) other than food crops in the community forest without adversely affecting the crown cover and production of the main forest product details related to such shall be mentioned in the work plan.

(3) The district forest officer shall have to provide technical and other cooperation needed to the concerned User's Group to prepare a work plan pursuant to this Rule.

**29. Procedure for Handing Over of the Community Forest :** (1) In case a Users' Group desires to take over any part of a National Forest as a Community Forest, it shall have to submit an application to the District Forest Officer in the format as prescribed in Schedule-14.

(2) The District Forest Officer shall conduct necessary investigation into an application submitted pursuant to Sub-rule (1) and the Work Plan submitted by the Users' Group for approval and if it deemed necessary to make an alternations in the Work Plan make it with the consent of the User's Group and approve the work plan accordingly. He shall then hand over the Forest area under the approved Work Plan to

the Users' Group as a Community Forest after having a bond to the effect that it will comply with the conditions prescribed by the Government of Nepal. When handing over a Community Forest, the concerned Users' Group shall also be issued a certificate in the format as prescribed in Schedule - 15.

(3) While handing over a Forest area as a Community Forest, the boundaries of villages, towns, and districts shall have no effect on such.

(4) If any Forest area which has to be handed over as a Community Forest lies within two or more districts, the District Forest Officer of the district where the application has been submitted may hand over the Forest area as a Community Forest with the consent of the other District Forest Officer.

(5) The District Forest Officer of the concerned district shall have to monitor and evaluate the Community Forest handed over pursuant to Sub-rule (2) and (4).

**30. Records of Community Forest to be maintained :** After handing over a Community Forest to a Users' Group pursuant to Rule 29, the District Forest Officer shall maintain records thereof at his office and also forward one copy of each to the Department and the concerned Regional Forest Office.

**31. Prohibited Functions in the Community Forest :** (1) The Users' Group shall not commit any of the following functions in a Community Forest in addition to those works which are prohibited by the Work Plan :-

- (a) To destroy a Forest, mortgage or otherwise transfer the ownership of land covered by a Community Forest,
- (b) To clear Forest areas for agricultural purposes,
- (c) To build huts and houses,

- (d) To take any action that may cause soil erosion,
- (e) To capture or kill wildlife in violation of prevailing laws,
- (f) To extract or transport rocks, soil, boulders, pebbles (concrete), sand etc.

(2) Notwithstanding anything contained in Clause (a) and (c) of Sub-rule (1), loans may be obtained from financial institutions by pledging the Forest Products of the Community Forest as collateral for the purpose of developing Community Forest houses or huts required for security, that may be built with the approval of the District Forest Officer.

**32. Collection, Sale and Distribution of the Forest Products :** (1) A Users' Group shall collect, sell and distribute only Forest products which has been available pursuant to the Work Plan.

(2) After collecting timber, firewood and other Forest Products pursuant to Sub-rule (1), the Users' Group shall have make arrangements for reforestation or rehabilitation in the concerned Forest Area as soon as possible.

(3) The Users' Group shall inform the concerned District Office on the sales rate of Forest Products.

(4) In case the Users' Group has been capable of running an industry based on Forest Products according to the Work Plan, it may run such industry outside the area of the Community Forest after obtaining approval from the relevant agency on the recommendation of the District Forest Officer.

**33. Receipts and Records of Forest Products :** (1) If any Forest Products available in accordance with the Work Plan have to be consumed by the Users' Group themselves, the Users' Group may

distribute the same products by issuing permits in the format as prescribed in Schedule-16 and keeping a record of such Forest Products.

(2) While selling Forest Products, Users' Group shall prepare a receipt in triplicate in the format prescribed in Schedule-17 and shall hand over a copy to the buyer and the other copy to the concerned Area Forest Office, and shall retain the third copy itself.

(3) The Users' Group shall maintain accurate records of Forest Products sold from the Community Forest as well as accounts of income and expenditure.

**34. Stamp (Seal) to be Registered :** (1) The Users' Group shall prepare an iron seal for the purpose of transporting timber from the Community forest and submit an application to the District Forest Office for its registration.

(2) On the receipt of an application submitted pursuant to Sub-rule (1), the District Forest Officer shall register the stamp free of charge, ensuring that the name of the stamp has not been duplicated.

**35. Transportation of Forest Products :** (1) For the purpose of transporting timber sold by the Users' Group outside their area, a person or committee designated by the Users' Group shall mark the timber with a stamp pursuant to Rule 34 and issue a permit in the format as prescribed in Schedule - 16.

(2) Timber shall be transported pursuant to Sub-rule (1) only after informing the relevant Forest Office in advance and having the matter endorsed by check posts located en route.

(3) Forest Products other than timber may be transported after informing the District Forest Office in advance and obtaining a permit from the person or Committee designated by the Users' Group.

**36. Operation of Users' Group's fund :** (1) The fund and account of the Users' Group shall be operated through joint signatures of two officials from the Group designated by the members.

(2) Annual accounts of income and expenditures shall be audited by the person or institution designated by the Users' Group.

(3) The Users' Group shall submit a copy of the audit report pursuant to Sub-rule (2) to the relevant District Forest Office.

(4) The Authorized Officer may inspect the accounts of income and expenditure maintained by the Users' Group from time to time.

**37. Community Forest to be taken back :** (1) In case a Users' Group has been unable to work according to a Work Plan or has done anything that has a substantial and adverse effect on the environment or has not complied with the Act these Rules and the conditions prescribed by the Government of Nepal the District Forest Officer shall depute an employee as soon as possible for an on spot inspection and take action as follows on the basis of a report thereof :

(a) If a report has shown that the Users' Group has been unable to work according to the Work Plan or has done anything that has a substantial and adverse effect on the environment or has not complied with the Act, these Rules and the conditions prescribed by the Government of Nepal an explanation shall be demanded from the Users' Group, within Fifteen days.

(b) If an explanation submitted by the Users' Group has not satisfactory or if a spot inspection report holds the continuance of the Community Forest as inappropriate, the District Forest Officer may retake

such Forest and cancel the Users' Group registration.

- (c) The concerned Users' Group shall be informed on a taken back of Community Forest and a cancellation of registration of Users' Group within Fifteen days of taking place of such action.

(2) Any Users' Group dissatisfied with the decision to retake a Community Forest and cancel its registration pursuant to Sub-rule (1) may file a complaint with the concerned Director within Thirty-Five days from the date of receipt of the notice of such decision.

(3) Decisions on a complaint filed pursuant to Sub-rule (2) shall be given within Ninety days from the filling date of complain.

- 38. Assistance May be Received :** For the purpose of discharging functions mentioned in this chapter, the Department and the Users' Group may receive necessary assistance from national and international governmental and non-governmental agencies.

## **Chapter- 5**

### **Leasehold Forest**

- 39. Procedure for granting a Leasehold Forest :** (1) Any corporate body, industry or community desirous of taking up a Leasehold Forest shall have to submit an application in the format as prescribed in Schedule -18 to the Director either directly or through the District Forest Office, mentioning the following details, in addition to the matters mentioned in the Act and along with an economic feasibility report.

- (a) Term of Leasehold Forest,
- (b) General evaluation of the possible impact on the environment,

- (c) Details of Forest Products and other natural resources located within the Forest Area,
- (d) Details of paths, canals, dams, mines, etc. located inside the Forest area,
- (e) Other necessary details.

(2) If the Forest Area demanded in the application pursuant to Sub-rule (1) has found to be suitable to hand over as a Leasehold forest, the Director shall instruct the District Forest Office to publish a notice at the concerned Village Development Committee or Municipality and other public places calling the users living around the concerned Forest area to declare within Thirty-Five days whether they wish to take up the concerned Forest area as a Community Forest or not.

(3) If the users living around the concerned Forest area express their desire to take up the designated Forest area as a Community Forest within the time limit mentioned in the notice published pursuant to Sub-rule (2), the Director shall keep the application filed for taking up the concerned Forest as a Leasehold Forest pending and instruct the District Forest Office to constitute a Users' Group within Three months.

(4) If no application has been filed within the time limit pursuant to Sub-rule (2), or in case a Users' Group has not constituted within the time limit pursuant to Sub-rule (3), the Director, if finds appropriate to hand over the Forest area as a Leasehold Forest shall demand the following additional details from the applicants:—

- (a) Detailed Work Plan,
- (b) Details relating to the species of trees available in the concerned area along with their size and quantity,
- (c) Plans for clearing trees, if necessary,

- (d) Condition of the Forest at the end of the term of the Leasehold Forest,
- (e) Other necessary technical matters.

(5) If the application requests for the data relating to the concerned Forest Area in the course of preparing a detailed Work Plan pursuant to Sub-rule (4), the District Forest Officer or the Director shall supply all available data to the application without charging fees.

(6) If several corporate bodies, industries or communities apply for taking up the same Forest area as a Leasehold Forest, the Community which comprising of a majority of people living below the poverty line shall be given first priority, while a Forest based industry producing Forest Products by planting trees shall be given second priority.

(7) If any technical assistance has needed when handling over a Leasehold Forest to any Community, the District Office shall provide assistance.

