

Pasture Lands Nationalization Act, 1974

Preamble: Whereas it is expedient to nationalize pasture lands for the convenience and economic well-being of the public, His Majesty King Birendra Bir Bikram Shah Dev has enacted this law on the advice and approval of the National Panchayat.

1. Short Title, Extent and Commencement: (1) This law may be called the Pasture Lands Nationalization Act, 1974.
 - (2) It shall be applicable throughout the Kingdom of Nepal.
 - (3) It shall come into force in such districts and on such dates as may be prescribed by His Majesty's Government.
2. Definitions: Unless otherwise meant with reference to the subject or context, in this act:
 - (a) Pasture land means land used under any name exclusively for pasturage purposes after or without having it registered in a government office.
 - (b) Registered owner means the person or persons registering a pasture land in his or their names with obligation to pay land tax or pasturage levy to His Majesty's Government according to Nepal law, and having title thereto by virtue of such registration.
 - (c) Revenue office means the Revenue Office where there exists one, or else the Land Administration Office.
3. Nationalization of Pasture Lands: With effect from the date of the commencement of this act, all pasture lands in the Kingdom of Nepal shall be nationalized, and their ownership shall accrue to His Majesty's Government. The ownership rights of registered owners existing on pasture lands prior to the commencement of this act shall ipso facto lapse.

Provided that:

- (a) The registered owner may retain possession of pasture land within the ceiling prescribed by current Nepal law, even if the land is being used exclusively for pasturage for personal purposes.

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(b) Notwithstanding the enforcement of this act, His Majesty's Government may grant exemptions according to current Nepal law for the following purposes:

- (a) Horticulture
- (b) Animal husbandry
- (c) Herbal farming
- (d) Tea plantation

4. Payment of Compensation: (1) The registered owners of pasture lands nationalized under Section 3 shall be paid reasonable compensation to be determined by His Majesty's Government on the recommendation of a committee formed according to the rules. Such committee shall include the appropriate District Panchayat Chairman, Village Panchayat Chairman, or their representatives.
- (2) The appropriate Revenue Office shall publish a notice directing the appropriate registered owners to receive compensation as determined under Sub-Section (1).
- (3) Within one year from the date of the publication of a notification under Sub-Section (2), the registered owner shall submit an application for compensation to the appropriate Revenue Office. Such application shall be accompanied with documentary evidence of title to pasture lands. Provided that in case any such person fails to submit an application within a year after the publication of a notification his claim for such compensation shall not be entertained.
- (4) The appropriate Revenue Office shall conduct necessary investigations regarding the applications submitted under Sub-Section (3), and pay compensation to registered owners on a proportionate basis. Provided that in case any question of payment of compensation or amount thereof arises, the Revenue Office shall pay compensation according to the decision made by a court.
5. Management of Pasture Lands: (1) His Majesty's Government shall have Revenue Offices maintain separate records of pasture lands nationalized under Section 3 and entrust the responsibility of protection of and pasturage on such lands to the local Village Panchayat. Provided that this Sub-Section shall not be deemed

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to have prevented His Majesty's Government from handing over pasture lands adjoining more than one Village Panchayat to more than one Village Panchayat.

(2) The local Village Panchayat shall protect and improve the pasture lands entrusted to it under Sub-Section (1). It shall not use or direct the use of such lands for any purpose other than pasturage.

6. Permission to Graze Livestock on Payment of Pasturage Fees:

(1) The Village Panchayat shall be under obligation to allow all to continue grazing their animals on pasture lands under its control on payment of pasturage fee not exceeding Rs 3 each annually in the case of large animals such as yaks, cows, bufaloes, horses and mules, and a maximum of R. 1 annually in the case of such small animals as goats, sheep and Chyangras.

(2) The pasturage fees collected under Sub-Section (1) shall be credited to the Village Assembly Fund.

7. Power to Issue Directives to Panchayats: His Majesty's Government may, if it so deems necessary, issue necessary directives to any Village Panchayat for the protection, improvement and grazing of pasture lands, and it shall be the duty of such Panchayat to comply with such directives.

8. Power to Frame Rules: His Majesty's Government may frame rules in order to implement the objectives of this act.
