

Land Rules, 2021 (1964)

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Amendments

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|-----|---|-------------------------|
| 1. | The lands (First Amendment) Rules, 2021 (1965) | 2021.09.18(1/1/1965) |
| 2. | The lands (Second Amendment) Rules, 2023 (1966) | 2023.05.06 (22/8/1966) |
| 3. | The lands (Third Amendment) Rules, 2023 (1966) | 2023.09.04 (19/12/1966) |
| 4. | The lands (Fourth Amendment) Rules, 2024 (1968) | 2024.10.09(23/1/1968) |
| 5. | The lands (Fifth Amendment) Rules, 2025 (1969) | 2025.09.19 (2/2/1969) |
| 6. | The lands (Sixth Amendment) Rules, 2025 (1969) | 2026.02.27 (9/6/1969) |
| 7. | The lands (Seventh Amendment) Rules, 2027 (1970) | 2028.01.13 (26/4/1971) |
| 8. | The lands (Eighth Amendment) Rules, 2030 (1973) | 2030.07.27 (12/11/1973) |
| 9. | The lands (Ninth Amendment) Rules, 2039 (1982) | 2039.02.03 (17/5/1982) |
| 10. | The lands (Tenth Amendment) Rules, 2039 (1982) | 2039.04.25 (9/8/1982) |
| 11. | The lands (Eleventh Amendment) Rules, 2040 (1983) | 2040.02.16 (30/5/1983) |
| 12. | The lands (Twelfth Amendment) Rules, 2041 (1984) | 2041.06.08 (24/9/1984) |
| 13. | The lands (Thirteenth Amendment) Rules, 2054 (1997) | 2054.02.12(25/5/1997) |
| 14. | The lands (Fourteenth Amendment) Rules, 2060 (2003) | 2060.04.12(28/7/2003) |

In exercising the power conferred by Section 61 of Land Act, 2021 (1964) the Government of Nepal has framed the following Rules.

Chapter - 1

Preliminary

- Short Title & Commencement** : (1) These Rules may be called "Land Rules, 2021 (1964)".

(2) All or some of the rules of these rules shall come into force from the specified date and in the specified area by the Government of Nepal by publishing a notice in Nepal Gazette^{1 2 3}.

2. Definition : Unless the subject or context otherwise requires in these Rules.

(a) "Act" means Land Act, 2021 (1964).

⁴(a1) "Ministry" means Ministry of Land Reform and Management.

⁵(a2) "District Land Reform Office" means the office of the Land Reform Officer and this word also refers to the concerned Land Revenue Office in the place where Land Reform Office does not exist.

⁶(b) "Land reform officer" means the chief of the District Land Reform Office or any other officer assigned to exercise his/her power or Land revenue officer in the place where land reform office does not exist.

¹ According to the notice published in Nepal Gazette of date Marg 12 of 2021, Rules 1, 2 Sub-rule (3) of Rule 12, 13 (The matters of fixing the price of a land for the purpose of Sub-section (1) of Section 27 of the Act), 25, 40 and Sub-rule (1) of Rule 45 in all over the Nepal and Rest of the Rules and Sub-rules in sixteen districts such as Kailali, Bardiya, Jhapa, Rautahat, Bara, Parsa, Bhaktapur, Lalitpur, Kathmandu, Makwanpur, Dhading, Chitwan, Nuwakot, Rasuwa, Sindhupalchok and Including Kavrepalanchok has been prescribed to come into force from the date 2021-08-16.

² According to the notice published in Nepal Gazette of date 2023 Kartik 30, Rules 1, 2, Sub-rule (3) of Rule 12, 13 (The matters of fixing the price of a land for the purpose of Sub-section (1) of Section 27 of the Act), 25, 40 Sub-rule (1) of Rule 45 in all over the Nepal and Rest of the rules and Sub-rules in 25 Districts such as Doti, Bajhang, Bajura, Achham, Banke, Surkhet, Dang, Deukhuri, Kapilvastu, Rupandehi, Nawalparasi, Palpa, Syangja, Tanahu, Kaski, Lamjung, Gorkha, Sarlahi, Mahottari, Sindhuli, Dhanusha, Siraha, Saptari, Udaypur, Morang and including Sunsari has been prescribed to come into force from the date 2032-08-01.

³ According to the notice published in Nepal Gazette of date 2023 Marg 29 in addition to the Rules that has come into force all over the Nepal rest of the Rules and Sub-rules of those rules has been prescribed to come into force from the date 2023 Paush 1 in the 34 Districts such as Kanchanpur, Dadeldhura, Baitadi, Jumla, Kalikot, Jajarkot, Dailekh, Rukum, Rolpa, Salyan, Pyuthan, Myagdi, Baglung, Khotang, Arghakhanchi, Gulmi, Parvat, Ramechhap, Darchula, Okhaldhunga, Bhojpur, Tehrathum, Dhankuta, Panchathar, Ilam, Sankhuwasabha, Dolakha, Manang, Mustang, Dolpa, Mugu, Humla, Solukhumbu and Taplejung.

⁴ Inserted by Fourth Amendment.

⁵ Inserted by Fourth Amendment.

⁶ Amended by Thirteenth Amendment.

- (c) "Land Reform Team" means the team of Government employees and Non-government persons deployed by the land reform officer.
- ⁷(d) "Notified order" means the order pursuant to clause (j) of Section 2 of the Act.
- (e) "Ward Committee" means the ward committee as constituted pursuant to these rules.
- (f) "Bank" means any institution established as pursuant to Nepal law for performing Banking function and their Agent.
- ⁸(g) "Cooperatives" means the cooperative prescribed by the Government of Nepal among the registered cooperatives under the ⁹Cooperative Act, 2048.
- ¹⁰(h) "Village Committee" means the village committee constituted pursuant to these rules.
- ¹¹(i) "Municipal Committee" means the municipal committee constituted pursuant to these Rules.
- ¹²(i1) "Municipality" means municipality constituted pursuant to the prevailing Rules and this word also refers to the Metropolitan City and Sub-metropolitan Cities.
- ¹³(i2) "Price Determination Committee" means the price determination committee constituted pursuant to Section 26h of the Act.
- ¹⁴(j) "District Price Determination Committee" means the committee constituted by the Government of Nepal for the purpose of

⁷ Amended by Fourth Amendment.

⁸ Inserted by seventh Amendment.

⁹ Amended by Thirteen Amendment.

¹⁰ Inserted by Fourth Amendment.

¹¹ Inserted by Fifth Amendment.

¹² Inserted by Thirteenth Amendment.

¹³ Inserted by Thirteenth Amendment.

¹⁴ Inserted by Fifth Amendment.

determination of the price of the foods that has been collected or has to be collected pursuant to these rules.

¹⁵(k) "Land use committee" means the land use committee established pursuant to Rule 39j.

¹⁶(l) "Evaluation committee" means the Evaluation committee established pursuant to Rule 39p.

¹⁷(m) "Council" means the land-use council established pursuant to Section 51f. of the Act.

¹⁸(n) "Land-use" means the process of making use of land dividing in the different regions in various ways as according to the utilization of the land.

¹⁹(o) "Plotting (*Chaklabandi*)" means the process of integrating the small plots of scattered lands to increase the product and productivity in the agricultural land.

²⁰(p) "Fragmentation" means the action of dividing the existing land into small plots.

²¹(q) "Local body" means Municipality and Village Development Committees.

Chapter - 2

Right of Tenant, List of Tenant and Limitation Related to

Tenant

3. **Record (list) to be taken** : (1) District land reform officer may depute various land reform teams in the function of collecting the record of the

¹⁵ Inserted by Fourth Amendment.

¹⁶ Inserted by Fourth Amendment.

¹⁷ Inserted by Fourth Amendment.

¹⁸ Inserted by Fourth Amendment.

¹⁹ Inserted by Fourth Amendment.

²⁰ Inserted by Fourth Amendment.

²¹ Inserted by Fourth Amendment.

landowners who has cultivating their own land and the tenants who has cultivating other's land.

(2) The land reform team shall prepare the record (list) of landowners who has cultivating their own land and the tenants who has cultivating other's land by visiting every ward and in the format prescribed in Schedule-1.

(3) While taking the record by the land reform team pursuant to Sub-rule (2), the details related to the citizenship of every tenant cultivating other's land also shall be collected as in the format prescribed in Schedule - 1(a). If from the details received in case of any tenant has shown that he/she as a non Nepalese citizen then the land reform team shall mention that details as remark in the record taken about him/her as in the format prescribed in Schedule - 1.

4. **Notice to be given** : (1) Prior to collecting the record (lagat) of the landowner and tenant cultivating the land of the area under any Village Development Committee or Municipality as pursuant to these Rules, the District land Reform Officer or the land reform team under him/her shall provide the information of that matter to the local peoples, by posting a notice in such a place, within the territory of concerned Village Development Committee or Municipality, that can be seen by all or also by any other means and a written notice shall be given to the chairperson or the chief of the local village development committee or municipality.
5. **To be present** : After Issuing a notice pursuant to Rule 4, the concerned landowner, tenant, adjacent landowner (*Sandhiyar*), Agent of a landlord (*Jimidari*) or their representative shall regularly present before the deputed land reform teams until the function of such record (*lagat*) collection does not completes and shall provide or make provide the record (*lagat*). The agent of a landlord or his/her representative shall present with the record (*lagat*) of the concerned land which has been remained with him/her and which could be submitted at the time when

the land reform team asks for it. If all the concerned person has not been present at the time of collecting the record (*lagat*), then the record (*lagat*) may be collected by keeping the concerned persons who has already been present.

6. **Publication of prepared record (*lagat*):** The land reform team shall make to listen all the record list (*lagat*) to the persons of award by gathering all of them together at a place if possible, after preparing the recorded list of a ward of any village development committee or municipality in the format as prescribed in Schedule-2 and shall submit one copy of it to the office of the village development committee or municipality and send one copy to the land reform officer.

²²Provided that,

If the record of any person has been remain to be collected as pursuant to Rule 3, then as consequence name and land that has been found remained to be published in the publication of the recorded list (*lagat*) prepared in the format prescribed in Schedule-2, such left record may be published after recollecting such record (*lagat*).

7. **Complain to be made :** (1) If someone has not satisfied in the published recorded (*lagat*) list that has been made pursuant to Rule 6, he/she may submit a written complain with the reason to the local village development committee or municipality within 35 days of publication of the recorded list (*lagat*).

²³(2) The complain received pursuant to Sub-rule (1) shall be sent to the land reform officer by the local village development committee or municipality.

8. **Power in relation to collect the record :** The land reform team for the purpose of collecting the record (*lagat*) of land cultivating

²² Inserted by Fifth Amendment.

²³ Amended by Fifth Amendment.

landowner (*Jaggawala*) and tenants (*Mohi*) under these Rules or for making inquiry of all the collected record and their details whether that has been true or not, may perform the following actions:-

- (a) To enter in any land which has been in possession or control of the concerned tenant, landowner, adjacent landowner, or with the agent of a landlord (*Jimindari*),
- (b) To give order to submit any document (*likhat*) that has been in possession or control of that person before the team and to make inquiry on it, and
- (c) To ask any question to any person if a reasonable belief has been existed on that he/she has supposed to know any detail or information in relation to the record (*lagat*).

9. **To provide certificate of tenant right to the tenants** : (1) In condition of ineligibility for making (submitting) a complain by expiring (passing) the period specified for making a complain on the published recorded list (*lagat*) pursuant to Rule 6 on the basis of that published details and in condition of submitting a complain within the specified period as according to the final decision made on the complain; the land reform officer or the employees of his/her office deployed by him/her shall manage to provide the certificate of tenant right to the concerned tenants, by allocating (separating) the right of the tenants, in the format as prescribed in Schedule-3 and shall provide its duplicate copy to the concerned municipality or village development committee and land revenue office. On behalf of the Government of Nepal, the government employee deployed in the land reform team or district land reform officer and on behalf of the local village development committee or municipality the chairperson or the chief of the concerned village development committee or municipality or in his/her absence any other member assigned by the village development committee or municipality or the secretary of the village development committee or municipality

shall make signature on the certificate. ²⁴If the chairperson or the chief or any other assigned member or secretary of the concerned village development committee or municipality has been made absent or if the signature of the concerned person representing on behalf of the village development committee or municipality has not been made possible then the certificate may be issued by preparing an affidavit (Muchulka) mentioning the facts in details.