**<sup>5</sup>39a. Leasehold Forest may be granted by making invitation for**

**proposal** : (1) Notwithstanding anything contained in rule 39 the Government of Nepal may grant the following area to the body corporate or industry as a leasehold Forest by making invitation for proposal :-

- (a) The Bushy Shrub Area,
- (b) The area returned from the encroachers,
- (c) The are recovered (Recoupment) after destroying a forest in a natural calamity,
- (d) The forest area having less than Twenty percent crown cover.

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<sup>5</sup> Inserted by Second Amendment.

(e) Sensitive area with the view of land protection.

(2) The body corporate or industry desiring to be involved in the invited proposal made by the director in condition of mentioning the basis for the protection of environment of the forest area and bio diversity and also with the sustainable management of it, to the desirous body corporate or industry, shall submit the proposal specifying the following matters :-

- (a) Term of Leasehold Forest,
- (b) The place, area and boundaries of area desired to be taken as Leasehold Forest,
- (c) The categories / type of the forest product to be produced and the forest development work plan for the sustainable use of those products,
- (d) The details of any physical construction (house cottage etc) if that has to be constructed in forest area,
- (e) Provisions related to the annual fees that have to be paid to the Government of Nepal,
- (f) Estimated form (condition) of the forest that shall be retained while returning the forest area to the Government of Nepal after completion of the term of the Leasehold forest and the situation details of the forest product then,
- (g) Other necessary details.

(3) The director shall submit the proposal received pursuant to Sub-rule (2) to the department after completing the procedures pursuant to Sub-section (2) of Section 32 of the Act.

(4) There shall be an evaluation committee to evaluate the proposal received pursuant to Sub-rule (3), as follows :-

- (a) Director General – Coordinator
- (b) Concerned Director – Member
- (c) Chief Account Controller, Ministry – Member
- (d) An Officer of the Department of the Forest assigned by the Director General – Member

(5) The Evaluation Committee pursuant to Sub-rule (4) may invite an expert as per the need.

(6) The Evaluation Committee pursuant to Sub-rule (4) shall make evaluation on the following basis :-

- (a) Program related to forest development by means of protection of environment and biodiversity and controlling the soil erosion and natural calamities,
- (b) The fees and revenue that has to be received by the Government of Nepal,
- (c) Probability of direct or indirect employment to the peoples residing around the forest area to be taken on Lease,
- (d) Other income generating program enhancing the industrial activities in the local area.

(7) The Offerer (Proposer) whose proposal has to be determined as the best appropriate proposal on the evaluation made pursuant to the Sub-rule (6) shall be recommended to provide the Leasehold forest, to the Ministry.

(8) The Government of Nepal shall make decision to grant the Leasehold forest making an agreement with the proposer who has been recommended pursuant to Sub-rule (7).

(9) The following activities shall be prohibited to the proposer while making the agreement pursuant to Schedule - 8.

- (a) To stop or divert the sources of rivers which flows within the forest area, without the prior approval of the department of forest.
- (b) To obstruct the development of plants, to harm the habitat of the animals, to destroy the natural or physical condition or to make adverse effect on the environmental situation (condition) of the wet land,
- (c) To use any type of pesticide by making harm to the aquatic or any other types of animals, birds or living beings.
- (d) To extract the stones, gravels, sands or to operate the mines, to act or make an act for restricting (obstructing) in the social rituals of the local residents (peoples) residing in neighborhood or to make obstacles on the utilization (use) of the traditional rights such as unrestricted use of the roads and rivers.

**40. Special Provision for Handing Over Leasehold Forests : (1)**

The Government of Nepal may prepare project relating to the Leasehold Forest for the Communities living below the poverty line and hand over Leasehold Forest to the beneficiaries of the project.

(2) Before handing over a Leasehold Forest pursuant to Sub-rule (1), the project relating to the Leasehold Forest shall ask the concerned

Community to prepare the Work Plan and submit it to the Ministry for approval.

(3) Forest Products located within the Leasehold Forest handed over pursuant to Sub-rule (1) shall be used and protected in the manner as specified in the Work Plan.

- 41. Lease and Fees for Leasehold Forests :** In case the Ministry grants its approval to hand over a Leasehold Forest pursuant to Sub-section (4) of Section 32 of the Act, the Director shall hand over the Leasehold Forest to the applicant along with a Forest Lease as prescribed in Schedule-21 preparing a Forest Lease for the Forest in the format prescribed in Schedule - 19 and collecting the annual fee mentioned in Schedule - 20.
- 42. Records of Leasehold forest :** After handing over a Leasehold Forest, records thereof shall be kept at the Regional Forest Office and information thereof shall be forwarded to the District Forest Office.
- 43. Provision Relating to the Extension of Term of Lease Agreement :** If the Leaseholder has been unable to work in accordance with the Work Plan within the time limit specified in the Forest Lease and submits an application showing appropriate reasons, the Government of Nepal may, if it so deems appropriate extend the term of the Forest Lease by not more than Six months. If the Leaseholder persists in failing to work after that time limit, the Forest Lease of such Leasehold Forest shall be cancelled.
- 44. Protection of a Leasehold Forest :** (1) The Leaseholder him/her self shall have to make arrangements for the protection of a Leasehold Forest.
- (2) If the Leaseholder has made request for any assistance in the task of protecting the Leasehold Forest, the District Forest Officer shall

have to provide suitable assistance and make recommendations to other agencies to provide assistance for that purpose.

**45. Functions Prohibited in the Leasehold Forest :** (1) The following functions shall not be operated or attempted in a Leasehold Forest :

- (a) To sell, mortgage or otherwise transfer the title of the land covered by a Leasehold Forest,
- (b) To operate anything other than that specified by the Work Plan,

(2) Notwithstanding anything contained in Clause (a) of Sub-rule (1), this Rule shall not be deemed to have obstructed the right to obtain loans from financial institutions by pledging the Forest Products planted and grown by him/her as collateral [*crop lien*] for the development of a Leasehold Forest.

**46. Title may be Sold or Transferred :** (1) Notwithstanding anything contained anywhere in these Rules any leaseholder who has done satisfactory work in a Forest by the end of 33% of the term of Leasehold agreement may sell or transfer his right to any other corporate body, industry or community. The leaseholder shall obtain prior approval from the Ministry for selling or transferring his title.

(2) In case an application for the approval to sell or transfer the title has filed pursuant to Sub-rule (1), the Ministry may if desires purchase Forest Products planted or grown by the leaseholder on behalf of the Government of Nepal by making payments for them at the price of the Forest Products as prescribed in Schedule-2.

(3) If any corporate body, industry or community buys a Leasehold Forest sold or transferred pursuant to Sub-rule (1), the lease agreement signed by the existing leaseholder with the Government of Nepal shall be deemed to have been transferred to the buyer.

(4) The Director shall record the sale or transfer in a Forest Lease of a Leasehold Forest which has been sold or transferred pursuant to Sub-rule (1) and update his records accordingly.

**47. Production and Consumption of Forest Products :** (1) Forest Products from a Leasehold Forest may be consumed or sold and distributed in quantities specified by the Work Plan.

(2) The Leaseholder shall inform the District Forest Office annually on the species and quantities of Forest products planted by him in a Leasehold Forest.

(3) The Leaseholder shall submit an application to register a seal with the District Forest Office. On receipt of such application, the District Forest Officer shall register the stamp ensuring the name on the stamp shall not be duplicated.

(4) Forest Product from a Leasehold Forest shall be transported by marking them with the stamp mentioned in Sub-rule (3), informing the District Forest Office in advance and having the matter endorsed by check posts located en route.

**48. Ownership of Trees Existing at the Time of the Handing over of a Leasehold Forest :** (1) The ownership of the trees existing in a Leasehold Forest at the time of hand over shall remain in the Government of Nepal. The Leaseholder shall have to mention the provisions for the management and protection of such trees in the Work Plan and take them under his custody.

(2) While handing over a Leasehold Forest for the purposes mentioned in Clause (a) and (b) of Section 31 of the Act, the trees located therein shall be evaluated and a bank guarantee of not more than ten percent of the total value thereof may be obtained from the Leaseholder of the concerned Leasehold Forest, while protecting the conservation of the forest by all accounts.

Provided that, no such deposit shall be obtained while handing over a Leasehold Forest to any community of people living below the poverty line.

(3) At the time of cutting down the trees pursuant to Sub-rule (1), if a Leaseholder agrees to cut down the trees under the supervision of the District Forest Office and purchase the Forest Products obtained therein, according to the Work Plan, they shall be sold collecting a price prescribed in Schedule-2, for the first five years.

Provided that, if a Leaseholder does not agree to purchase the product, the relevant Forest Product shall be sold and distributed according to the provisions made in respect to a Government managed Forests.

**49. Fee for Leasehold Forests :** (1) A Leaseholder shall have to pay to the District Forest Office, an annual fee as prescribed in Schedule-20 before the end of *Asadh* (July 15) of each fiscal year.

(2) If any Leaseholder has failed to pay the fee within the time limit pursuant to Sub-rule (1), he/she shall be penalized with a fine of ten percent (10%) until the end of *Pousha* (January 14), Fifty percent (50%) until the end of *Chaitra* (April 13), and hundred percent (100%) up to the end of the next *Asadh* (July 15) and the fee shall be recovered along with the penalty (fine).