(2) The land reform team shall provide the provisional slip (certificate) of a cultivator (*Jotaha*) in the format prescribed in Schedule-4 on the basis of the record collected pursuant to these Rules, prior to providing the certificate pursuant to Schedule-3 under the Sub-rule (1).

(3) After the completion of the period (duration) prescribed for making a complain as pursuant to Rule 7, the provisional slip (certificate) of a cultivator (*Jotaha*) provided pursuant to Sub-rule (2) of this Rule shall be considered as equivalent to a certificate of tenant right, in relation to the tenants.

10. Depository of the recorded list : (1) If a complain of any person in the published list pursuant to Rule 6 has not been filed (submitted) within the prescribed time period then the published list of record (*lagat*) itself and if any alteration has been made in the list as made by ²⁵the district land reform officer, upon being made complain within the time period, then the list of record (*lagat*) which has been altered as according to such decision shall be kept in the custodian of the local village development committee or municipality.

(2) If any alteration has been made on the land, landowner and tenant as pursuant to above list of record, the concerned landowner and tenant shall submit a written notice of that matter to the local village

²⁴ Inserted by Fifth Amendment.

²⁵ Amended by the fifth Amendment.

development committee or municipality and local village development committee or municipality shall publish the details of that notice by posting it in its own office and major local places.

(3) The person who has not been satisfied in the notice published pursuant to Sub-rule (2) shall submit a complain to the local village development committee or municipality within the 7 (seven) days of publication of that notice.

Provided that,

If it deemed necessary to extend the time period after being submission of the application by the concerned person, the local village development committee or municipality may extend the time period maximum for 7 (seven) days.

²⁶(4) If someone has submitted a complain within the time period on the notice published pursuant to Sub-rule (2), the local village development committee or municipality shall again publish its decision as pursuant to Sub-rule (2) after making an inquiry if it deemed necessary and also shall send its written notice to the concerned land reform officer, the concerned landowner and also to the tenant.

(5) A person who has not satisfied in the decision made by the local village development committee or municipality pursuant to Sub-rule (4) may submit an appeal to the ²⁷District land reform officer within 35 (Thirty Five) days of receiving the notice of that decision. After making a decision by a ²⁸District land reform officer on submission of such appeal, its notice shall be given to the local village development committee or municipality as soon as possible. Local village development committee or municipality shall keep the updated list of record (*lagat*) making necessary alteration as according to the decision.

²⁶ Amended by Second Amendment.

²⁷ Amended by Fifth Amendment.

²⁸ Amended by Fifth Amendment.

²⁹(6) The registration book of the tenant pursuant to Clause (b) of Sub-section (4) of Section 25 of the Act shall be as prescribed in Schedule 16. District land reform officer shall keep the record by making a registration as according to the published list of record (*lagat*) pursuant to Rule 6 and the decision of the complain made pursuant to Rule 7 and also any alteration that has to be made later in that registration book.

³⁰11.

³¹11a.

³²12. **Official to be Assigned** : The land reform officer has been assigned as the official for the purpose of Sub-section (4) of Section 9 and Sub-section (1) and (2) of Section 11 of the Act.

13. **The price of the land to be fixed** : ³³(1) While fixing the price of a land for the purpose of Sub-section (6) of Section 9 of the Act, the rate shall be fixed as according to the rate fixed pursuant to Rule 21.

³⁴(2)

³⁵(3)

³⁶14. **Acquisition of the tenant right of the excess land than the upper ceiling** : (1) In condition of ineligibility for making a complain by expiring the date (period) specified for submitting a complain on the detail record (*lagat*) to published as pursuant to Rule 6, as according to that published list of detail record (*lagat*) and in condition of submission of a complain, as according to the final decision, the district land reform officer, in the process of acquisition of the tenant right of

²⁹ Amended by Fifth Amendment.

³⁰ Repealed by Fourteenth Amendment.

³¹ Repealed by Thirteenth Amendment.

³² Amended by Fourteenth Amendment.

³³ Amended by Fifth Amendment.

³⁴ Deleted by Fourteenth Amendment.

³⁵ Deleted by Fourteenth Amendment.

³⁶ Amended by Fourteenth Amendment.

the excess land than the ultimate ceiling prescribed in Section 8 of the Act, shall sale or distribute as according to the Rules hereafter, after completing the function of separation (partition) between the tenant and landowner as pursuant to the Act. After the acquisition made as such the tenant right of the concerned person on the land shall be supposed to be ended ipso-facto.

Provided that,

- (a) A tenant shall not be removed from the land selected by him/her, to keep the tenant right by maintaining the record within the ceiling prescribed in Section 8 of the Act.
- (aa) If a creditor has possessed a land taking the tenant right on a mortgage prior to the commencement of this Rule has not been allowed to possess the right pursuant to Section 8 of the Act, the tenant right of such land shall be returned back to the debtor, in such a way that as much land as possible and which could be returned by keeping it within the upper limit prescribed in Section 8 of the Act. If the tenant right of two or more than two persons has been possessed in such mortgage then it shall be returned (provided) back to the earlier debtor on the basis of date of the deed of mortgage.
- (i) The land taken in acquisition pursuant to this Rule shall be possessed by the existing tenant as usually till then it has not been handed over to the person who receives it on sale or distribution pursuant the Rules hereafter.

(2) To keep the land that has been received on acquisition from the tenant in the ceiling pursuant to this Rule on prevention (*Rokka*)

until it has been sold or distributed, a written request shall be sent to the concerned land revenue office.

- 15. Compensation :** (1) If the Government of Nepal has made a decision to give the compensation for the tenant right of any land acquired pursuant to Rule 14, the district land reform officer shall publish the notice by posting it in the notice board of the local village development committee or municipality and his/her own office after determining the amount of compensation to be given to the each person or his/her family at the rate of 25 per hundred of the price of the land that has to be calculated at the rate prescribed pursuant to Rule 21.

(2) Within the 15 days of publication of the notice of determination of the compensation pursuant to Sub-rule (1), if it deemed that the determination of compensation has to be repeated from the claim on the amount of compensation or complain of the person not satisfied on the determination of compensation or by any other sources, the district land reform officer shall publish it again as according to above mentioned way, after making a repetition.

(3) A person who has not satisfied in the notice of compensation determination that has been published pursuant to Sub-rule (1) or in the notice republished pursuant to Sub-rule (2) may submit a complain in the court specified in a notification order within 10 days of publication of that notice at the first time or published in repetition as per the situation.

(4) In condition of ineligibility for making a complain being expiring the date (duration) to submit a complain on the notice of compensation determination that has been published as mentioned above, as according to that published list of record (*phantbari*) and upon submission of a complain, as according to the final decision; the district land reform officer shall provide the compensation amount to the concerned person pursuant to Sub-rule (5).

Provided that -

- (a) If a case that has been remained to be decided after being filed before any authorized court or official from the very beginning and being disputed on the ownership of tenant right of the concerned land, the compensation of tenant right of the portion which has been disputed shall be kept unpaid (suspended).
- (b) If a tenant right acquired from any person pursuant to Rule 14 has been taken in mortgage (*Bhog or Dristi Bandhaki*) by any other person before the commencement of this rule then the creditor who has taken that mortgage shall receive the compensation that has to be received pursuant to this Rule. If the compensation amount has been in excess (more) than the principal amount (*Thaili*) of the creditor then the debtor shall receive that excess amount and if it has been less then the creditor shall claim to the debtor on that remaining amount of the principal.
- (c) If a creditor have been possessing a tenant right of any land taking it in mortgage, has been deprived to possess that right pursuant to Section 8 of the Act and the debtor has received back it pursuant to Clause (b), then the principal amount (*Thaili*) of mortgage of such creditor shall be a loan without mortgage (*Kapali*) from the date on which it has been supposed to be returned to the debtor.

(5) After ³⁷The land for tenant right has been transferred to other person, the amount of compensation shall be provided to the concerned person in Five annual installments. An interest at the rate of annual 5 (Five) percent shall be provided on the amount of compensation.

³⁸**16. Sale or distribution of the land of the tenant right excess than**

the upper limit : (1) Out of the land having tenant right and that has been received on acquisition by making an eviction to the person who has been punished pursuant to Sub-section (1) of Section 11 of the Act, the land that falls on the portion (part) of the tenant after separating and dividing it pursuant to the provision of the Act and the land of the tenant right acquired as pursuant to Rule 14, shall be sold or distributed by the land reform officer under the provision of Section 21 of the Act.

(2) If the government of Nepal has made a decision to provide the compensation in relation to the land which has been sold after being acquiring pursuant to Sub-rule (1), to the previous tenant pursuant to Rule 15, then the person receiving the land which has been acquired pursuant to Rule 14 in sale or distribution made pursuant to Sub-rule (1) shall submit the amount determined as pursuant to Rule 15 at once (full installment) or in five annual installments, in cash, before the land revenue officer or in the place specified by him/her for that purpose. For the person paying on installments, the interest of the paying period also shall be recovered by charging it at the rate of annual ten percent.

(3) The installment amount pursuant to Sub-rule (2) shall be paid within the end of Magh (*Magh Masant*) of every year.

Provided,

If anyone desires to pay all the amount that has to be paid in one or more than one installments or any portion of that at any time prior to the date fixed to pay of that installment, may submit as such.

³⁷ Amended by Fourth Amendment.

³⁸ Amended by Fourth Amendment.

(4) District land reform officer shall collect or make to collect the amount that has to be recovered pursuant to this Rule, by opening a separate account in a bank.

(5) If anyone has not paid the amount of any installments that has supposed to be paid within the date, he/she shall be expelled (as a tenant) from the concerned land by the order of district land reform officer and such land shall be sold or distributed to any other person pursuant to these Rules.

(6) The land reform officer shall provide a certificate in the format as prescribed in Schedule - 5 to the person who receives a land in sale or distribution pursuant to Sub-rule (1).

(7) The registration book of the land which has been sold or distributed pursuant to this Rule shall be kept in the format as prescribed in Schedule-18 and its copy (duplicate) shall be send to the land revenue office to register and repeal (*dakhel kharej*) in the name of the person receiving in sale or distribution.

Chapter - 3

Maximum (Ultimate) limit of the land, Compensation and Sale/Distribution

³⁹17. **An official and a court to be assigned** : (1) District land reform officer has been assigned for the purpose of chapter - 4 of the Act.

⁴⁰(2)

⁴¹(3)

⁴²18. **Notice to submit the detail record (inventory) of the land** : (1)
The land reform officer, while publishing a notice pursuant to Sub-

³⁹ Amended by Fifth Amendment.

⁴⁰ Deleted by Fourteenth Amendment.

⁴¹ Deleted by Fourteenth Amendment.

⁴² Amended by Fourth Amendment.

section (1) and 1(a) of Section 13 of the Act, shall publish or make to be published in the format as prescribed in Schedule - 6 and that notice shall be published by posting it in the District Development Committee Office and other major local places.

(2) After publishing a notice pursuant to Sub-rule (1), the format of the inventory (*phantbari*) that has to be submitted by the landowner or tenant or by any "other person on behalf of him/her shall be as prescribed in Schedule-7. While submitting such inventory, two copies of the inventory shall be submitted together within the time limit of the Act.

(3) The person who has the duty to submit the inventory pursuant to Sub-rule (2), shall submit such inventory to the land reform office under the Sub-section (1a) of section 13 of the Act.

Provided that,

The landowner who has the land upto upper limit prescribed in Section 7 of the Act or less than that may submit the inventory, that has to be submitted pursuant to this rule to the concerned Village Development Committee or Municipality.

(4) Notwithstanding anything contained in Sub-rule (3), one copy of the inventory that has been submitted by a landowner in the concerned local authority shall be submitted to the concerned land reform officer by that authority; within one month of the expiry of the time limit.