(3) The lease of the Leaseholder who fails to pay a fee even within the time limit pursuant to Sub-rule (2), shall be cancelled.

Provided that, if the Leaseholder submits an application to the Government of Nepal explicitly mentioning the reasons for the failure to pay the fee and if the Government of Nepal has considered the reasons appropriate, he/she may retain the forest lease for one year more, subject to a penalty charge including the amount of fine have to be payable pursuant to Sub-rule (2).

**50. Term of Leasehold Forest :** (1) A leasehold Forest may be handed over for a term upto the Forty Years.

(2) The term of a Leasehold Forest pursuant to Sub-rule (1) shall be determined on the basis of the categories of Forest Products to be planted and according to a Work Plan and Program to be launched in the area.

(3) If a Leaseholder has found to be satisfactorily managing a Leasehold Forest according to the Work Plan and the Forest Lease and if the Leaseholder so desires, the concerned Forest area may be handed back to him for further term of Forty years.

**51. Copies of the Forest Lease May be Given :** (1) If the Forest Lease of the Leasehold Forest has lost, torn or destroyed or otherwise rendered useless, thereby making it necessary to obtain a duplicate copy thereof, the Leaseholder may submit an application to the Director.

(2) If an application filed pursuant to Sub-rule (1) has been received, the Director shall issue a duplicate copy of the Forest Lease of the Leasehold Forest.

**52. Evaluation :** (1) A Leaseholder shall submit an annual report to the Director within two months of the expiry of a fiscal year.

(2) The Director or an Officer designated by him shall annually monitor as to whether the work has been being done in the Leasehold Forest according to the Work Plan, in the presence of Leaseholder or his representative and submit a report to the Ministry and the Department.

(3) If the report submitted pursuant to Sub-rule (2) shows that the Leaseholder has operated any prohibited functions, the Director may issue an order prohibiting the consumption or collection of Forest Products or the operation of any function according to the Work Plan until the matter has been investigated.

**53. Forest Lease May be Canceled :** (1) If a complaint has filed to the effect that the leaseholder has been unable to work according to the Work Plan or has done anything that has a substantial adverse effect on the environment or has not complied with the Act or these Rules or in case it has been learnt through any other source that the Leaseholder has engaged in any prohibited functions or acted contrary to the Work Plan, the Director shall depute a technical employee to conduct a spot inspection in the presence of the Leaseholder or his representative and to submit a report thereof.

(2) If a spot inspection report submitted pursuant to Sub-rule (1) or an evaluation report submitted pursuant to Sub-rule (2) of Rule 52 has shown that the Leaseholder has engaged in any prohibited functions, the Director shall provide the Leaseholder with an opportunity to submit his explanation within maximum Thirty Five days.

(3) If the explanation submitted by the Leaseholder pursuant to Sub-rule (2) has been unsatisfactory, the Director may cancel the License and take back the Leasehold Forest within thirty five days from the date of the submission of such explanation.

(4) If Forest Products planted and grown by the Leaseholder in the Leasehold Forest in respect to a decision taken to cancel the Forest Lease pursuant to Sub-rule (3), the Director shall ask the District Forest Office to make an evaluation of such Forest Products and pay compensation to the Leaseholder as the amount prescribed in Schedule-2.

(5) If the Leaseholder has not agreed do the evaluation of Forest Products made pursuant to Sub-rule (4), the dispute shall be resolved by the <sup>6</sup>Arbitration Act, 2038 (1981).

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<sup>6</sup> Arbitration Act, 2055 has repealed the Arbitration Act, 2038 (1981)

(6) While paying the amount of compensation to the Leaseholder as determined pursuant to Sub-rule (4) or (5), the amount involved for loss or damage resulting from the action taken by the Leaseholder contrary to the conditions mentioned in the Forest Lease, shall be deducted and rest amount shall be paid.

54. **Amendments to a Work Plan** : If a Work Plan for a Leasehold Forest has to be amended a prior approval of the Ministry shall be obtained.

## Chapter – 6

### **Religious Forest**

55. **Application For a Religious Forest** : (1) If any religious body, group or community registered pursuant to prevailing laws desires to manage in a planned manner to any Forest being used by it for any religious purpose which has continued on a traditional basis or since ancient times, it shall submit an application in the format prescribed in Schedule - 22 to the District Forest Officer along with a Work Plan, explicitly mentioning the following details, in addition to the matters mentioned in Section 35 of the Act :

- (a) Name of the Religious Forest,
- (b) Management technique to be adopted for the protection of the Religious Forest,
- (c) Procedure for collecting Forest Products in a Religious Forest,
- (d) Techniques relating to tree plantation and Forest improvements.
- (e) Other details required for a Religious Forest.

(2) The District Forest Officer may conduct necessary enquiries into an application filed pursuant to Sub-rule (1) and handover a

Religious Forest to the religious body, group or community along with a certificate thereof as prescribed in Schedule - 23.

- 56. Records of a Religious Forest to be Maintained :** The District Forest Officer shall maintain records of a Religious Forest handed over pursuant to Sub-rule (2) of Rule 55, and a copy shall be supplied for the Director and the Department.
- 57. Implementation of Work Plan :** The concerned religious body, group of community shall have to start work according to a Work plan in the forest handed over to it as a religious forest generally within the three months.
- 58. Monitoring of Religious Forest :** The District Forest Officer or an employee designated by him shall monitor whether or not the work has been done in the Religious Forest according to the Work Plan.
- 59. Utilization of Forest Products of Religious Forest :** The Forest Products of a Religious Forest may be utilized by the concerned religious body, group or community for religious purpose only.

Provided that, this Rule shall not be deemed to have obstruct the right to sell the Forest Products available in the Religious Forest areas other than timber and firewood and to utilize the proceeds for religious purposes.

- 60. Religious Forest may be taken back :** (1) If any religious body, group or community operates any functions which is contrary to the Act, the Rules and the Work Plan, the District Forest Officer may resume control of the concerned Religious Forest.

(2) Before deciding to take back control of Religious Forest pursuant to Sub-rule (1), the District Forest Officer shall provide an opportunity to the concerned religious body, group, or community to submit its explanation within a period not exceeding thirty five days.

(3) Anyone who has dissatisfied with the decision taken by the District Forest Officer to take back a Religious Forest pursuant to Sub-rule (1) may file a complaint to the Director within Thirty Five days from the date of receipt of notice of such decision and the decision of the Director shall be final.

(4) If the District Forest Officer has decided to take back a Religious Forest pursuant to this Rule, he shall manage the concerned Forest as a Religious Forest.

## **Chapter – 7**

### **Private Forest**

**61. Application for the Registration of a Private Forest :** (1) Any person or institution desiring of having a registration of the private Forest, shall submit an application in the format as prescribed in Schedule - 24 to the concerned District Forest Office along with evidence to prove ownership over the land.

(2) If an application has submitted pursuant to Sub-rule (1), the District Forest Officer shall make necessary enquiries into an application and where proved that the land mentioned in the application has owned and occupied by the applicant, he may register the concerned land as a Private Forest by explicitly mentioning the species and numbers of trees located on the land and issue a certificate thereof in the format as prescribed in Schedule - 25.

(3) If the owner of a Private Forest registered pursuant to Sub-rule (2) plants new trees on such land, he shall inform the District Forest Office (in Writing ) expressly mentioning species and the numbers of Forest Products.

**62. Transportation of Timber :** (1) If the Owner of a Private Forest wants to use the Forest Products of the Private Forest for his own purposes, he may do so after notifying the District Forest Office in

writing either directly or through the concerned Area Forest Office at least twenty four hours before such use, along with a recommendation of a member of the concerned Village Development Committee or Municipality explicitly mentioning the categories and quantities of Forest Products.

(2) The owner of a Private Forest registered under this chapter may transport Forest Products by providing a written notice thereof to the concerned District Forest Office at least twenty four hours before such use, along with a recommendation of a member of the concerned Village Development Committee or Municipality explicitly mentioning the categories and quantities of Forest Products and having the matter endorsed by Forest check posts located en route.

(3) The owner of a Private Forest not registered under this Chapter shall submit an application to the District Forest Office either directly or through the Area Forest Office to cut trees on his Private Forest. The District Forest Officer may conduct necessary enquiries into the application and grant permission to cut the trees.

(4) Timber from a Private Forest mentioned in Sub-rule (3) may be transported only after obtaining a release order from the concerned District Forest Office and having the matter endorsed by check posts located en route.

(5) For the purpose of transporting timber collected from trees cut in a Private Forest before the commencement of these Rules an application shall be submitted to the Officer or Committee specified by the Government of Nepal by publishing notification in the Nepal Gazette. The timber shall be transported according to the decision taken by the Officer or Committee, specified after conducting the necessary enquiries into such application.

**63. Duplicate Copy of the Certificate May be Given :** If the certificate of a Private Forest has been torn out or destroyed or

otherwise rendered useless and if the owner of the concerned Private Forest submitted an application for its duplicate copy, the District Forest Officer shall issue a duplicate copy accordingly.

**64. Records of the Private Forest to be Cancelled :** (1) If the owner of a Private Forest registered pursuant to Rule 62 desires to clear his Private Forest, he shall have to notify the District Forest Office accordingly.