(5) Land reform officer shall keep record (*Abhilekh*) of the inventories of the land which has up to upper limit prescribed in Section 7 of the Act or less than that and which and that has been submitted pursuant to Sub-rule (3) and (4), by updating (maintaining) it in such a way that it can be seen separately for the Village Development Committee or Municipality.

19. Procedure to make inquiry on the inventory submitted pursuant to Section 13 of the Act and on notice received from other sources in relation to that :

(1) After the submission of the inventory that has been made pursuant to Section 13 of the Act, the land reform officer shall take the opinion of the representative of local body, land revenue office, survey section and other concerned body or official, if it deemed necessary to take such opinion and shall make necessary (required) inquiry observing the inventory of land of tenant and other available documental evidences.

(2) District land reform officer may also inquire the documental evidences that have been submitted by the ⁴³landowner or tenant to claim the right on the concerned land, if deemed necessary.

(3) District land reform officer may also collect statement of public by visiting him/her self or sending the subordinate employees, if deemed necessary.

(4) In case of the land of the landowner whose land has been situated in two or more than two districts, after making the inquiry by the land reform officers as mentioned, the one copy of its result shall be send to the other district land reform officer of the area where the land of concerned landowner has been situated and if such officer does not exists in the district then it shall be send even to the land revenue office.

20. Inventory to be published preparing it under Sub-section (1) of Section 14 of the Act :

⁴⁴(1) After making necessary inquiry pursuant to rule 19, the District land reform officer shall publish the inventory of each landowner who has the excess land then the maximum limitation as prescribed in Section 7 of the Act, preparing it in the format prescribed in Schedule-8 and by fixing it on the notice board of his/her own office or office of District Development Committee.

⁴³ Amended by Fourteenth Amendment.

⁴⁴ Inserted by Seventh Amendment.

(2) The land reform officer shall also send one copy of each inventory which has been thus prepared and published to the Government of Nepal, ⁴⁵Ministry of Land Reform and Management.

⁴⁶**21. Compensation to be paid to the landowner** : (1) While paying the compensation for the land which has been received pursuant to Section 15 of the Act, to the landowner under the Chapter - 5 of the Act, it shall be paid at the rate as determined by the valuation (determination) committee. The valuation committee while determining the amount of the compensation, shall determine it without decreasing in Thirty percent and without increasing in Fifty percent of the minimum valuation, which has been determined by the land revenue officer for the purpose of registration, after making a necessary inquiry.

(2) After determining the compensation amount pursuant to Sub-rule (1), the land reform officer shall publish a notice with the table (list) of compensation amount determined in relation to each landowner, by preparing it in the format as prescribed in Schedule-17 and on the notice board of his/her own office and District Administration Office, Office of District Development Committee and Land Revenue Office by prescribing at least Thirty Five days time period.

(3) If the land acquired from any landowner pursuant to Section 15 of the Act has been situated within two or more than two districts then in case of the land of such landowner, the amount of compensation shall be determined by the valuation committee of concerned district pursuant to Sub-rule (1) and the notice shall be published as pursuant to Sub-rule (2) and one copy of such notice shall also be sent to the office where the inventory has been submitted.

(4) The person who has been dissatisfied in the table (list) of determined compensation, published pursuant to Sub-rule (2) and (3)

⁴⁵ Amended by Thirteenth Amendment.

⁴⁶ Amended by Fourteenth Amendment.

may submit an appeal before the Appellate Court within Thirty Five days of publication of such table (list).

(5) The land reform officer shall manage to provide the compensation to the concerned landowner pursuant to Chapter - 5 of the Act, as according to the published list, in the case that on appeal has not been allowed to made due to the expiry of the date to make an appeal as pursuant to Sub-rule (4), on the compensation determination table (list) published as pursuant to Sub-rule (2) and (3) and if the appeal has been made, as according to the final decision made by the appellate court.

(6) The compensation of the portion of a land which has the dispute on the ownership and such dispute has been subjudice before a court or a competent authority shall be kept adjourned (unpaid) till such dispute has not been decided.

22. **Authority to be Assigned** : The district land revenue officer has been assigned as an authority for the purpose of Section - 6 of the Act.

⁴⁷23. **Sale of the land** : (1) The land reform officer shall sale the land which has been acquired or confiscated (seized) as pursuant to the Act, as according to the priority prescribed by the Act, within the following limitation and for that purpose he/she shall call the application of the persons desiring to take the land on sale. The notice of such a call shall be sent to all the concerned Village Development Committee or Municipalities within the district and the Village Development Committee or Municipality shall publish such a notice within its own territory and shall send its notice to the land reform office.

(a) Maximum up to two Kattha in the city area under terai region and maximum up to ten Kattha in case of the land of other area.

⁴⁷ Amended by Fourteenth Amendment.

- (b) Maximum up to Eight Ana in the city area of Kathmandu Valley and maximum up to One Ropani in other area.
- (c) Maximum One Ropani in the city area of hilly region and maximum Five Ropani in other area.
- (d) In case of educational Institution and other public organization or institution generally up to the limit mentioned in Clause (a) to (c) above.

(2) While selling the land pursuant to Sub-rule (1), the land reform officer may make the sale if possible by keeping in the joint ownership of a husband and a wife who are single coparcener.

(3) The land reform officer shall provide a certificate in the format prescribed in Schedule - 9 to the person or institution receiving the land in the sale (auction) pursuant to Sub-rule (1), after his/her name has been registered in the status of a landowner.

(4) The registration book of a land as pursuant to the Section 21b. of the Act, shall be kept as in the format prescribed in Schedule - 18.

(5) In relation to the compensation that has to be provided to the previous landowner of the land which has been sold in the name of a educational institution or organization pursuant to Clause (d) of Sub-rule (1) shall be as decided by the Government of Nepal.

(6) The land reform officer may resale the land which has been seized, pursuant to Sub-section (4) of Section 22 of the Act, as following :

- (a) If any person had received any land as according the existing (prevailing) rules, before the commencement of these rules, in case of the land that has been seized pursuant to Section 22 of the Act if such land has been being cultivated by the

person or his family in the selling then to resale the land to the person by taking the value and due land revenue as determined by these rules,

- (b) If the land as pursuant to Sub-rule (1) has not been being cultivated by the person as mentioned in the Clause and has been being cultivated by any other person, then in case of the land to sale as pursuant to Sub-rule (1) and (2) under the Section 21 of the Act.

(7) In case of the land that has been seized pursuant to Sub-section (2) of Section 24(a) of the Act, shall be resold under the Sub-rule (1) and (2).

24. The price of the land to be taken (received) : (1) The person receiving the land, during the sale of land pursuant to Section 21⁴⁸ of the Act shall submit the price of the land which has been fixed pursuant to Rule 21 before the land reform officer or to the office or officer designated by him for the purpose, at a time or maximum in Ten annual installments.

(2) Such installment amount shall be paid by the person within the end of Magh of each year in the mountain region including Kathmandu Valley and within the end of Falgun of each year in Terai and inner Madhesh.

⁴⁹(3) The amount paid pursuant to Sub-rule (1) shall be deposited in the bank by the office or official who has received it.

⁵⁰**24a. Joint Application to be submitted by the landowner and the tenant :** (1) If a landowner and a tenant desires to give and take the land by dividing it as according to the mutual consent pursuant to

⁴⁸ Deleted by Fourteenth Amendment.

⁴⁹ Amended by Fourteenth Amendment.

⁵⁰ Inserted by Thirteenth Amendment.

Section 26(c) of the Act or desires to delete the inventory of the leaving tenant by the whole land to the landowner or the tenant by receiving the amount for the land that has to be consented to be taken by himself/herself, shall submit a joint application in the format as prescribed in Schedule - 19(a), mentioning these matters before the concerned land reform officer.

(2) If any application pursuant to Sub-rule (1) has been received, and the land reform officer if deemed appropriate in making inquiry of the evidences attached along with the application then he/she shall divide the land or shall make the whole land in the name of a person as according to the demand of the applicants and also shall remove (delete) the inventory of the tenant.

⁵¹**24b. Application to be submitted by one person, either by landowner or by tenant to take his/her portion of land in**

partition : (1) If a joint application pursuant to Rule 24a has not been possible to be submitted and any party among the landlord and the tenant desires to take the land cultivated by a tenant, he/she shall submit an application in the format prescribed in Schedule - 19(b) along with the all details, before the land reform officer.

(2) If any application pursuant to Sub-rule (1) has been received, the land reform officer shall make the partition of the land proportionally in half and half to the landowner and tenant, by calling (summoning) another party within Fifteen days except then the time for journey and making by an inquiry of the related registered evidences available in the land reform office and survey office, making on site inspection of the land which has to be partitioned as per the necessity and taking the opinion of the concerned Village Development Committee or Municipality and also shall delete the inventory (record) of the tenant.

⁵¹ Inserted by Thirteenth Amendment.

⁵²**24c. Additional Evidence to be inquired/examined** : The land reform officer may take into account the additional evidences about the matter which has been considered necessary, while making a decision of ownership of the whole land cultivated by a tenant and that has to be established in the name of one person out of the landowner or the tenant as pursuant to the Section 26e of the Act.

⁵³**24d. Land to be separated for the purpose of the road (excess)** : While separating the land for the purpose of road to excess the house that has been built in the land cultivated by a tenant it shall be separated in such a way that at least the excess road shall not be less than three feet and if the more wider excess road than that has been used since the past it shall be maintained as such.

⁵⁴**24e. To establish (fix) the price of a land** : (1) The value determination committee while determining the value of the land shall determine the value of the land as to the same value which has been determined by the consensus of landowner and tenant, if the value has not been determined in such a way, then on the basis of the record of the value determined by the concerned land revenue officer for the purpose of registration, and if any land which has been sold around the land then also on the principal amount of the sold land that has been determined while selling the land.

(2) While determining the value of a land pursuant to Sub-rule (1), the value determination committee may take the opinion of the concerned Village Development Committee or Municipality and also may make the on-site study and take the recognizance as per the necessity.

⁵⁵**24f. To pay the amount (price) of the land** : (1) The concerned party shall already pay the amount (price) of the land within the ninety days of

⁵² Inserted by Thirteenth Amendment.

⁵³ Inserted by Thirteenth Amendment.

⁵⁴ Inserted by Thirteenth Amendment.

⁵⁵ Inserted by Thirteenth Amendment.

receiving of the notice about the making of a decision by the land reform officer to set the land in the name of any one out of the landowner or the tenant pursuant to Section 26e of the Act.

Provide that,

If the application of the concerned party has been submitted mentioning the reasonable cause for being unable to pay the price amount within that time the land reform officer may extend the time period up to Thirty Five days.

(2) If the concerned party responsible for receiving the price amount has not received or refused to receive, the party liable for paying the amount shall deposit the price amount in the concerned land reform office, mentioning the details within the Fifteen days of expiry of that date.

(3) If the concerned party has deposited the price amount pursuant to Sub-rule (2), the land reform officer shall send a notice in the name of the concerned person to receive the price amount within the Seven days, by depositing the amount in the deposit account.

(4) After receiving the notice pursuant to Sub-rule (3) the concerned person shall provide a written notice in the land reform office if there exists any reason (cause) for not to receiving the deposit amount within Fifteen days, except than the time required for travel and if such notice has not been received within the time period it shall be presumed that the concerned person has agreed to receive that amount.

(5) If the person who is supposed to receive the amount pursuant to Sub-rule (1), has submitted an application with required evidence, to receive the deposit amount within two years of receiving of the notice for receiving the amount pursuant to Sub-rule (3), the land reform office after deducting at the rate of two percent (per hundred) of the deposit amount, shall return the remaining amount to the concerned person.

Even within that time period, if nobody came to receive the deposit amount then after the termination of the time period, that amount shall be managed as according to the decision made by Government of Nepal.

(6) If the person liable to pay the amount pursuant to Sub-rule (1) has not paid the amount within the time period or also has not keep the deposit (deposited) in the land reform office pursuant to Sub-rule (2), the person supposed to receive the amount may submit an application to the concerned land reform office to recover the amount, by making a bid of the land that has to be partitioned.

(7) If any application has been received pursuant to Sub-rule (6) the land reform office shall make the bidding of the land pursuant to prevailing law and make recovery of the amount to the concerned person. If the excess amount then the amount that has to be received by the applicant has been received on making the bid of the land, such extra amount shall be deposited in the deposit account of the land reform office.

(8) The land reform office shall send a notice to the concerned person to receive the amount that has been deposited in the deposit account pursuant to Sub-rule (7). If the concerned person has submitted an application with necessary evidence to receive the deposit amount as according to the given notice, within the time period pursuant to Sub-rule (5), the land reform officer shall return the remaining amount to the concerned person after deducting the amount that comes at the rate of two percent of the deposit amount. Even within that time period, if nobody came to receive the deposit amount then after the termination of the time period, that amount shall be managed as according to the decision of the Government of Nepal.

⁵⁶(9) If the notice has not been duly executed because of failing to reveal the address or failing to find the address of the person who has supposed to receive or liable to pay the deposit amount pursuant to this Rule, a public notice mentioning all the details shall be published in a national level newspaper.

⁵⁷(10) Even after the publication of a notice pursuant to Sub-rule (9), if nobody has come to receive the amount then it shall be managed as according to the decision made by the Government of Nepal in relation to such amount.

⁵⁸**24g. Other provisions related to partition between landowner and**

tenants : (1) The dissolution of the applications that has been received pursuant to Section 26D1. of the Act shall be made by completing the process of Sub-rule (2) of rule 24b.

(2) While making a partition pursuant to the Section 26D2. of the Act, after non submission of the application pursuant to Sub-rule (1), the investigation of the land which has been cultivated by a tenant and has been mentioned in the details prepared pursuant to Sub-section (1A) of Section 13 of the Act and the land cultivated under tenancy shall be prepared and after taking the details filled by the landowner and the tenant, a separate inventory (lists) shall be prepared for the tallied and non tallied details.

(3) The partition proceeding shall be made as according to the inventory (list) prepared pursuant to Sub-rule (2) and even after making investigation of necessary evidences if it deemed necessary to do so by summoning the landowner and the tenant to be present as pursuant to Section 26 D of the Act.

⁵⁶ Inserted by Fourteenth Amendment.

⁵⁷ Inserted by Fourteenth Amendment.

⁵⁸ Inserted by Fourteenth Amendment.

(4) If a tenant has demanded for the partition of the land which landowner has been died and the right to ownership still has not been transferred (inherited) in the name of his/her heir (successor), the partition shall be made after completing the proceedings prescribed in the Act and these Rules.

(5) If the landowner has applied for the partition of the land in such a situation that the tenant has been died and the tenant right still has not been transferred (inherited) in the name of his/her heir (successor) and the successors of the deceased tenant who live together and has accepted after making presence, the partition shall be made as accordingly after conducting required (necessary) investigation.

(6) While making the partition of the land cultivated by a tenant as according to the Act or deleting the registered inventory pursuant to the provision of the Act or as according to the decision of the court, the deletion of the registered inventory shall be made after keeping the inventory record pursuant to Schedule 16A and mentioning the brief details in tenant registration book of Schedule 16 or in any other evidence related to it and a letter mentioning the summary details shall be sent to the land revenue office, and the landowner registration book which remains in the land revenue office and landowner's certificate for ownership also has to be updated.

⁵⁹**24h. The transfer of land may be adjourned** : After the submission of the application by a tenant requesting for the partition of the land pursuant to the Act, the transfer of such a land shall be adjourned till the finalization of that application, and the partition proceeding shall be conducted thereafter.

⁵⁹ Inserted by Fourteenth Amendment.

⁶⁰25. **Official to be Assigned** : ⁶¹(1) For the purpose of Chapter 7 and Section 38 of the Act, land reform officer has been assigned as an official.

(2) Notwithstanding anything contained in Sub-rule (1) if the Government of Nepal has constituted a tribunal for the purpose and in the circumstances that such tribunal exists in the concerned district then for that period, the tribunal shall exercise that power and the related petitions filed before the land reform officer also shall transfer in that tribunal.

Chapter - 4

Provision on Mandatory Saving and Debt

⁶²26. **Rate of Mandatory saving and period for deposit of that** : (1) It has been prescribed that every landowner or tenant who has to deposit the mandatory saving, pursuant to the Section 40 of the Act, shall deposit the following mandatory saving of the main annual crop yield of the land owned or tilled by him/her, to the municipal or village committee (hereafter called "committee") constituted under the Rule 28a :-

- (a) At the rate of (½) half *Man* per *Bigaha* and Three *Mana* per *Ropani* for the land cultivated by every landowner,
- (b) Six (6) *Ser* per *Bigaha* and One (1) *Mana* per *Ropani* for the land cultivated by every tenant in that status,

⁶⁰ Amended by Eight Amendment.

⁶¹ Amended by Thirteen Amendment.

⁶² Amended by Seventh Amendment.

- (c) Fourteen (14) *Ser* per *Bigaha* and Two (2) *Mana* per *Ropani* for the land that has been given to other for cultivation by every landowner.

Provided that,

In the area where the rent crop (*Koot*) has been taken less than half of the annual production by tradition, every tenant shall deposit at the rate of Fourteen (14) *Ser* per *Bigaha* and two (2) *Mana* per *Ropani* of the land cultivated by him/her in that status, every landowner shall deposit at the rate of Six (6) *Ser* per *Bigaha* and One (1) *Mana* per *Ropani* as mandatory saving.

(2) In case of the land where other cash crops except than the food crops has been cultivated the mandatory deposit shall be made in cash and as equivalent in kind prescribed by the Government of Nepal.

(3) Every depositor shall submit the annual deposit prescribed in Sub-rule (1) and (2) in case of the following land within the following time period :

- (a) In case of the land in Terai and Inner Madhesh, within the end of *Falgun* (*Falgun Masant*).
- (b) In case of the land in Kathmandu Valley and mountain (hill) within the end of *Magh* (*Magh Masant*).

(4) If a crop can not be farmed (cultivated) in any year in a land due to the occurrence of unavoidable circumstances to the person cultivating the land or if no cultivation has been made or if cultivation has made but the crop has been destroyed than the person cultivating the land shall provide (produce) it's notice to the committee as soon as possible and the committee may grant the exemption to the concerned landowner and tenant of a land, from the saving that has to be deposited

pursuant to Sub-rule (1) and (2) if proved true in making an enquiry and by taking the permission of land reform officer.

(5) Except the person getting the exemption pursuant to Sub-rule (4), the name list of persons who has not paid the saving within the period prescribed in Schedule (3) shall be submitted before the land reform officer within the 15 days prior to the expiry of the period specified for the submission of the saving (deposit).

⁶³**26a. To convert mandatory saving and agriculture loan in cash :** (1)

The committee constituted for the purpose of Sub-section (2) of Section 41 and Section 46a. of the Act has been assigned (prescribed) as District price determination committee constituted by the Government of Nepal.

(2) The District price determination committee pursuant to Sub-rule (1) shall determine the price of in kind saving in the rate approved by the Government of Nepal. While determining the price, the prevailing local rate at the time of harvesting of the crop for that year shall be considered as the basis and while determining the price thus, the different (various) price may be determined by separating the area or village development committee or municipality of the concerned district.

⁶⁴**26b. Providing loan in kind and selling the excess stock in-kind :** (1)

After determining the price under the Sub-rule (2) of rule 26a. the committee shall provide the loan at the rate not less than that rate and while selling the excess stock in-kind, it may sell on the rate determined by making a bid (auction) on that rate. For this purpose the price shall be determined once in a year.

(2) While making auction for in-kind stock pursuant to Sub-rule (1), if it could not sell on the determined price, it shall be managed as according to the decision of the Government of Nepal.

⁶³ Amended by Seventh Amendment.

⁶⁴ Amended by Seventh Amendment.

⁶⁵27. **Receipt for saving to be provided** : (1) A certificate pursuant to the format prescribed in Schedule 10(a) or a receipt pursuant to the format prescribed in Schedule -10 shall be provided for the amount that has been deposited in the committee by every landowner or tenant pursuant to Section 40 of the Act and such receipt shall be made in 3 copies with serial number and one copy shall be provided to the depositor, second copy shall be provided to the land reform officer and third copy shall be kept by themselves, such receipt shall be signed by chairperson on behalf of the committee or in his/her absence one member assigned by the committee shall make signature on it.

(2) Upon providing the certificate pursuant to Sub-rule (1) the saving amount that has been submitted shall be mentioned in the certificate and the signature of the chairperson or in his absence, signature of a member assigned by the committee and signature of an employee assigned for that job also shall be made on the certificate on behalf of the village committee.

28. **Responsibility (Trusteeship) of the saving amount** : (1) The account of the cash and in kind saving collected by the committee shall be kept separately and updated by the committee.

(2) The excess saving amount, after allocating $\frac{1}{2}$ (0.5%) of the total recovered saving for stationary and at the time of the distribution of loan, keeping Rs. 500 cash in stock, shall be deposited in the saving account of the land reform saving corporation or in the concerned land reform office within 7 days.

Provided,

The amount that the committee may keep as stock, shall not be kept as being defunct for a long period.

⁶⁵ Amended by Seventh Amendment.

(3) All the committee members shall be individually and collectively liable for the misuse and misappropriation of the saving amount collected by the committee and such misused amount shall be recovered as the Government due.

⁶⁶**28a. Formation of village committee and municipal committee :** (1)

The land reform officer shall constitute (format) municipal committee and village committee orderly in every local municipality and village development committees.

(2) In the committee constituted pursuant to Sub-rule (1), ⁶⁷the chairperson or mayor and vice-chairperson or deputy mayor of the local village development committee or municipality or the person taking the charge of them shall remain as chair person and vice-chairperson.

(3) The elected members of all the wards of local village development committee or municipality shall be appointed as members of the committee.

(4) The land reform officer may depute an employee to be the member secretary, to assist in the function of the committee under the approved policy and programs.

(5) In the local village development committee or municipality where the committee has not been constituted, the ward committees within that village development committee or municipality shall have the functions, duties and powers as equivalent to the committee in their own ward. The members of the ward committee shall receive the remuneration as equivalent to that received by the members of the committee.

⁶⁶ Amended by Seventh Amendment.

⁶⁷ Amended by Thirteenth Amendment.

⁶⁸**28b. Committee may take (receive) the loan** : The committee may take (receive) the loan if needed from the saving corporation.

⁶⁹**28c. Operation of the committee** : (1) The meeting of the committee shall be held on the date, in the time and at the place allocated by the chairperson, the quorum of such meeting shall be one third of the total members, including the chairperson of the committee. If the meeting has not being held due to the lack of fulfillment of the quorum, it shall be operated as according to the decision of the chairperson and secretary.

(2) The meeting of the committee shall compulsorily held before the time of recovery of saving loan and distribution of loan and after that as per the necessity.

(3) The committee shall make its program subject to the Act and Rules to provide and recovery the loan.

(4) The meeting of the committee shall held if the land reform officer has given direction for conducting the meeting.

(5) If the one third members of the total members of the committee has demanded for conducting a meeting and chairperson and vice-chairperson has not call a meeting then the land reform officer himself/herself may call for a meeting or may order to the secretary to call a meeting.

(6) The chairperson, vice-chairperson or members of the committee who has not attended the meeting of the committee continuously for three times without the permission of the committee and on valid reason, he/she shall not receive the remuneration as per these rules, for the absent period.

(7) If the saving has been misappropriated, loan has been abused and misconduct against (contrary to) the rules and program has been

⁶⁸ Amended by Seventh Amendment.

⁶⁹ Amended by Seventh Amendment.

made, instead of such chairperson, vice-chairperson and members involved in such activities, the land reform officer may appoint another official or members.

(8) The description of absence of chairperson, vice-chairperson or members pursuant to the Sub-rule (6) shall be sent to the land reform office by the concerned committee as soon as possible and the land reform officer shall make the decision on the reasonableness of the absence.

(9) The committee may determine its procedure by itself.

⁷⁰29. **Assigning the official and the committee** : For the purpose of the official pursuant to Section 44, 45, 50 and 51 the land reform officer and for the purpose of the committee pursuant to Section 46, 47 and 48 ⁷¹the committee has been assigned as an official and a committee.