(2) On the receipt of a notice pursuant to Sub-rule (1), the District Forest Office shall cancel records of such Private Forest.

## **Chapter – 8**

### **Miscellaneous**

**65. Operations of the Priority Projects :** (1) If the execution of any project having national priority within any Forest Area causes any loss or harm to any local individual or community, the operators of the concerned project itself shall bear the amount of compensation to be paid in consideration thereof.

(2) The entire expenses required for the cutting, making into pieces and transporting the Forest Products in a Forest Area to be used by the approved project shall be borne by the operators of the project.

**66. Provisions Relating to Auction Sale :** The power to sell any Forest Products through an auction shall lie with the Director General and if the value of the Forest Product does not exceed Two Million Five Hundred Thousands Rupees and with the District Forest Officer if the value of the Forest Products does not exceed Five Hundred Thousands Rupees.

**67. Directives to be Framed :** The Ministry may, for the purpose of fulfilling the objectives of these Rules establish and issue Directives and it shall be the duty of all concerned to comply with these Directives.

**68. Changes or Alterations in Schedule may be done :** The Government of Nepal may make necessary changes or alterations in the Schedules by publishing notification in the Nepal Gazette.

**69. Repeal :** The Following Regulations have been repealed :

- (a) Forest Product Sale and Distribution Regulations 2027 (1970).
- (b) Forest Protection (Special Arrangements) Regulation 2027 (1970).
- (c) *Panchayat* Protected Forest Regulation 2035 (1978),
- (d) Leasehold Forest Regulation 2035 (1978).
- (e) *Panchayati* Forest Regulation 2035 (1978).
- (f) Private Forest Regulation 2041 (1984).

NEPAL LAW COMMISSION

Schedule – 1

**(Related to Rule 8)**

**License to obtain the Forest Product**

Government of Nepal

Ministry of Forest and Land Protection

Department of Forest

District Forest Office .....

Date :-

- (1) Name, Surname & Address of License holder :-
- (2) Name of the Area desiring to obtain the forest product :-
- (3) Name of the Forest Product :-
- (4) Category (Type) of the Forest Product and Quantity :-
- (5) Purpose to obtain the Forest Product :-
- (6) The place where the Forest Product to be used :-
- (7) Collection and taking out period for Forest Product :-
- (8) Details of Markings (Tanka) :-
- (9) Place for Stock piling :-
- (10) Fee for the Forest Product :-

.....

(District Forest Officer)

For Reference / Execution

District Forest Office .....

1. .... Area forest office. ....
2. District Forest Office, ..... Account Section.

<sup>7</sup>Schedule – 2

(Related to Rule 9, 10, 18, 25, 46, 48 and 53)

**Rate of Timber and Firewood**

(1) For log wood :-

S.N.	Category (Species) of wood	Rate per cubic feet (Rs.)
1.	Sati Sal, Sagwan, Dar, Okhar	300.00
2.	Sal, Sakuwa	250.00
3.	Chanp	200.00
4.	Sisau	150.00
5.	Asana, Jamun, Karma	110.00
6.	Simal, Bhudkul, Gutel, Poplar, Masala, Aanp	80.00
7.	Kimbu, Harro, Barro, Tuni, Tikul, Shiris	100.00
8.	Bijay Sal	200.00
9.	Sandan	150.00
10.	Banjhi, Botdhayaro, Pajan, Phaldu, Saur, Chilaune, Gamhari	50.00
11.	Devdar	80.00
12.	Khote Salla, Other Salla Species, Phar, Sprus	50.00
13.	Katus, Lampate, Uttis and other Species	40.00

<sup>7</sup> Changed with the notice published a Nepal Gazette on 2060-07-10.

<sup>8</sup>**Note :-** In case of the Timber with circumference upto 1 foot. to 2 feet. for the species other than Khayar (Acacia catechu) only the 50 percent rate of above rate shall be charged.

(2) Thuta (Stumps)

<u>S.N.</u>	<u>Species</u>	<u>Rate for per Stumps (Rs.)</u>
1.	Sal (Sakuwa)	100.00
2.	Other Species	50.00

<sup>9</sup>(3) Khayar (Acacia Catechu)

<u>S.N.</u>	<u>Type</u>	<u>Price</u>
1.	Rate for Roots	Per kg. Rs. 10.00
2.	Rate for Logs	Per cubic feet Rs. 300.00

(4) Firewood

<u>S.N.</u>	<u>Purpose</u>	<u>Price</u>
1.	Fr Cremation Rituals	Rs. 500 per Chatta (Pile)
2.	Household use	Rs. 1000 per Chatta (Pile)
3.	To sale for business purpose by T.C.N. Forest Product Development Committee & District Forest Product Supply Committee.	Rs. 1000 per Chatta (Pile)

<sup>8</sup> Inserted by Third Amendment.

<sup>9</sup> Amended by Third Amendment.

4.	To sale for Industries from theh District Forest Office	Rs. 2000 per Chatta (Pile)
5.	Lops tops of Masala	Rs. 100 per Chatta (Pile)

**Note :-**

- (1) The Government of Nepal may provide the Timber and firewood by reducing the rate of timber and Firewood which has been given for the purpose of any utensil (equipment) and Rescue from the calamity pursuant to Clause (c) of Sub-rule (2) of rule 9 subject to the quantity prescribed by the work plan.
- (2) The Government of Nepal may change the above rate as per the need, by publishing a notice in Nepal Gazette and Considering the species (category) of the wood for various districts on the basis of the prevailing market price of the same district.

## Schedule – 3

(Related to Rule 11 and 25)

Name of the Herbs and Fee(a) Root and buds species :-

<u>S.N.</u>	<u>Nepalese Name</u>	<u>Scientific Name, English Name</u>	<u>Rate per kg. (Rs.)</u>
1.	Anandmul	Hemidesmus indicus	10.00
2.	Atis	Aconitum heterophyllum, Delphinium himalayai	15.00
3.	Asarephool	Mussaenda frondosa	8.00
4.	Indreni	Citrullus colosynthis, Trichosanthes wallichiana	10.00
5.	Unyoo	Dryopteris filix-mas, D.cochleata	8.00
6.	Kachur	Curcuma zedoaria	5.00
7.	Kakoli	Fritillaria cirrhosa, Roscoea purpurea	5.00
8.	Kamraj	Helminthostachys zeylanica	6.00
9.	Kukur tarul, Ban tarul, Vyakur	Dioscorea spp.	15.00
10.	Kuchila	Strychnos nux-vomica	7.00
11.	Kutki	Neo-picrorhiza scrophulariifolia	15.00
12.	Kurilo / Satawari	Asparagus spp.	5.00

13.	Khaskhas / Ushir	Vetiveria zizanioides	10.00
14.	Gujar gano	Stephania spp.	5.00
15.	Gurjo Guduchi	Tinospora sinensis, T. cordifolia	5.00
16.	Gokuldhup	Camphora mukul	5.00
17.	Chutro / Daruhaldi	Berberis spp.	8.00
18.	Jatamasi	Nardostachys grandiflora	20.00
19.	Jamane mandro	Mahonia napaulensis	5.00
20.	Tukiphool	Taraxacum officinale	5.00
21.	Nagarmothe, Mothe	Cyperus spp.	5.00
22.	Nirmasi / Nirvishi	Delphinium denudatum	50.00
23.	Padamchal / Amalbed	Rheum australe	10.00
24.	Pakhanved/ Pashanved	Bergenia ciliata	5.00
25.	Panchaunle	Dactylorhiza hatagirea	1000.00
26.	Pipla / pipli	Piper longum	10.00
27.	Bajradanti	Potentilla fulgens	5.00
28.	Banpyaj	—	10.00
29.	Banmula	Dipsacus inermis	10.00

30.	Banlasun	Allium wallichii	10.00
31.	Batulpate	Cissampelos pareira	2.00
32.	Bidarikand	Pueraria tuberosa	2.00
33.	Bilaune	Maesa chisia	5.00
34.	Vish, Vishma	Aconitum spp.	10.00
35.	Vishphej	Polypodium vulgare	10.00
36.	Bojo	Acorus calamus	5.00
37.	Bhutkesh	Selinum tenuifolium	5.00
38.	Mamira	Parnassia nubicola	70.00
39.	Musali (Kalo)	Curculigo orchioides	6.00
40.	Musali (Seto)	Chlorophytum spp.	5.00
41.	Laghupatra	Podophyllum hexandrum	5.00
42.	Shati	Hedychium spicatum, Curcuma zedoaria	5.00
43.	Satuwa	Paris polyphylla	15.00
44.	Sarpagandha / Chandmaruwa	Rauwolfia serpentina	20.00
45.	Satganthe	Panas pseudo-ginseng	50.00
46.	Sisnu	Urtica dioica	2.00
47.	Sugandhwal	Valeriana jatamansi, V. wallichii	15.00