30. **Notice for submitting the details (records) of the agricultural loan** : (1) While issuing the notice pursuant to Sub-section (1) of Section 44 of the Act, the land reform officer shall make the arrangement for posting (fixing) the notice by his/her own office, local District Development Committee and concerned Village Development Committee or Municipality in the format prescribed in Schedule-11.

(2) While submitting the records (detail) of the oxen and other agricultural equipments that has supposed to be taken after returning the principal and interests of the agricultural loan as according to the notice by the concerned lender, it shall be made in the format prescribed in Schedule - 12.

31. **Fixing (Ascertaining) the actual amount of principal and interest of the loan** : (1) After the submission of the details of the loans pursuant to Section 44 of the Act, the land reform officer shall

⁷⁰ Amended by Fourth Amendment.

⁷¹ Amended by Seventh Amendment.

tally (match) that details and the details taken pursuant to Sub-rule (3), and make necessary investigation even making inquiry with concerned money lender and debtor by summoning them giving up to the Thirty Five days time period if deemed necessary.

(2) The land reform officer shall publish a notice by posting (sticking) on the notice board of District Land Reform Officer's Office, preparing the details in the format as pursuant to Schedule-13 after ascertaining the actual amount of the agricultural loan in relation to each lender and debtor farmer for the current year and before than that separately, by making required investigation pursuant to Sub-rule (1) and fixing the price of the oxen or other agricultural equipments that has given by landowner to the tenant for the purpose of farming pursuant to Section 49 of the Act, and also shall send one copy of the notice to the concerned Village Development Committee or Ward Committee of the Municipality.

(3) The detail inventory in relation to the loan that has taken by the farmers from the lenders also shall be taken by the land reform team in the format prescribed in Schedule - 14.

- 32. To recovery loan from debtor farmers:** The lands reform officer shall immediately recover the principal of the loan and it's interest as pursuant to the Act for current year, out of the actual loan that has been ascertained in relation to each debtor farmer pursuant to Sub-rule (2) of Rule 31, after harvesting the main crop product from the debtor farmer. In case of previous loan than the current year's, it's principal and interest pursuant to the Act shall be recovered from the debtor farmer at once or upto five annual installments. The installment amount shall be recovered after harvesting the each year's main crop product. ⁷²The committee shall give the receipt of the recovered loan to the concerned farmer in the format prescribed in Schedule-15.

⁷² Amended by Seventh Amendment.

Provided that,

⁷³the committee may immediately recover the principal & interest of current year's loan after harvesting the major crop product from the debtor farmer on the basis of the detail inventory taken pursuant to Sub-rule (3) of Rule 31, even without being ascertaining of the amount, in condition of adjusting the account after ascertaining the actual amount of the agricultural loan pursuant to Sub-rule (2) of Rule 31 and its receipt shall be given to the concerned farmer in the format prescribed in Schedule-15.

(2) ⁷⁴The written notice of the amount recovered pursuant to Sub-rule (1), shall be provided in the format prescribed in Schedule-19 and the account shall be kept updated and if that amount has been misappropriated, all the members of ⁷⁵the committee shall be collectively and individually accountable for that

⁷⁶(3)

33. To provide loan to the farmers : (1) The amount of the compulsory saving as pursuant to the above mentioned Rules and the amount collected from the recovery of the agricultural loan shall be used for providing loan to the farmers as according to the terms and conditions written in the Rules hereafter by ⁷⁷the committee.

⁷⁸**34. Purpose for providing the loan :** (1) The committee shall give the loan to those farmers within its area and who pays the savings subject to these Rules for the following purposes. If such farmer has been received the certificate, the amount of the received loan shall be mentioned on the certificate.

⁷³ Amended by Seventh Amendment.

⁷⁴ Inserted by Fifth Amendment.

⁷⁵ Amended by Seventh Amendment.

⁷⁶ Deleted by Fourth Amendment.

⁷⁷ Amended by Seventh Amendment.

⁷⁸ Amended by Seventh Amendment.

- (a) To grow seeds,
- (b) To feed,
- (c) To pay the wages to the farm workers,
- (d) To purchase fertilizer and agriculture equipments,
- (e) To pay land revenue or water revenue,
- (f) To purchase or hire the oxen,
- (g) For general treatment at the time of being ill or sick,
- (h) For marriage (upto Rs. 150.00),
- (i) For last-rites (upto Rs. 50.00),
- (j) For irrigation, to construct dam (*Bandh*), paini, kulo, to dig well or pond, to repair or to purchase pipe or power machine,
- (k) To purchase or lease tractor,
- (l) To open or manage an industry related to the agriculture for the agricultural development,
- (m) To purchase the land which has been cultivated as a tenant by own self.

(2) Except for being unable to pay the loan due to unavoidable circumstances (reasons), additional loan shall not be given to the person who has not paid the received loan, until he/she has not fully paid the loan.

(3) Generally, the access amount of the loan than the deposited saving shall not be provided without the security for other (work) purpose except than for the purpose of fertilizer, seeds, equipment, oxen and pesticides.

(4) The committee shall use or make to use the loan which has been provided to it as pursuant to Sub-rule (1) and the loan distributed out of the amount received from the saving agency, only for the same purpose and function to which purpose and the function the loan has been provided.

35. Types of the loan and priority : (1) In providing the loan to the farmers pursuant to these Rules, it shall be provided in condition that the payment to be returned back while harvesting the next major crop production.

⁷⁹Provided that,

If any farmer has not in the condition to pay back the loan at the time of next harvesting of the major crop due to any reason and District Land Reform Officer, may provide additional time period for paying back the loan of such farmer taking the approval of the Government of Nepal, if he/she has deemed (considered) it reasonable.

(2) While providing loan to the farmers for feeding and for assigning the workers, for more than one month the loan shall not be provided at once but be provided time and again.

(3) While giving loan to the farmers, it shall be given only for those needs which are essential and the loan shall not be more than the amount which can be recovered from major crop.

(4) ⁸⁰The committee shall keep update of the account book of the loan given to the farmers.

(5) To recover the loan given to the farmers by it, ⁸¹the committee if necessary, may recover the loan by making auction of the movable

⁷⁹ Inserted by Second Amendment.

⁸⁰ Amended by Seventh Amendment.

⁸¹ Amended by Seventh Amendment.

and immovable properties of the farmers, and ⁸²the committee shall have the first right on such movable and immovable property.

⁸³(6) While providing the loan to the farmers by ⁸⁴the committee, it shall be given by prescribing a pay back period and making a letter of assurance and after paying the loan, its receipt shall be given in the format prescribed in schedule-20.

36. Interest Rate : The interest for the both type of cash and kind loan to be provided pursuant to these rules shall be at the rate of ten per hundred annually.

36a. To recover the loan : (1) The loan given to the farmers pursuant to these rules shall be recovered as according to the terms & conditions made, while giving the loan and within the time period mentioned in the terms.

Provided that,

If any farmer has been in a condition being unable to pay the loan at the time of harvesting the concerned crop due to any divine reason and if the District Land Reform Officer has considered such reason as appropriate, he/she may provide (give) necessary additional time period to such farmer to pay back the loan.

(2) While recovering the loan pursuant to Sub-rule (1), in kind in addition to the interest, as much as amount shall be reserved at the rate of three per hundred.

(3) While recovering the invested kind in loan and it's interest, if it has not been possible to recover in kind, instead, it may be recovered in cash at the prescribed rate.

(4) If the invested loan has not been recovered within the prescribed time period, the committee providing such loan shall send the

⁸² Amended by Seventh Amendment.

⁸³ Inserted by the Fifth Amendment.

⁸⁴ Amended by Seventh Amendment.

name list of those who has not paid the loan within thirty five days to the District Land Reform Officer and District Land Reform Officer may recover such loan as a Governmental due.

(5) While full or partial recovery of the loan has been made pursuant to Sub-rule (1), (2), (3) and (4), it's receipt shall be given in the format as prescribed in Schedule-20 and if the certificate has been received, it shall also be mentioned in the certificate.

37. Procedure for ward committee meeting : (1) The meeting of the ward committee shall held on the date, time and place assigned by the chairperson of the ward committee.

(2) At least two members shall present to conduct the meeting of the ward committee.

⁸⁵**38. Remuneration to the members of the committee :** (1) Except than the loan prescribed in condition of not receiving the commission, out of the amount received as interest in the loan invested by the committee, the members of the committee shall receive 30 percent and the person taking the responsibility of accounts pursuant to Rule 39c also receives as written in that Rule by separating 10 (ten) percent for the fund of the committee and making expenses not exceeding the 5 (five) percent for the stationary and other works required in the protection and operation of the compulsory saving amount.

(2) Except than the amount to be received pursuant to Sub-rule (1) the members of the committee shall receive the amount at the rate of one percent of the saving amount collected by them within the year.

(3) The percentage of the commission separated for the committee's fund shall be deposited in the fund of the committee.

⁸⁵ Amended by Seventh Amendment.

39. Inspection of the ward committee and ⁸⁶the committee : The land reform officer may depute the inspectors to inspect whether the account keeping is updated or not and other functions are duly done or not by the ward committee and ⁸⁷the committee. It shall be the duty of the ward committee and ⁸⁸the committee to follow the directives given by such inspectors.

⁸⁹**39a. Account keeping** : (1) The committee shall keep updated the account of their transactions as according to the directives given by the land reform officer and shall send the details of the transactions that has taken place, before the land reform officer.

(2) The district land reform officer may depute employees to investigate whether the committee has kept the account updated or not and has duly performed the other functions or not.

⁹⁰**39b. Handover** : (1) If the chairperson or members of the committee has been altered, he/she shall immediately handover the account of cash or kind in his/her custody (responsibility) and the documents related to it to the present chairperson or member or if not so, then to the secretary of the committee.

(2) One copy of the handover document pursuant to Sub-rule (1) provided to him/her shall send to the District Land Reform Office for the information (notice).

⁹¹**39c. Accountability of the account** : All the accountability to keep update the account of the committee shall rest in the member secretary for the committee consisting member secretary and if the committee has not consist the member secretary, it shall rest on the chairperson or the person assigned by the committee, such member assigned to keep the

⁸⁶ Amended by Seventh Amendment.

⁸⁷ Amended by Seventh Amendment.

⁸⁸ Amended by Seventh Amendment.

⁸⁹ Inserted by Seventh Amendment.

⁹⁰ Inserted by Seventh Amendment.

⁹¹ Inserted by Seventh Amendment.

account shall be given Twenty Five percent of the remuneration that has been collectively received by the members of the committee and rest shall be proportionately received by the other members,

⁹²**39d. To perform the function of multipurpose cooperative agency :** (1) If the Government of Nepal has assigned the committee constituted pursuant to Sub-rule (1) of Rule 28a. It may perform the function of a multipurpose cooperative agency from the amount determined (ascertained) by the Government of Nepal.

(2) If any committee has been assigned to function as an multi-purpose cooperative agency pursuant to Sub-rule (1), the District Land Reform Officer may give direction to the other committees which fall under the jurisdiction of that committee, only to collecting the saving as pursuant to Rule 26, in the capacity of that agency.

⁹³**39e. Remuneration of the members of the committee :** The members of the committee performing the functions of the multipurpose cooperative agency pursuant to Rule 39d and the person responsible for the account may receive the remuneration, either out of the Seventy percent of the net profit made in the transaction, after depositing Thirty percent in the saving protection fund or the amount pursuant to the Sub-rule (1) of Rule 38, whichever becomes more, as prescribed in the Rule 39c.

⁹⁴Chapter - 4A

Provisions Related to Land-use

39f. Functions, Duties and Rights of Council : The functions, duties and rights of council shall be as following :

(a) To determine policy and working policy related to land use,

⁹² Inserted by Seventh Amendment.

⁹³ Inserted by Seventh Amendment.

⁹⁴ Inserted by Fourteenth Amendment.

- (b) To approve the programs related to land-use,
- (c) To give necessary direction to the various bodies of the Government to conduct the land-use programs,
- (d) To operate the approved land-use programs, by allocating the allotted budget for the programs,
- (e) To prepare the land-use map required for the operation of land-use programs,
- (f) To recommend for the formation of district level land-use and local plotting committees to conduct the land-use and plotting programs in a district.
- (g) To make necessary arrangement for the systematic residence by allocating the lands in various areas such as residential, agricultural, forests, pastures, touristic, industrial etc. on the scientific basis.
- (h) To remove (avoid) the duplication by coordinating the land-use programs to be operated by various bodies.
- (i) To perform the other functions that has to be appeared in the context of operation of land-use program.

39g. Determination (Ascertain) of land-use area and priorities : The area for land-use and it's priority shall be as determined by the council after making the necessary inquiry.

39h. Compensation in a land-use program : While determining the land-use and operating the program if the compensation has to be provided, the Government of Nepal may provide it as pursuant to the prevailing law and as according to the recommendation made by the council, after making necessary investigation.

39i. Operation of land-use project : The Ministry may operate the land, use project as per the need by making a coordination with the concerned body.

39j. Formation of land-use committee : (1) To operate the land-use programs in a district and for the purpose of the Section-51g. of the Act, a district level land-use committee shall be constituted.

(2) The committee pursuant to Sub-rule (1) shall consist a chairperson and members assigned by the Ministry in the recommendation of the council.

(3) The procedure of the meeting of the committee shall be as determined by the committee itself, which has been constituted pursuant to Sub-rule (1).

39k. The land-use shall not be altered without taking the permission (approval) : (1) The land allocated for one purpose of use shall not be used for another purpose without taking the approval of the committee constituted pursuant to rule 39j.

(2) While asking for the approval of alteration of the purpose of the land-use of a allocated land pursuant to Sub-rule (1), an application shall be submitted in the format prescribed in Schedule-21.

(3) The committee may give approval in the application pursuant to Sub-rule (2), if it deemed appropriate after making a necessary investigation.

39l. Official to be assigned : For the purpose of Section 51k of the Act, the land reform officer has been assigned as an official.

⁹⁵Chapter - 4B

Control on Fragmentation and Provisions on Plotting (Chaklabandi) of land

39m. Contract on fragmentation and operation of plotting of land :

(1) The council may recommend before the Government of Nepal to

⁹⁵ Inserted by Fourth Amendment.

control the fragmentation and to operate the plotting program of land in all or any part of Nepal.

(2) After receiving the recommendation pursuant to Sub-rule (1), the Government of Nepal may conduct the program to control the fragmentation and operate the plotting of land by publishing a notice in Nepal Gazette.

39n. Determination of procedures for the plotting of land : The Government of Nepal may follow the following procedures while operating the plotting program :

- (a) Making mutual exchange,
- (b) Making joint cultivating by cooperative or community system,
- (c) Taking on rent,
- (d) Distributing the land after taking by the Government of Nepal or local body,
- (e) Arranging for extended cultivation by a person.

39o. Integration of scattered plots : The evaluation committee may establish plots by integrating many plots scattered within the prescribed area for the plotting purpose in a single plot by determining the price of each plots and making exchange of land on the basis of the price or adjusting the price.

39p. To make the Evaluation of the land : (1) The evaluation of all the plots situated within the area where the control of fragmentation and plotting program of the land has been operated shall be made on the basis of other criteria which has been considered appropriate by the committee along with the type and classification of the land.

(2) The following evaluation committee shall be constituted in each district to evaluate the land pursuant to Sub-rule (1) -

- (a) Chief District Officer, District Administration Office - Chairperson
- (b) Chairperson of the District Development Committee or Vice-chairperson in his absent - Member
- (c) Land Development Officer, District Development Committee - Member
- (d) Chief, Internal Revenue Office and Fund and Account Control Office if IRO not exists - Member
- (e) Land Reform Officer, Land Reform Office - Member
- (f) Chief, Land Revenue Office - Member
- (g) Chief, Survey Section. - Member
- (h) Chairperson of the concerned Village Development Committee or Chairperson of concerned Ward - Member
- (i) Officer of the concerned District assigned to look after plotting work - Member-secretary

(3) The meeting of the evaluation committee shall held on the date, time and place prescribed by the chairperson of the committee.

(4) The Evaluation committee while making evaluation may make evaluation also considering the type and classification etc. of the land.

(5) The committee may invite the experts of the concerned subjects from the other bodies or any person in the meeting of the committee as per the necessity.

(6) The other procedures related to the meeting of the committee shall be as determined by the committee itself.

39q. To determine the minimum unit of the land : It shall not be allowed to fragment that land smaller than the following plot in the area where the Government of Nepal has conducted the control of fragmentation and plotting program of the land :-

- (a) In agricultural area of Terai and inner Madhesh, 350 square meter,
- (b) In town residential and commercial area of Terai and Inner Madhesh, 85 square meter,
- (c) In agricultural land within valley, 250 square meter,
- (d) In city area within valley, 80 square meter,
- (e) In agricultural area of hill region, 125 square meter,
- (f) In city area of Hill region 80 square meter.

39r. Provision for plotting with voluntary intent : (1) Farmers in the area where the plotting program has been operated may make plotting with voluntary desire.

(2) While giving permission to make voluntary plotting pursuant to Sub-rule (1), the Government of Nepal may provide the following facilities in the recommendation of the council :-

- (a) If the farmers desire to make plotting by voluntary exchange of the plots, to provide the agricultural loan in facilities rate,
- (b) To provide the fertilizer, seeds, agriculture equipment etc. in facilitative rate in the area where the plotting program has to be operated,
- (c) To provide services and facilities related to the plotting, if such services and facilities has been necessary.

39s. Role of various bodies : The various bodies of the Government of Nepal and the enterprises owned by the Government of Nepal assigned by the council has to provide assistance in operating the plotting program by making mutual coordinating role among each other, in the areas where the recommendation for plotting has been made by the council.

39t. Formation of the local plotting committee : (1) The Government of Nepal may constitute the district level committee as per the necessity and to implement the plotting program in the recommendation of the council. The district level committee that has been constituted thus, may constitute the village or municipality level committee as per the necessity to operate the program.

(2) The functions, duties and power of the committees shall be as prescribed by the council.

(3) The procedures of the meeting of the committee shall be as determined by the committee itself.

39u. Facilities to be provided to the cooperative farming : The Government of Nepal may provide the necessary concession and facilities in the recommendation of the council to the person desiring to cooperating faming to produce the following agriculture products pursuant to Section 51i. of the Act -

- (a) Crop farming,
- (b) Cash farming,
- (c) Fruits (Horticulture),
- (d) Herbs,
- (e) Livestocks,
- (f) Any other production prescribed by the council.

Chapter - 5

Miscellaneous

⁹⁶40.

41. Appointment of Land Reform Officers : (1) The Government of Nepal shall appoint one district land reform officer for each district and other necessary employees to assist such officer in various function, for the implementation of the Act and these Rules. ⁹⁷In the district where such land reform officer has not been appointed, any officer of the district may be appointed to perform the function of the land reform officer.

⁹⁸**41a. To constitute the committee :** (1) Notwithstanding anything contained in these Rules, The Government of Nepal if deemed necessary may constitute a committee of three members also comprising the chairperson by publishing a notice in Nepal gazette for a prescribed district to perform the functions prescribed in the notice, out of those function that has to be performed by the official assigned pursuant to the Act.

(2) The committee may perform or conclude all the functions that has been prescribed pursuant to Sub-rule (1) in the presence of the chairperson and another one member of the committee.

Provided that,

In case of performing the function chairperson or any member of the committee may perform it.

(3) If the majority has not been attained due to different opinions of the members during the performance or concluding of the functions,

⁹⁶ Repealed by Fourth Amendment.

⁹⁷ Inserted by Tenth Amendment.

⁹⁸ Amended by Eleventh Amendment.

it shall be performed or concluded according to the opinion of the chairperson.

(4) No other authorities (official) shall be allowed to perform the functions prescribed to the committee till the committee that has been constituted pursuant to Sub-rule (1) exists in any district.

42. Formation of ward committee : (1) In every ward within the area of each Village Development Committee or Municipality the committee comprising the following members shall be constituted :-

(a) The member of the Village Development Committee or Municipality who has been elected from the concerned ward to the Village Development Committee or Municipality.

- chairperson

(b) Other two literate and renowned persons of the ward nominated by the land reform team after consulting the opinion of the peoples of the ward.

- Members

(2) If any member of the ward committee has not fulfilled his her responsibility satisfactorily the official may repeal him/her and may appoint any other person on that post.

43. Power Delegation : The land reform officer may make the use of his/her own power by other subordinate employees in his/her accountability.

⁹⁹**44.**

¹⁰⁰**45. To assign official, court and committee :** (1) For the purpose of Section 40 and 60 of the Act, the committee constituted under Rule 28a shall be assigned as committee.

⁹⁹ Repealed by Thirteenth Amendment.

(2) For the purpose of Sub-section (1) of Section 58 of the act district land reform officer may be assigned as an official and for Sub-section (3) of the same Section the appellate court has been assigned as the court.

¹⁰¹**46. Time to submit/pay the rent (Koot) :** The rent (*Koot*) that has to be paid by a tenant to the landowner pursuant to Sub-section (1) of Section 36 of the Act, shall be paid or submitted within the following time period in case of the following land :-

- (a) In case of the land of Terai & Inner Madhesh where the rain crop has been the major annual product, within the end of Magh (*Magh Masant*),
- (b) In case of the land of Kathmandu Valley and hills where the rain crop has been the major annual product, within the end of Poush. (*Poush Masant*),
- (c) In case of the land where the winter crop has been the major annual product, within the end of Jesth (*Jesth Masant*).

¹⁰²**46a. Directive may be issued :** The Government of Nepal may issue the necessary directives to attain the objectives of these Rules.

¹⁰⁰ Amended by Seventh Amendment.

¹⁰¹ Amended by Sixth Amendment.

¹⁰² Inserted by Fourth Amendment.

Conversion :

- (1) In place of the following words used in various of original rules, the following words has been converted inserting by the land (thirteenth amendment) rules, 2054 :
 - (a) The words "Municipality" instead of "Town Panchyat".
 - (b) The words "Village Development Committee or Municipality" instead of "Panchayat".
 - (c) The words "Village Development Committee or Municipality", "Municipality or Village Development Committee", "Municipality and Village Development Committee" or "Village Development Committee /Municipality" instead of "Village or Town Panchayat", "Town or Village Panchyat", "Town Panchyat and Village Panchyat" or "Village / Town Panchyat" in order.
 - (d) "Chairperson or Chief of Village Development Committee or Municipality" instead of "Pradhanpancha of the Panchyat".
- (2) The words "District Development Committee" has been inserted instead of "District Panchyat" by the District Development Committee Act, 2048.
- (3) The words "Appellate Courts" has been inserted instead of the words "Regional Courts" or "Zonal Courts" used in prevailing laws making amendments by the Judicial Administration Act, 2048.

Schedule - 1
(Related To Rule 3)

Village Development Committee or Municipality

Zone :

Ward No. :

District :

Inventory of the Tenants

(The inventory of the landowner Cultivating his/her own land and tenant cultivating other's land)

1. Name, surname, address of the person cultivating the land Age Sex
2. Name, Age, Sex and Relation of the each members of the above mentioned persons family who are living together in a house and his/her father's name :

(a)

(d)

(b)

(e)

(c)

(f)

103Plot Number or Boundary	Area		Crop	Production	Price	His/her own or others	Terms for cultivation	If in lease or terms then how much	If other's land		About other land			
	Bigha or Ropani	Hectre							Name and surname of landowner	Address	In other Village Development Committee or Municipality within District			Details
											VDC or Municipality	Ward No.	Area	

¹⁰³ Amended by Ninth Amendment.

Schedule - 1(A)

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

The format of the detail list (*lagat*) that has to be taken in relation to the citizenship of each person who has been cultivating other's land in tenancy during the collection of the detail list (*lagat*) or tenants by the land reform team pursuant to Sub-rule (3) of Rule 3 of Land Rules, 2021.