48.	Setkachini / kukurdaino	Smilax spp.	5.00
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<b>(b) <u>Bark Species</u></b>			
1.	Arjun	Terminalia arjuna	10.00
2.	Okhar (Kand)	Juglans regia stem	100.00
3.	Okhar (Phal)	Juglans regia fruit	5.00
4.	Angeri	Lyonia ovalifolia	5.00
5.	Kaphal	Myrica esculenta	100.00
6.	Kutmiro / Kalchuri	Litsea spp.	5.00
7.	Koiralo/Kachanar	Bauhinia variegata	5.00
8.	Chutro / Daruhaldi	Berberis spp.	8.00
9.	Chhativan	Alstonia scholaris	10.00
10.	Jamanemandro	Mahonia napaulensis	5.00
11.	Tatelo / Totla	Oroxylum indicum	5.00
12.	Tanki	Bauhinia purpurea	5.00
13.	dar / Dargithi	Boehmeria rugulosa	10.00
14.	Dhupi	Juniperus spp.	25.00
15.	Nim	Azadirachta indica	5.00
16.	Nepali Dalchini /	Cinnamomum tamala	7.00

	Sinkauli		
17.	Palas	Butea monosperma	20.00
18.	Pavan, Kaulo	Persea spp.	10.00
19.	Painyu	Prunus cerasoides	10.00
20.	Bankaino	Melia azedarach	2.00
21.	Bankhirro / katuj	Holarrhena pubescens	5.00
22.	Bilaune	Maesa chisia	10.00
23.	Bhojpatra	Betula utilis	20.00
24.	Bhorla	Bauhinia vahlii	2.00
25.	Salla	Pinus spp.	2.00
<b>(c) <u>Leaves / stem species</u></b>			
1.	Aduwa ghans	Ginger grass	1.00
2.	Amalved / Padamchal / Chultheamilo / Karajchulthi	Rheum australe	5.00
3.	Asuro / Adus / Wasak	Justicia adhatoda	1.00
4.	Unyuo	Dryopteris filix-mas, D.cochleata	1.00
5.	Gudmar	Gymnema sylvestre	5.00
6.	Gurjolahara /	Tinospora sinensis, T.cordifolia	2.00

	guduchi		
7.	Ghiukumari	Aloe vera	5.00
8.	Chumlani	Skimmia laureola	0.50
9.	Jagar / Jigar	Caryota urens	2.00
10.	Tokla		2.00
11.	Thingure salla/ Thinge salla	Tsuga dumosa	2.00
12.	Dalechuk	Hippophae spp.	1.00
13.	Talispatra	Abies spectabilis	5.00
14.	Titepati	Artemisia spp.	1.00
15.	Tejpat	Cinnamomum tamala	2.00
16.	Dudhelahara / Sariwa	–	1.00
17.	Dhasingre / Machhino / Patpate	Gaultheria fragrantissima	1.00
18.	Dhupi	Juniperus spp.	2.00
19.	Nundhiki	Osyris spp.	1.00
20.	Majitho	Rubia manjith	5.00
21.	Malata	Macaranga spp.	1.00
22.	Masala	Eucalyptus spp.	0.25
23.	Lemongrass,	Cymbopogon spp.	1.00

	Citronela, Pamaroja		
24.	Lauthsalla	Taxus baccata / T. wallichiana	25.00
25.	Sikakai	Acacia ruguta / A. concinna	3.00
26.	Sisnu	Urtica dioica	1.00
27.	Sunpati	Rhododendron anthopogon	5.00
28.	Somlata	Ephedra gerardiana	5.00
29.	Hinguwa / Chiyapate	Camella kissi	.50
30.	<sup>10</sup> Karipatta	Murraya Koenigii	1.00
<b>(d) <u>Flower and Fur species</u></b>			
1.	Asuro / Adus / Wasak	Justicia adhatoda	1.00
2.	Aankko Bhuwa	Calotropis gigantea	4.00
3.	Koiralo/kachnar	Bauhinia variegata	0.50
4.	Gurans/Chimal	Rhododendron spp.	2.00
5.	Tatelophool/Totla	Oroxylum indicum	3.00
6.	Tukiphool	Taraxacum officinale	5.00
7.	Dhanyaro	Woodfordia fruticosa	1.00
8.	Nageshwar / Nareshwar	Mesua ferrea	5.00

<sup>10</sup> Inserted by the notice published a Nepal Gazette on 2067-02-31.

9.	Padampuskar	Iris nepalensis	3.00
10.	Bukiphool	Gnaphalium spp. Anaphalis spp.	1.00
11.	Mauwa (Tarai)	Bassia latifolia	5.00
12.	Mauwa (Pahadi)	Engelhardtia spicata	2.00
13.	Rukhkamal	Magnolia grandiflora	25.00
14.	Simalphool	Bombax ceiba flower	3.00
15.	Simalbhuwa	Bombax ceiba fur	4.00
16.	Sunpati	Rhododendron spp.	5.00
<b>(e) <u>Fruits and Seed Species</u></b>			
1.	Andeer	Ricinus communis	2.00
2.	Amala	Phyllanthus emblica	1.00
3.	Asna / Saaj	Terminalia tomentosa	2.00
4.	Indrajau	Holarrhena pubescens	1.00
5.	Indreni	Citrullus colosynthis, Trichosanthes wallichiana	8.00
6.	Uttis	Alnus nepalensis	50.00
7.	Okhar phal	Juglans regia	5.00
8.	Kantkari	Solanum xanthocarpum	1.00
9.	Kaiyo phal	Pavetta indica	5.00

10.	Kauso	Mucuna prurita	2.00
11.	Kaladana	–	5.00
12.	Kuchila	Strychnos nux-vomica	2.00
13.	Kusum	Schleichera oleosa	2.00
14.	Koiralo/kachanar	Bauhinia variegata	1.00
15.	Khayar	Acacia catechu	25.00
16.	Khotesallako biu	Pinus roxburghii seed	200.00
17.	Champawati / Chanp	Michelia champaca	50.00
18.	Chiuri	Aesandra butyracea	3.00
19.	Chilaunko Geda	Schima wallichii	0.25
20.	Jamun	Syzygium cumini	1.00
21.	Jangali Gulab	Rosa serisea	5.00
22.	Jangali Jeera (Banjeera)	Centratherum anthelminticum	5.00
23.	Jangali Jwano	Apium graveolens	5.00
24.	Tapre	Cassia tora	1.00
25.	Timur	Zanthoxylum armatum	8.00
26.	Dalechuk	Hippophae spp.	5.00
27.	Dhalekatus	Castanopsis indica	1.00

28.	Tigedi	–	5.00
29.	Devdar	Cedrus deodara	100.00
30.	Dhaturo	Datura spp.	2.00
31.	Dhupiko geda	Juniperus spp.	3.00
32.	Nagbeli	Lycopodium clavatum	50.00
33.	Nageshwar/ Nareshwar	Mesua ferrea	5.00
34.	Nimko Biu	Azadirachta indica	1.00
35.	Palas	Butea monosperma	5.00
36.	Pangra	Entada phaseoloides, Aesculus indica	5.00
37.	Pani Amala	Nephrolepis cordifolia	1.00
38.	Pipla / Pipli	Piper longum	10.00
39.	Painyusko Phal	Prunus cerasoides fruit	2.00
40.	Bakaino	Melia azedarach	1.00
41.	Bankarela	Herpetospermum pedunculatum	1.00
42.	Bayar	Zizyphus mauritiana	2.00
43.	Barro	Terminalia bellerica	2.00
44.	Bet	Calamus spp.	5.00
45.	Bel	Aegle marmelos	2.00

46.	Bhalayo	Semecarpus anacardium	2.00
47.	Bhujetro / Bhuletro	Butea minor	5.00
48.	Mauwa (Tarai)	Bassia latifolia	3.00
49.	Mauwa (Pahadi)	Engelhardtia spicata	3.00
50.	Ratigedi / Lalgedi	Abrus precatorius	5.00
51.	Rajbriksha	Cassia fistula	2.00
52.	Ramphal	Annona reticulata	2.00
53.	Rittha	Sapindus mukorossi	3.00
54.	Rukhkamalko phal	Magnolia grandiflora fruit	25.00
55.	Rudraksha, Bhadraksha	Elaeocarpus spp.	8.00
56.	Rohini / Sindure	Mallotus philippinensis	5.00
57.	Lapsi	Choerospondias axillaris	3.00
58.	Sajiwan	Jatropha curcas	2.00
59.	Satisal	Dalbergia Latifolia	30.00
60.	Sisau	Dalbergia Sissoo	15.00
61.	Sikakai / Rasulla	Acacia rugata	4.00
62.	Simalko Phal	Bombax ceiba	3.00
63.	Saltimur	Lindera neesiana	2.00
64.	Sitalphal	Annona squamosa	2.00

65.	Sugandhkokila / Malayagedi	Cinnamomum glaucescens	7.00
66.	Harro	Terminalia chebula	2.00
<b>(f) <u>Plant Species</u></b>			
1.	Eklevir	Lobelia pyramidalis	5.00
2.	Kumkum	Didymocarpus cinereus	2.00
3.	Guchchi Chyau	Morchella spp	300.00
4.	Ghodtapre / Brahmi	Centella asiatica	1.00
5.	Chawa	Piper chaba	10.00
6.	Chiraito	Swertia spp.	15.00
7.	Sunakhari/Sungava Jivanti/Gamadol	Orchids	100.00
8.	Jhyou	Lichen	15.00
9.	Tapre	Cassia tora	1.00
10.	Titapati	Artemisia spp.	1.00
11.	Dronpushpi	Leucas caphalotus	1.00
12.	Nagbeli	Lycopodium clavatum	10.00
13.	Pudina	Mentha spp.	2.00
14.	Punarnava	Boerhavia diffusa	8.00