Detail of Tenant's Citizenship

1. Name	2. Age
3. Address	4. Birth place (village) District : within Nepal / out of Nepal
5. If born in Nepal, then how many years he/she has been residing in Nepal ?	6. Father's Name : Address :
7. Father's Citizenship	8. Able to speak Nepali or not ?

The above mentioned detail is correct and true as I know/understood; if it proved false I shall be liable to the consequences pursuant to the land act, 2021 and other prevailing law the person is who has been declaring and preparing the details -

Name :

Signature :

Finger print :

Name of the ward member :

Signature :

Date :

If in other District		
District	Village Development Committee or Municipality Ward No.	
If the tenant has been cultivating the others land then the plot No. and area (<i>Bigha, Ropani, Hectre</i>) of the land that has been chosen to keep within the limitation to cultivate as a tenant pursuant to Section 8 of the Act.		If the person cultivating the land has been in insane condition or he/she has not been present then the signature of his/her representative or parent Interviewer's Signature Date

¹⁰⁴Schedule - 2**(Related to Rule 6)**

..... District

The format of the detail list (*lagat*) that has to be prepared for making listening by all the persons of the ward to the possible extent by gathering all of them together, by the land reform team as pursuant to Rule 6.

Village Development Committee / Municipality Ward No

S.N.	Plot No. or boundaries	Area	Name, Surname, & Address of Tenant	One's Own or Others	Terms of cultivation	If others the name, surname & address of landowner	Remarks

One of such (similar) list shall be send to the Village Development Committee / Municipality and one copy to the land reform officer.

Stamp

Signature of person preparing the list (*lagat*)

.....

.....

(Name, Surname, Address)

¹⁰⁴ Amended by Ninth Amendment.

Schedule - 3

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

Government of Nepal

Serial No.

Ministry of Land Reform

Certificate of Tenancy Right

District Village Development Committee / Municipality

This certificate of tenancy right has been provided for the following plots pursuant to the Section 25 of Land Reform Act, 2021 for possessing tenancy right to the son of Mr. Mr. Age and who has been residing in Village of Ward, under this Village Development Committee or Municipality.

¹⁰⁵ Plot number of boundaries	Area	One's own self or others	If others then terms of cultivation	Rent (Koot)	If others then name of the landowner	Remarks

.....
On behalf of Village Development Committee

.....
On behalf of
Government of Nepal

¹⁰⁵ Amended by Ninth Amendment.

Schedule - 4

(Related to Sub-rule (2) of Rule 9)

Format of the temporary slip (Certificate) of the cultivator (plougher) which has been given pursuant to Sub-rule (2) of Rule 9 prior to the distribution of certificate of tenancy right that has been provided pursuant to Sub-rule (1) of Rule 9, on the basis of the detail list (*lagat*) collected by the land reform team pursuant to Rule 4.

The function of providing the temporary certificate of the cultivator has been done right now in condition of providing the certificate pursuant to law later, because of the plots mentioned hereafter has seen being cultivated (ploughed) by Mr. resident of village of ward No. of that Village Development Committee / Municipality.

¹⁰⁶ Plot number or boundaries	Area	One's ownself or others	If others then terms of cultivation	Rent (<i>Koot</i>)	If others Name, surname of landowner	Remarks

Note : (1) No one may remove the cultivator from the land without the permission of the concerned authority.

(2) This certificate may be produced (shown) at the time when concerned official asks to produce or see. If this certificate has been lost then an application shall be submitted to the concerned office to obtain another copy.

Signature of the representative
of Village Development Committee/
Municipality :

Signature of the person sign
on behalf of land reform team:
Date :

¹⁰⁶ Amended by Ninth Amendment.

¹⁰⁷Schedule - 5**(Related to Sub-rule (6) of Rule 16)**

Format of the certificate that has to be given by the land reform officer to the person who receives the land which has been received as for tenancy right of any land pursuant to Sub-rule (6) of Rule 16 on sale, pursuant to these Rules.

Government of Nepal

Ministry of Land Reform and Management

Land Reform Officer

Date :

This certificate has been given pursuant to the Sub-rule (6) of Rule 16 of Land Rules 2021 to Mr./Mrs. the son/daughter of Mr. residing in Ward No. of Village Development Committee / Municipality of this District for being made the registration of his/her name as a landowner of the land mentioned hereafter by selling the land which has been received pursuant to Sub-rule (1) of Rule 14.

VDC/ Municipality	Ward No.	Plot No.	Area	Type	Name & surname of former landowner	Name & surname of former tenant	Remarks

On behalf of Government of Nepal

.....

Land Reform Officer

¹⁰⁷ Amended by Fourth Amendment.

Note :

The person receiving the land shall submit (pay) the determined (ascertained) price of that at once or in the installments as prescribed by the land reform officer.

If the amount of the price ascertained pursuant to Sub-rule (2) of Rule 16 and Rule 21 has not been paid, the fine pursuant to the Act and these Rules and even the confiscation of the land may be made. The ownership right of the land shall not be allowed to transfer to the other person by selling or by any form or partitioned till that period whichever becomes later, either the full price of the land has been paid or the appointment (possession) to the land reaches ten years.

NEPAL LAW COMMISSION

Schedule - 6

(Related to Sub-rule (1) of Rule 18)

Format of the notice that has to be published by district land reform officer to submit the details (*Phantbari*) of the land pursuant to Sub-section (1)¹⁰⁸ and 1(a) of Section 13 of Land Act, 2021.

District Land Reform Office

..... District

Notice

This notice has been published pursuant to Sub-section (1)¹⁰⁹ and 1(a) of Section 13 of Land Act 2021 for all the landowners¹¹⁰ and tenants to submit the details (*Phantbari*) in the prescribed format pursuant to Schedule - 7 of Land Rules 2021, of all types of land under one's own possession, mentioning the clear details within 35 days of publication of this notice. If such types of details has been submitted within the prescribed time period, the action pursuant to Land Rule, 2021 shall be proceed.

Office Seal

(.....)

Land Reform Officer

Date :

Full Name and Surname

Note:- That detail (*Phantbari*) by the landowners who has more land than the limitation mentioned in Section - 7 of the Act shall submit before the land reform officer and the land owners who has lesser land than the limitation shall submit before the land reform team or local municipality or Village Development Committee.

¹⁰⁸ Inserted by Fourth Amendment.

¹⁰⁹ Inserted by Fourth Amendment.

¹¹⁰ Inserted by Fourth Amendment.

¹¹¹Schedule - 7**(Related to Sub-rule (2) of Rule 18)**

Format of the details (*Phantbari*) that has to be submitted by a landowner or a tenant or any person on behalf of him/her.

The Land Reform Officer

..... Office.

The details of the land that has been with me, my wife, the son who has not been Sixteen years of age and the unmarried daughter who also has not been Sixteen years of age, as a landowner or tenant, on all over the Nepal, as according to the notice published pursuant to Sub-rule (1) of Rule 18 of Land Rules, 2021 and the details of the family has been as follows :

(A) Details of the land :

S. N.	Details of the land						Registe red in the name	Land owner / Tenants Name, surname, address	If more than limitation then want to keep or leave	evidence symbol	Remarks	
	District	VDC/ Munici pality	Ward No. Map No.	Plot No.	Area (Local measurement)							
					Without Tenant	With Tenant						Cultiva ted as Tenant

¹¹¹ Amended by Fourth Amendment.

(B) Out of the above details, the land that has been desired to keep for household :

S. N.	Details of the land					Registered in name	If cultivated by Tenant Name, surname, address of the Tenant	If shall be received from land owner name, surname of land owner	evidence symbol	Remarks
	District	VDC/ Municipality	Ward No. Map No.	Plot No.	Area Local Measurement					

(C) The details of me and my copartioners between whom the partition shall be made on the land which has been mentioned above.

S.N.	Name, surname	Gender	Age	Relation	Husband/ Father's name	Father in law/ Grand father's name	Remarks

(D) I am sure that, there is no more land except then the above mentioned land in my and my family's name within all over the Nepal. If the detail proved or established false, I am ready to abide the punishment prescribed by the law.

(E) I have submitted the two copies of the prescribed form as mentioned above.

The Landowner or Tenant submitting the details (*Faantbari*)

Signature :-

Name, surname :-

Father/Husband :-

Grandfather/Father in law :-

Address :-

Citizenship No. District Date

If the landowner or tenant has been miner or insane than his/her parents' or guardians'

Signature :-

Name, surname :-

Father, Husband :-

Grandfather, Father in law :-

Address :-

Citizenship certificate No, District Date

Attached Evidences :-

- (a) No.of copies of landowner registration certificate :
- (b) No. of copies of receipt of land revenue :
- (c) No. of copies of Tenancy certificate :
- (d) No. of copies of citizenship certificate :
- (e) others :

Done on 20 B.S.Month Date day

Schedule - 8

(Related to Sub-rule (1) of Rule 20)

The format of the details that has to be published after preparing it, in relation to the land of each landowner who has possessed more land than the limitation pursuant to Sub-rule (1) of Rule 20.

Serial No.	Name of Landowner	Plot No.	Area (Bigha or Ropani)	Village Development Committee / Municipality	District	Total of each landowner	Remarks

The above mentioned detail has been published after making necessary inquiry pursuant to Rule 19.

Office Seal

.....

.....

Full name & surname of land reform officer

Schedule - 9
(Related to Sub-rule (2) of Rule 23)

The format of the certificate that has to be given by the District Land Reform Officer to the person who receives the land on sale after he/she has been registered as a landowner

Government of Nepal

Ministry of Land reform

District Land Reform Office

This certificate has been given to Mr. son of Mr. resident of Ward No. of Village Development Committee or Municipality of this District for registering his/her name as a landowner after selling the following land, pursuant to the Sub-rule (2) of Rule 23 of the Land Rules, 2021.

S.N.	Plot No.	Area	Production	Village/ Municipality where the land is situated

Office Seal

On behalf of the Government of Nepal

.....

.....

Land Reform Officer

Note :-

The person receiving the land shall submit the ascertained price of that at once or in the installment as prescribed by the land reform officer.

If the price has not been paid/submitted as prescribed by the land reform officer, the five as according to the Act and even the forfeiture of the land also may be taken place ownership right the land shall not be allowed to transfer to the other person either by selling or in any form or shall not be partitioned till that period whichever has become later either the whole price of the land has been paid or the possession of the land reaches ¹¹²ten years.

¹¹² Amended by Fourth Amendment.

¹¹³Schedule - 10
(Related to Rule 27)

Receipt Serial No.

..... No. Ward Committee

Village Development Committee

District

The saving as mentioned below here for the year of the land mentioned hereafter has been received from Mr. resident of Village of this ward :-

Type of cultivation	Bigha Ropani	Saving Rate	Name of kind	Submitted	Price		Amount paid in cash	
				Man-sheer-chhatak Muri-pathi-mana-muthi	Rs.	Paisha	Rs.	Paisha
One's own land cultivated by own self								
Others land cultivated by own self								
One's own land cultivated by others								
			Total					

Seal

Signature of person who received

Date :-

¹¹³ Amended by Fifth Amendment.

¹¹⁴Schedule - 10(A)**(Related to Rule 27)**

Certificate No

District :

Name, surname & address

Village Development Committee or Municipality :

of depositor :

Village Committee :

Age :

Ward No. :

Father's Name :

Personal Register

Type	Income (Deposited by Depositor)									Expenditure (Received by Depositor)							Remarks
	Compulsory Saving		Recovered loan			Recovered Agricultural loan			Received loan		Distributed Interest	Returned saving	Date	Giver's signature	Receiver's signature		
	Amount	If kind then its price	Amount	Interest	Surplus for drying	Total	Amount	Interest	Total	Purpose & recovery date						Amount	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

¹¹⁴ Inserted by Seventh Amendment.

Zone :

District :

Village Development Committee or Municipality :

Ward No.:

Certificate No. :

Seal of Village
Development
Committee or
Municipality

Certificate

Place to mark by the
Government office
after receiving the
Government Deposit
(Security)

Place to Mark by the
Government Office
after receiving the
Government Deposit

Place to mark by the
Government office after
receiving the Deposit

Place to mark by the
Government office after
receiving the Deposit

The matters to be Remembered by the certificate holders :-

1. This certificate shall be kept safe from being torn or destroyed and considering it as one's own property.
2. Check the account posted in the certificate whether it is correct or not and even show to others for checking.
3. If the certificate has been lost, a written notice shall be given to the land reform officer and ward committee and village committee.