15.	Banmara	Eupatorium spp.	0.10
16.	Bhringraj	Eclipta prostrata, E alba	0.50
17.	Yarsa (Yarchghunwu)	Cordyceps spp.	10,000.00
18.	Sadharan Chyau	Wild mushroom	5.00
19.	Silajinela	Selaginella spp.	1.00
20.	Hadchur	Viscum album, V. Articulatum	3.00
21.	Halhale	Rumex nepalensis	3.00
<b>(g) <u>Gumregin Lohwan Species</u></b>			
1.	Kakarsingi	Insect gall on Pistacia integerrima	10.00
2.	Main	Bee wax	5.00
3.	Maha	Bee honey	10.00
4.	Laha/Lohwan	Lac gum	40.00
5.	Silajit	Rock exudate/Asphaltum	50.00
6.	Shreekhand (Timber)	Santalum album	25.00
7.	Saldhup	Shorea robusta	10.00
8.	Hing	Ferula assafoetida	45.00

**Note :-**

- In case of the species included in CITES shall be according to the prevailing law and while issuing export license of that One Thousand Rupees fee shall be charged.
- In case of the species which are not available in Nepal and brought illegally, the price shall be fixed five times of the revenue fee of the concerned country.

NEPAL LAW COMMISSION

Schedule – 4

(Related to Sub-rule (2) of Rule 11)

**License for Collecting Herbs**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office .....

License holders' –

Name, Surname and Address :-

Period (Duration) for Collection :-

Place for Stock piling

S.N.	Name of the Herbs to be Collected	Area of collecting the Herbs (Forest name, boundaries)	Quantity	Technique for collection	Remarks

For Reference :-

(1) ....., Area Forest Office .....

(District Forest Officer)

## Schedule – 5

**(Related to Sub-rule (3) of Rule 11)****Release order for Herbs**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

Mr./Mrs. ....

.....

This Release order has been provided to you, according to the attached license for collection of the date ....., the following Herbs to take from ..... to ..... within ..... days. Take the products making compulsory registration (entry) in the unit, Area Forest check post en route.

**Particulars**

S.N.	Name of the Herb	Quantity	Rate per unit	Total Amount	Remarks

For Reference :-

- (1) ....., Area Forest Office
- (2) District Forest Office, ..... Account Section

.....

(District Forest Officer)

District Forest Office, .....

## Schedule – 6

(Related to Rule 14 and 25)

**Except the Timber, Firewood, Acacia catechu and the rate of other forest procedures**

S.N.	Nepali Name	Scientific name, English Name	Unit	Fee (Rs.)
<b><u>(a) Plant Forest Product</u></b>				
1.	Amriso/Amliso	Thysanolaena spp.	Per k.g.	2.00
2.	Argeli	Edgeworthia spp.	Per k.g.	5.00
3.	Allo	Girardinia diversifolia	Per k.g.	5.00
4.	Thotne	Aconogonum molle	Per k.g.	1.00
5.	Khasruko Ankhla	Quercus spp.	Per piece	2.00
6.	Golche (Gava)	–	Per k.g.	10.00
7.	Dandi Santhi, Narkat Kharkhadai	–	Per load Per cart	1.00 15.00
8.	Tendu Pat	Diospyros spp.	Per k.g.	3.00
9.	Thakal	–	Per load	1.00
10.	Nigalo		Per piece Per load (100 pc.) Per cart	0.15 15.00 300.00

			Per Tractor	700.00
			Per Truck	2000.00
11.	Nigaloko Tusa	–	Per piece	.10
12.	Nepali Raktachandan (Timber)	Daphniphyllum himalense	Per k.g.	15.00
<sup>11</sup> 12a	Raktachandan	Oterocarpus/Santalines Red	Per k.g.	800.00
<sup>12</sup> 12b	Malagiri	Cinnamoum glandlitforum	Per Cubic Feet	600.00
13.	Bankas/ Babiyo/ Sawaighans	Eulaliopsis Binata	Per k.g.	0.75
14.	Bans	Bamboo	Per piece	10.00
15.	Bansko Tama	Bamboo	Per piece	3.00
16.	Bet	Calamus spp.	Per k.g.	25.00
17.	Bhalayo pat	Semecarpus anacardium	Per k.g.	1.00
18.	Bhorla pat	Bauhina vahlii	Per k.g.	0.50
19.	Lokta	Daphne spp.	Per k.g.	5.00
20.	Sallakot Ankhla	Pinus spp.	Per piece	5.00
21.	Sallako Khoto	Pinus spp.	Per k.g.	6.00
22.	Sallako Simta	Pinus spp.	Per piece	0.25
23.	Salko pat	Shrea robusta	Per k.g.	0.10

<sup>11</sup> Inserted by a notice on Nepal Gazette on 2066-07-02

<sup>12</sup> Inserted by notice on Nepal Gazette on 2067-02-31

24.	Salko Biu	Shorea robusta	Per k. g.	2.00
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S.N.	(b) Mineral Forest Product	Unit	Fee (Rs.)
1.	Gravel	Per cubic feet	1.00
2.	Chundhunga (Lime stone)	Per cubic feet	1.00
3.	Chhapne Dhunga	Per square feet	1.00
4.	Sand	Per cubic feet	0.60
5.	General stone	Per cubic feet	0.70
6.	Slate	Per square feet	1.50
7.	Gol / Coal	Per k. g.	10.00
8.	Mitti Coal (Soil coal)	Per k. g.	1.00

**Note :-** If the revenue has been paid in any other government agency pursuant to prevailing law, then double revenue shall not be taken for the same.

## Schedule – 7

### (Related to Rule 17 and 18)

#### **Calculating the Volume of Timber of a tree, Evaluation Technique**

(a) While measuring the timber and calculating the volume, the following method shall be followed –

(1) The volume of log timber shall be calculated according to the quarter girth formula.

$$\text{Quarter Garth Formula :- } Volume = \frac{(\text{Girth})^2}{16"} \times \text{length}$$

(2) Calculating of the volume of a tree to be made by measuring the diameter of a tree at a height of the chest (Four feet above from the ground) with tape upto one point ten inch (1.10 Inch).

(3) The total height of the tree shall be taken upto last foot in Aveniz table.

(4) The trees except the acca catechu which diameter has been eleven Inch (11") or more than that at the height of chest shall be classified as follows :

Class 1 : Green, dying or dead, straight or fell down solid with good stem which has not seen any disease or marks from outside.

Class 2 : Green, dying or dead, straight or fell down tree which is hollow or no full volume due to other marks but at least 6 feet long in 8 inch diameter straight log may be prepared.

Class 3 : All other trees excluded in class 1 and 2.

- (5) The Trees which diameter is less than eleven inch and upto five inch shall be considered as rafter wood (Ballaballi). These are classified as follows:-
- (1) From 5.0 Inch upto 6.9 Inch diameter and any length.
  - (2) From 7.0 Inch upto 7.9 Inch diameter and any length.
  - (3) From 8.0 Inch upto 8.9 Inch diameter and any length.
  - (4) From 9.0 Inch upto 9.9 Inch diameter and any length.
  - (5) From 10.0 Inch upto 10.9 Inch diameter and any length.
  - (6) The trees with less than 5 inch diameter shall not be recorded.
  - (7) While calculating the volume for class 1 and 2 upto 8 Inch top diameter and for class 3 upto 4 Inch top diameter shall be calculated from the local volume table.
  - (8) The Gross volume calculated pursuant to serial No. (7) for class 1 shall be multiplied by 0.7854 (To convert into quarter girth volume) and the result shall be considered as net volume and for class 2; The useless part upto the tip of 8 Inch diameter, outer and inner decayed part and the part which not comes on calculation while converting on quarter girth volume also have to deducted so the volume calculated pursuant to serial number (7) shall be multiplied by 0.6008 and the result received thus shall be considered as net volume of the timber.
  - (9) In case of Acacia catechu, upto 4 Inch top diameter shall be calculated from the local volume table and considered itself as a net volume.
  - (10) The following formula shall be applied to calculate the stock pile of the timber (firewood) from the whole volume

of class 3 upto 4 Inch diameter and for the class 1 and 2 the remaining timber which has been not usable as timber wood from upto 4 Inch diameter.

$$\text{Stock pile of Timber} = \frac{8778 \times V_1 + 1.4316 \times V_2 + 3 \times V_3}{1000}$$

Where,

$V_1$  = Gross volume upto 8 Inch top of class 1 tree.

$V_2$  = Gross volume upto 8 Inch top of class 2 tree.

$V_3$  = Gross volume upto 4 Inch top of class 3 tree.