Notice to Government Offices :-

1. If anyone come to keep the Saving Receipt of a person from whom the Government due has to be recovered, as a security or deposit, the amount of paid saving shall be checked by asking to furnish the concerned certificate.
2. In the certificate, it shall mention that for how much amount which year's saving amount it has been given as a security or deposit and also shall fix the seal of the office on it.
3. The office receiving the deposit (security) shall only keep the saving receipt which has kept as deposit and the certificate shall be returned back to the concerned person.

Appeal of Land Reform Office:

Submit saving amount that has to be paid by you in time and also tell others to submit it in time. You may easily receive the loan from the ward committee and village committee. If you take the loan from village committee or ward committee, you shall not pay more interest and even you shall not keep your house and farm as mortgage. Make saving for the brighter future of your children.

So, Receive the loan for

increasing the production in the field -

Why - To purchase advanced (chemical) fertilizer

Why - To pay water revenue, for the arrangement of irrigation.

Why - To purchase (buy) oxen.

Why - To purchase seeds.

Why - To feed the family members.

Why - To cure if become sick.

Why - To for the better future of children.

NEPAL LAW COMMISSION

Schedule - 11
(Related to Sub-rule (1) of Rule 30)

Format of the notice that has to be published by the land reform officer pursuant to Sub-section (1) of Section 44 of Land Reform Act, 2021.

Government of Nepal

Ministry of Land Reform

District Land Reform Office

District

It is notified to submit, within the 35 (Thirty Five) days of publication of this notice in the format prescribed in the Schedule - 12 of the Land Rules along with the copies of written documents related to the loan, the details (*Phantbari*) of the due for oxen and other agricultural equipment that has to be returned after returning the principal and interest of agricultural loan from the farmers at the time of commencement of this Section, pursuant to Sub-section (1) of Section 44 of Land Act, 2021. Otherwise the action shall be made as according to the Act and Sawal. The form of the format pursuant to Schedule-12 may be received from this office.

Office seal

.....

.....

Name, surname of Land Reform Officer

Schedule - 12
(Related to Sub-rule (2) of Rule 30)

Format of the detail (*Phantbari*) that has to be submitted by lender pursuant to Sub -rule (2) of Rule 30 and as according to the informed order (notice) pursuant to Sub-rule (1) of Rule 30.

S. N.	Name surname & address or debtor	District	Village Development Committee / Municipality	Ward No.	Agricultural loan				Oxen & other	Total	remarks
					Feeding (Khayan)	Seeds	Labor day	Land revenue water revenue	Agricu ltural Equip ment		

Date

.....

Name, surname & address of the lender

Schedule - 13

(Related to Sub-rule (2) of Rule 31)

Format of the detail (*Phantbari*) that has to be published after ascertaining the amount of the agricultural loan of current year and before separately, in relation to the each lender by the land reform officer.

S.N.	Name surname & address of lender	Name, surname & address of debtor	current years loan		Previous loan than current year	
			cash	kind	cash	kind

.....
Office Seal

.....
Signature of Land Reform Officer

Schedule - 14

(Related to Sub-rule (3) of Rule 31)

Format of the list (*lagat*) that has to be collected by land reform team in relation to the loan taken by the farmers from the lenders, pursuant to the Sub-rule (3) of Rule 31 of Land Rules 2021.

District

List (*lagat*) related to the loan

Village Development Committee

Ward No.

Serial No.

1. Name: -
2. Address :-
3. Number of Family members:-
 - (a) Above than 16 years of Age:-
 - (b) Less than 16 years of Age:-
4. Land in the name of the family : -
5. One's own land cultivated by own self : -
6. Others land cultivated : -
7. One's own land given to others for cultivation : -

[illegible]

The above mentioned details about landowner or lender or relatives by the land reform team is true.

Signature of the Tenant

.....

Signature of the person asking
on behalf of land reform team

.....

Date :

Schedule - 15

(Related to Sub-rule (1) of Rule 32)

**Receipt of the loan received by ward committee which has to be given
to the concerned farmer.**

No. Ward Committee

District Village Development Committee

Ward No. Mr. by

(Name of the debtor)

Mr. from

(Name of the lender)

Out of the agricultural loan that has been taken by the debtor, the ward committee has recovered (name of crop) and Rs. (in words) in cash, so this receipt has been given.

Date :

Signature on behalf
of ward Committee

¹¹⁵Schedule - 16**(Related to Sub-rule (6) of Rule 10)****Registration Book of Tenants**

Name, Surname & Address of Tenant :-

Grand Father's name :-

Father's Name :-

District :-

Village Development Committee or Municipality :-

Ward No. :-

S.N.	Tenant Symbol		Land owner symbol number	About the land				Area		Rent (<i>Koot</i>)		Date of receiving tenancy & details	Remarks	
	Present	previous		VDC or Municipality	Ward	Plot		Type	Local measurement	In hectre	Kind			Cash
						Present	previous							

District Land Reform Officer

Signature : -

Date :-

¹¹⁵ Inserted by Fifth Amendment.

¹¹⁶Schedule - 16(A)

(Related to Sub-rule (6) of Rule 24g.)

Details of Tenant list that has been deleted (Removed)

S.N.	Name, Surname & of the removed tenant	Address	Detail of the land which tenant list has been deleted (removed)					Detail of the deletion (removal)				Date of Decision	Signature of the Attesting person	Remarks
			Name & surname of landowner	VDC/ Municipality	Ward No.	Plot No.	Area (According to local measurement)	If tenant has received land then it's Area	If court decision or mediation then its detail	If deleted by the decision of the office it's details	If any other reason it's detail			

.....

Prepared by

.....

checked by

.....

Attested by

Land Reform Officer

¹¹⁶ Inserted by Fourteenth Amendment.

¹¹⁷Schedule - 17
(Related to Sub-rule (2) of Rule 21)

Government of Nepal
Ministry of Land Reform

The compensation amount of the following land which has been in excess than the limitation pursuant to the Land Act and Rules and to be provided (paid) to the following landowners has been ascertained as mentioned below.

Serial Number	Name, Surname & Address of landowner	Plot No.	Area	Types of Land	Ward of the VDC or Municipality of the land	Rate for compensation	Amount of the compensation

Office Seal

Land Reform Officer

Date:-

¹¹⁷ Inserted by Fifth Amendment.

Schedule - 18

(Related to Sub-rule (7) of Rule 23)**Registration Book of Landowner**

Name, Surname & Address of the landowner :-

Grandfather's name ":-

Father's name :-

District :-

Village Development Committee or Municipality :-

Ward :-

S.N.	Landowner Symbol No.		Tenant	About the Land				Area		Boundaries of the Land				Land Revenue In Rs.	Ownership received date & details	Remarks	
	Present	Previous		Plot No.		VDC or Municipality	Ward	Type	In local measurement	In Hectre	East	West	North				South
				Present	Previous												

Signature of the District Land Reform Officer :-

Date :-

¹¹⁸Schedule - 19

(Related to Rule 32)

.....Village Development Committee / Town Committee

..... District

Serial No. :

Date :

Mr.

(Name of the lender)

.....Village Development Committee / Town Committee

Ward No.

It has been notified that, out of the agriculture loan that has to be recovered from Mr. (name of debtor) resident of District Village Development Committee Ward No., (name of crop & amount) in kind or its equivalent Rs. and (Rs. in words) in cash has been submitted by the debtor in this committee. please return the received receipt.

Yours' sincerely

.....

Serial No.

The notice send by the Village Committee / Town Committee of District about the recovery of agriculture loan from debtor Mr. has been received.

Date :

Signature :

(Lenders)

¹¹⁸ Inserted by Fifth Amendment.

¹¹⁹Schedule - 19(A)**(Related to Sub-rule (1) of Rule 24a.)**

The Land Reform Officer

Land Reform Office

Subject :- Let the list (*lagat*) of Tenant to be deleted / removed.

We as a landowner and tenant of the following land has been submitting this application making mutual consensus to remove / delete the list of the tenant by maintaining (retaining) the whole land in the name of one person after dividing the land as follows and receiving the amount of the land which fall in the part, which has been equivalent to the price at the prevailing rate.

Detail of Land

District	VDC/ Municipality	Ward No.	Plot No.	Area	Remarks

1. Details of terms and conditions of partition of the land.
2. If the whole land has to be registered in one persons name, It's detail.
3. The documents to be attached :-
 - (1) Copy of landowner registration certificate.
 - (2) Copy of Tenant certificate.
 - (3) Receipt of current fiscal years land revenue.

¹¹⁹ Inserted by Fifteenth Amendment.

- (4) Copies of citizenship certificates of Tenant and Landowner.
- (5) Trace map of the concerned land.
- (6) Others.

Applicants,-

Landowners;-

Signature :-

Address :-

Father's Name :-

Date :- Date :-

Tenants;-

Signature :-

Address :-

Father's Name :-

NEPAL LAW COMMISSION

¹²⁰Schedule - 19(B)**(Related to Sub-rule (1) of Rule 24b.)**

The Land Reform Officer

Land Reform Office

Subject :- Let the list of Tenant to be deleted / removed.

I as a landowner and tenant of the following land has submitted this application because the tenant / landowner of the land has not given consent to remove / delete the list of tenant by making partition. Please make partition of the land and delete the tenant list (*lagat*) of the land.

Detail of Land

District	VDC/ Municipality	Ward No.	Plot No.	Area	Tenants' Name	Part (side) of the land that has been desired to receive in partition

Documents to be attached with application :-

- (1) Copy of the landowner registration certificate.
- (2) Copy of the Tenant certificate.
- (3) Receipt of the land revenue paid in current fiscal year.
- (4) Copy of the citizenship certificate.
- (5) Trace map of concerned land.
- (6) Others.

Applicants;-

Signature :-

Landowner / Tenants :-

Name :-

Address :-

Father's Name :-

Date :-

¹²⁰ Inserted by Fifth Amendment.

¹²¹Schedule - 20**(Related to Sub-rule (5) of Rule 36a.)****Receipt of the recovery of loan given by the Village/Town Committee**

.....Village Committee / Town Committee

..... District

Out of the loan given by Mr. resident of
 Village Development Committee / Municipality Ward No.,
 principal in kind (name & quantity) which is equivalent
 to cash Rs. and interest of days up to this date
 (name & quantity) in kind, equivalent to Rs.
 altogether (name & quantity) in kind equivalent to Rs.
 (in words) has been received.

Seal

Signature of the person received by

.....

Date :-

Note :- Instead of "Gazette", "Office" & "Appeal", "Rajpatra", "Karyalay"
 and "Punarabedan" has been inserted accordingly by making the
 alteration.

¹²¹ Inserted by Fifth Amendment.

¹²²Schedule - 21**(Related to Sub-rule (2) of Rule 39k.)****Format of the submitted application presenting the basis for
demanding the change of land-use**

Dear chairperson,

..... District land-use committee,

..... District,

Subject :- Requesting to change the pre determined land-use.

I present this application demanding to change the land-use as following. I request to change the pre determined land-use and to retain the land use as follows .

1. Detail of the land which land-use has already been determined :-

- (1) Name, surname and address of the Landowner :-
- (2) Name, surname and address of the Tenant :-
- (3) Details of the land

VDC/ Municipality	Ward No.	Map Sheet No.	Plot No.	Area	Type	Remarks

- (4) Area of land-use determined by the land-use council :-
- (5) Date of Approval of determination by the land use council
- (6) Fixed terms and conditions :-
 - (a)
 - (b)
 - (c)
 - (d)

¹²² Inserted by Fifth Amendment.

2. Reason for demanding the change
3. The subject / topic desired for change
4. Brief details of expected achievement after change

Applicant :-

Signature :-

Name, Surname & Address :-

Citizenship certificate No.:-

Date :-

NEPAL LAW COMMISSION