- (b) While measuring the timber the hollow and decayed part shall be separated. The volume of thus separated hollow and decayed part shall be measured as follows and net volume shall be calculated.
- (1) For the Timber in which the hollow or decayed has been seen only in one face of the log the following measurement has been made and the calculating the volume it shall be deducted from the total volume.
- (a) At first, the maximum square Section at the face of the log has been estimated. The one side of square shall be calculated by dividing the circumference by 10 and multiplied by 2.
- (b) If the hollow is fully inside that square Section then long and short part of the hollow is measured and one Inch is added on each of both measurement.
- (c) The cross Section area shall be calculated by multiplying the sides calculated pursuant to Clause (b).
- (d) The total Sectional area of the Clause (c) shall be multiplied by the length of the trunk and the volume of the trunk shall be obtained.

- (e) If the hollow is inside the square Section calculated from the Clause (a) above then by decreasing one Inch in the bordering side of hollow and half Inch in the other side of hollow to determine the side and by multiplying such side cross Section Area shall be calculated and this shall be multiplied by the length of the trunk.
- (f) For the hollow remaining out of the square Sectional calculated pursuant to Clause (a), the volume of the hollow shall not be deducted from the net volume of the timber.
- (2) In case of hollow seen in both faces of the log, the volume of the hollow shall be calculated by measuring the sides of the both faces of the log in the square Section calculated pursuant to serial no. 1 above, and adding the part inside and outside of the square Section according to the type and calculating the cross Section from the average sides of similar side, it shall be multiplied by the length of the log.
- (c) If the jungle has been destroyed in such a way that the timber has not been found but only the stump has remain then to calculate the value on the basis of the stump, the volume shall be calculated by multiplying the volume which has been calculated according to the species and size of the timber mentioned in the following table by the rate of the wood prescribed in Schedule-5.

**Technique to calculate the volume from the stump.**

The circumference of the stump inside the Bark and above the 1 foot from the ground.

Species of Wood (Timber)	2'	2'-	3'-4'	4'-	5'-6'	6'-7'	7'-8'	8'-9'	9'-10'	10'-	11'- 12'	12' above
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Far Devdar Cedrus deodara	2	9	18	34	45	80	107	138	164	191	213	245
Chanp Michelia champaca	1	6	12	30	40	61	81	126	160	213	260	311
Sisau Dalbergia Sisoo	3	10	17	27	40	54	70	86	101	115	128	134
Sall Shorea robusta	2	8	15	27	41	50	70	86	119	138	162	181
Arun	1	5	10	21	34	54	86	102	131	161	192	225
Karma	1	4	7	15	26	40	54	69	82	93	104	114
Tuni Tooni Ciliata	2	8	14	25	38	52	66	80	83	108	118	130
Chir	1	6	16	35	62	98	141	191	242	592	352	406
Amsalla	2	8	16	31	52	70	100	141	171	201	220	220
Khayar Acacia Catechu	1	0	16	29	47	72	102	129	-	-	-	-
Bhuikrit	1	7	14	26	41	59	78	99	119	142	161	152
Mudel	2	6	15	21	32	46	62	81	103	127	151	175

Jamun	1	5	10	18	28	30	40	54	60	65	69	74
Unim	2	8	16	37	54	83	115	152	193	240	290	342
Chilauni Schima wallichii	1	4	8	18	30	44	60	76	93	106	132	122
Simal Bambax ceiba	1	6	13	27	44	66	95	124	155	188	223	259
Others species	2	6	11	20	30	42	54	70	83	99	113	131

- (d) The value of the sawed goods shall be calculated by multiplying the volume of the sawed goods by one point four (1.4) and the result volume shall be multiplied by the rate pursuant to Schedule - 2.

## Schedule – 8

## (Related to Rule 19)

Grazing Fee

S.N.	Animal	One month	Six months	One year
1.	Each Elephant	200	–	–
2.	Each Camel	150	–	–
3.	Each Horse	4	12	30
4.	Each Donkey, Khachchad	3.50	8	20
5.	Each Buffalo, Male Buffalo, Yak, Male Yak, Nak	3	6	15
6.	Each Oxen	2	5	8
7.	Each Sheep, Mountain Goats	1.50	4.50	7
8.	Each Goats (Male, Female)	1	4	6
<sup>13</sup> 9.	Each Group of Bees (Behive)	5	–	–

**Note :-**

- (1) In National Forest only the animals of Nepalese citizen have been allowed for grazing.
- (2) There shall be no fee for the cow grazing.

<sup>13</sup> Inserted by a notice in Nepal Gazette Published on 2067-02-31.

Schedule – 9

(Related to Rule 19)

License for Grazing

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

Date :- .....

1. Name, Surname & Address of License holder :-
2. Name of the animal allowed for grazing :-
3. The boundaries of the forest area allowed to grazing :-
4. Time period for grazing :-
5. Fees for grazing :-
6. Duration for grazing :-

.....

(District Forest Officer)

For Reference / Execution

District Forest Office, .....

1. .... Area Forest Office
2. District Forest Office ..... Account Section.

Schedule – 10

(Related to Rule 25)

**License to take Forest Product from Protected Forest**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

.....

1. Name, Surname & Address of License holder :-
2. Name of the desired area to obtain Forest product :-
3. name of the Forest product :-
4. Category (type) of the Forest product and quantity :-
5. Purpose for obtaining the Forest product :-
6. Place where the Forest product to be used :-
7. Collection and taking out period for the Forest product :-
8. Details of Markings (*Tanka*) :-
9. Place for stock piling :-
10. Fee for the Forest product :-

.....

(District Forest Officer)

District Forest Office, .....

.....

## Schedule – 11

### (Related to Sub-rule (3) of Rule 27)

#### **Matter to be included in the constitution of User's Group**

1. Name, Address of User's Group :-
2. Objectives of User's Group :-
3. Seal of the User's Group :-
4. Name, Surname and Address of the Users :-
5. No. of household residing in the area of the group :-
6. Estimated population of User's Group :-
7. Functions, Duties and Power of the User's Group :-
8. Formation method of User's Committee :-
9. Name list of the Office holders (officials) of the User's Committee :-
10. Functions, Duties and Power of the User's Committee
11. Procedures of the User's Committee :-
12. Techniques to be adopted to control the forest crimes :-
13. Sanctions to be given to the members of the User's Group who works (performs) activities against Work Plan :-
14. Procedures to be followed while giving sanction to the members of the User's Group :-
15. Technique or method of operating the fund :-
16. Method of Auditing :-
17. Miscellaneous :-

Schedule – 12

(Related to Sub-rule (5) of Rule 27)

**Application to be Given for Registration of User's Group**

The District Forest Officer

District Forest Office .....

We have submitted this application to register the user's group pursuant to the provision of Forest Act, 2049 and Forest Rule, 2051 by constituting a user group and also attaching the constitution of the user's group. We request to register the user group and receive the information regarding such registration.

**Applicant**

On behalf of ..... user's group

<b><u>Serial No.</u></b>	<b><u>Designation</u></b>	<b><u>Signature</u></b>
1.		
2.		
3.		
4.		
5.		
6.		

Date :- .....

Schedule – 13

(Related to Sub-rule (6) of Rule 27)

**Certificate of Registration of User's Group**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

.....

Date :- .....

Registration No. :-

..... Users Group.

This certificate has given to the user's group after registering it according to the decision of this office made on ..... and the power conferred by the Forest Act, 2049 and Forest Rules, 2051.

Details of User's Group :-

Area of the User's Group :-

No. of Household :-

Total population :-

**Certificate Issuing Officer's**

Name :-

Designation :-

Signature :-

Date :-

**Note :-** If this certificate has been lost, torn or destroyed then to take another certificate Twenty Five Rupees Fee shall be charged.

Schedule – 14

(Related to Sub-rule (1) of Rule 29)

**Application to be Submitted for the Registration of Community**

**Forest**

The District Forest Officer,

District Forest Office, .....

We have submitted this application desiring to protect, promote and utilize the following forest area as a Community Forest according to the attached Forest work plan and subject to the Forest Act, 2049 and Forest Rules 2051, so we request to hand over this forest area to this user's group.

(a) Name and Address of the forest which has to be desired to manage as a proposed Community forest :-

Boundaries :-

Area :-

(b) Whether there are wild life (animal) or not ? If yes then which species exists there :-

Applicant

On behalf of ..... user's group

<b><u>Serial No.</u></b>	<b><u>Name</u></b>	<b><u>Designation</u></b>	<b><u>Signature</u></b>
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1.

2.

3.

4.

5.

Date :- .....

Schedule – 15

(Related to Sub-rule (2) of Rule 29)

**Certificate of Registration of Community Forest**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

..... User's Group

.....

The following National Forest Area has been handed over to manage and utilize as a community forest according to the attached work plan and subject to the Forest Act, 2049 and Forest Rules, 2051.

**Details of Community Forest :-**

Name :-

Boundaries :-

Area :-

**Certificate Issuing District Forest Officer's**

Name, Surname :-

Signature :-

Date :-

**Note :-** If this certificate has been lost, torn or destroyed then to take another certificate Twenty Five Rupees Fee shall be charged.

Schedule – 16

(Related to Rule 33 and 35)

**Permit for the Forest Product of Community Forest**

..... User Group

.....

Registration No. of User's Group :-

Permit Number :-

Mr./Mrs. ....

.....

This permit has been issued for the following Forest product of the Community Forest protected and managed by this user's group, by taking the value (price) of the product.

S.N.	Name and Type of the Forest Product	Unit	Quantity	Details of marking if needed	Remarks

**Permit Receiver's**

Name :-

Signature :-

Date :-

**Permit Issuer**

Name :-

Signature :-

Date :-

For Reference / Execution

1. .... Forest Office .....
2. .... User's Group.

Schedule – 17

(Related to Sub-rule (2) of Rule 33)

**Receipt of Sale & Distribution of Forest Product of Community**

**Forest**

..... User Group

.....

Registration No. of User's Group

Receipt Number :

Mr./Mrs. ....

.....

S.N.	Name and Type of the Forest Product	Unit	Quantity	Total Amount	Remarks

**Receipt Receiver's**

Name :-

Signature :-

Date :-

**Receipt Issuer**

Name :-

Signature :-

Date :-

## Schedule – 18

### (Related to Sub-rule (1) of Rule 39)

#### Application to be submitted for Leasehold Forest

The Regional Forest Officer,

..... Regional Forest Office,

.....

I/we have submitted this application by desiring to plant the Leasehold forest to produce the forest product by protecting and developing the forest, to plant agro forest plants, to operate the tourism business, to operate the insects and wild life firm, to produce the required raw material for the industries based on forest products and to consume the forest product or other animal received from it, mentioning the following details and also attaching the financial feasibility report and work plan herewith.

1. National Forest desired to be managed as Leasehold Forest,
  - (a) ..... Zone ..... District ..... VDC  
..... Ward ..... Named forest.
  - (b) Boundaries .....
  - (c) Area ..... Hector
2. Objective for desiring to lease out Leasehold Forest.
3. Desired Forest product to be produced, Details of Insects and wild animals and Quantity.
4. Time for production.
5. Duration to Lease out the Leasehold forest.
6. General account of the probable impact on the Environment.

7. The details of natural sources of the forest area
8. Situation / condition of the forest area.
9. Management of Expenditure

**Applicants'**

..... Agency/Industry/on behalf of  
community

Seal of the Agency/  
Industry/Community

Name, surname and address of the

Representative :

Name of the Agency/Industry/  
community :

Address :

Date :- .....

NEPAL LAW COMMISSION

## Schedule – 19

### (Related to Rule 41)

#### **Lease Document for Leasehold Forest**

I/we authorized by ..... situated in ..... Zone ..... District ..... Municipality/VDC ..... hereafter assure that I/we shall plant the Leasehold forest according to the decision made in the application and work plan submitted by our Agency/Industry/community to lease out the ..... named national forest, located at ..... Zone ..... District ..... Municipality/VDC ..... Ward no. and having ..... area and within the following boundaries East ..... South ..... West ..... and North ..... for the duration of ..... years with the objective of Clause ..... of Section 31 of the Act and subject to the Forest Act, 2049 and Forest Rules 2051 and according to the approved work plan attached herewith and according to the following terms and conditions. That's why I/we submitted the lease document with consent and pleasure, to the Government of Nepal ..... Regional Forest Directorate or Via District Forest Office, ..... . In non compliance or violation of the terms and conditions of this lease document, I/we shall be liable pursuant to the Forest Act, 2049 and Forest Rules, 2051.

#### **Particulars :-**

1. No other activities than those mentioned in approved work plan shall be performed.
2. No other forest land then the area received for plantation of Leasehold forest shall be encroached or made any type of harm and destruction.
3. After finishing the period of this Leasehold if the same Leasehold forest has not been received then I/we shall handover the area to the Government of Nepal.

4. I shall start the activities according to the accepted work plan within one year of signing /approval of the leasehold document.
5. I shall work according to the technical advice, suggestion and direction given by Regional Forest Directorate and Forest Office, in time to time.
6. After obtaining the forest product produced in the leasehold forest, I shall immediately manage the plantation and regeneration according to the work plan.
7. I shall secure and protect the plants which has been it this Leasehold forest before the commencement of this leasehold till then the Government of Nepal removes them according to the work plan and pursuant to prevalent Act and Rules.
8. I shall submit the annual fee amount ..... (Rupees) of the land received for the plantation of Leasehold forest to the concerned forest office within the last date of *Asadh* of each Fiscal Year.
9. I shall submit the Annual Report of the Leasehold Forest in the prescribed form within sixty days of end of the fiscal year to the concerned forest division office.
10. I shall use the marking specified by the District Forest office by paying Rs. 500/- (Five Hundred) to transport the forest product that have been obtained from the Leasehold Forest and shall renew that marking every year by paying Rs. 500/- (Five Hundred).
11. If this lease document has been lost, torn or destroyed, I Leaseholder agree to receive another lease document paying the Five Hundred Rupees fee.

Name, Surname and Address  
of the person to be desired

Signature of the corporate body  
Industry or Community :-

- 1.
- 2.

Done on..... year ..... month ..... day.

## Schedule – 20

**(Related to Rule 41 and 49)**

### **Fees for the Leasehold Forest**

Annual Fee for Leasehold Forest

**Per Hector in Rs. (1 Hector = 19.7 Ropani = 1.45 Bigah)**

S.N.		Mountain Region	Hill Region	Tarai Region
1.	Community	200.00	500.00	1000.00
2.	Industries	200.00	600.00	1200.00
3.	Corporate Body	400.00	800.00	1500.00

**Note:–**

- (a) No fee shall be charged for handing over the Leasehold Forest to the Community under the poverty line.
- (b) This fee shall be annually incremental at the rate of Ten percent.
- <sup>14</sup>(c) Such incrementation shall remain continue upto Twenty years. After Twenty first year the fee at the end of Twenty year shall be considered as find and shall be charged accordingly.

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<sup>14</sup> Inserted by Third Amendment.

## Schedule – 21

### (Related to Rule 41)

#### Lease License of the Leasehold Forest

Government of Nepal

Ministry of Forest and Soil Conservation

.....Regional Forest Office,

.....

This lease license has been issued with the ..... objectives and according to the approved Forest plan and subject to the Forest Act, 2049 and Forest Rules, 2051 in the following National Forest Area :-

1. Concerned corporate Body / Industry / Community's :-
  - (a) Name, Surname :-
  - (b) Address :-
2. Leasehold Forests :-
  - (a) ..... Zone ..... district ..... VDC/Municipality  
..... Wards.
  - (b) Boundaries :-
  - (c) Name :-
  - (d) Area :-
3. Duration of the Leasehold Forest :-
4. Fee of the Leasehold Forest :-
5. Date of Lease :-

6. Details of Approved Work Plan :-

(1)

(2)

(3)

.....

(Director)

..... Regional Forest Office

.....

NEPAL LAW COMMISSION

Schedule – 22

**(Related to Sub-rule (1) of Rule 55)**

**Application to be submitted for Religious Forest**

The Forest Officer

District Forest Office .....

.....

I/we have submitted this application to hand over the following forest area to this religious Agency/Group/Community desiring to protect, promote and utilize the forest area as a religious forest according to the attached Forest work plan and subject to the Forest Act, 2049 and Forest Rules, 2051.

National Forest proposed to be managed as Religious Forest

Name :-

Boundaries :-

Area :-

On behalf of Religious Agency/Group/Community

Name :-

Signature :-

Designation :-

Date :-

Schedule – 23

(Related to Sub-rule (2) of Rule 55)

**Certificate of Registration of Religious Forest**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

.....

The .....

.....

The following National Forest has been handed over to the Agency/Group/Community to manage and utilize as a religious forest according to the attached work plan herewith and subject to the Forest Act, 2049 and Forest Rules, 2051.

Details of Religious Forest :-

Name :-

Boundaries :-

Area :-

**Certificate Issuing Officer's**

Name, Surname :-

Designation :-

Signature :-

Date :-

**Note :-** If this certificate has been lost, torn or destroyed, then to take another certificate Twenty Five Rupees fees shall be charged.

## Schedule – 24

(Related to Sub-rule (1) of Rule 61)

### Application to be submitted for the Registration of Private Forest

The District Forest Officer,

District Forest Office, .....

.....

I/we request to register the trees which I/we have planted in my/our own cultivated land pursuant to the Forest Act, 2049 and Forest Rules, 2051. The details of the Type of trees, Quantities and the Area of the land covered by it has been as following. I/we have attached the document of evidence of the land herewith.

S.N.	Plot Number of Land	Area of the Land	Type/Species of the Tree	Number of Trees

**Applicant :**

Name, Surname :-

Address :-

Date :-

Schedule – 25

(Related to Sub-rule (2) of Rule 61)

**Certificate of Registration of Private Forest**

Government of Nepal

Ministry of Forest and Soil Conservation

Department of Forest

District Forest Office, .....

.....

Mr./Mrs. ....

.....

This certificate has been given to you while proceeding the application submitted by you requesting to register the private forest, after registering the Forest product planted in the following cultivated land as a private forest subject to the Forest Act, 2049 and Forest Rules, 2051.

**Details of Private Forest :**

Name :-

Boundaries :-

Area :-

Types/Species of Forest Product :-

Number of Forest Product :-

**Certificate Issuing Officer's**

Name, Surname :-

Designation :-

Signature :-

Date :-

**Note :-** If this certificate has been lost, torn or destroyed, then to take another certificate Twenty Five Rupees fees shall be charged.

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