

Forest Areas Lands Act, 1971Ministry Of Law And Justice

The following law, enacted by His Majesty King Mahendra Bir Bikram Shah Dev on the advice and approval of the National Panchayat, is published for the information of the public.

Law No. 13 Of 2026 (1971-72)

(Royal Titles)

A Law Enacted To Make Arrangements Relating To Lands In Forest AreasPreamble:-

Whereas it is expedient to make timely arrangements regarding reclaimed forest lands in Morang, Sunsari and Jhapa districts in order to maintain peace and tranquillity and insure the economic interests of the common people,

Now therefore, His Majesty King Mahendra Bir Bikram Shah Dev has enacted this law on the advice and approval of the National Panchayat.

1. Short Title, Extent And Commencement

- (1) This law may be called the Forest Areas Lands Act, 1971
- (2) It shall be enforced on forest lands in the districts of Morang, Sunsari and Jhapa.
- (3) It shall be applicable to such forest lands with effect from such dates as may be prescribed by His Majesty's Government by notification in the Nepal Gazette

2. Definitions

In this Act, unless otherwise meant with reference to the subject or context,

(a) Forest Area means areas where forests have been cleared and which have been reclaimed and settled under authority obtained according to law.

(b) Landowner means the person in whose name lands have been registered, or who has the right to have lands registered in his name, according to Nepal law.

Contd...

(c) Cultivator means a person who has settled down on lands situated in forest areas and is cultivating such lands through his own labor or the labor of his family.

(d) Prescribed or as prescribed means prescribed or as prescribed in the rules framed under this Act.

3. Title Of Landowners To Lapse

(1) All rights and titles of any landowner to lands within forest areas where this Act has come into force shall lapse, in case such lands have not been cultivated by him personally, and are instead cultivated through tenants.

(2) Irrespective of whether any decision had already been taken to allot lands within forest areas to any person until the commencement of this Act, no such lands shall be obtained by or registered in his name according to such decision after the commencement of this Act, unless otherwise explicitly provided for in this Act.

(3) Landowners whose title to lands has lapsed under Sub-Section (1) shall be paid compensation not exceeding 5 times the amount of the land tax payable thereon.

Provided that:-

No compensation shall be paid for any land which has not already been registered in accordance with current Nepal law.

(4) The amount of compensation payable to landowners under Sub-Section (3) shall be obtained from the prescribed office or agency in the prescribed manner.

4. Sale And Distribution Of Lands

(1) Lands within forest areas where this Act has come into force shall be sold by the prescribed authority to peasants who have settled down there and who have been cultivating such lands for at least one year past, at the rate of a maximum of 4 bighas each, with due consideration to the size of the family of each peasant.

(2) Lands left over after sale or distribution under Sub-Section (1) shall be sold or distributed by the prescribed authority to the prescribed persons at the prescribed price and in the prescribed manner.

5. Registration Of Lands

(1) The prescribed authority shall register lands, which have been distributed under Section 4, in the name of persons to whom these have been sold and in the prescribed manner; and forward a certified copy of such register to the appropriate Revenue Office or to the Land Administration Office in areas where there is no Revenue Office.

(2) On receipt of the certified copy of the register under Sub-Section (1), the appropriate Revenue Office or the Land Administration Office shall register such lands in the name of the allottees in the capacity of land-owners.

6. Conditions To Be Fulfilled By Allottees

Every person who obtains lands under Section 4 shall comply with the following conditions:-

(a) He shall pay the stipulated price of the land in a lump sum or in installments in cash at the prescribed time and at the prescribed office.

Provided that:-

This provision shall not be deemed to have affected the right of any person to pay the amount due from him in full or in one or more installments before the stipulated time-limit.

(b) Until he has repaid the full price of lands obtained by him under Section 4, he shall not relinquish possession thereof through sale, gift, donation, or otherwise, or mortgage it to any person other than the Agricultural Development Bank or any other institution which supplies credit to peasants and has been established according to law, or to the prescribed administration.

(c) The land tax payable on such land according to current Nepal law shall be paid from the year in which it is registered.

7. Power To Adopt The Procedures And Exercise The Powers Of A Special Court

In relation to cases arising in the course of actions taken under this Act, the prescribed authority shall adopt the procedure and exercise the powers as provided for in the 1956 Nepal Special Court Act.

8. Penalties

(1) In case any person obtains lands on the basis of false particulars, or contravenes any of the provisions of Section 6, the prescribed authority may confiscate the lands obtained by him and forfeit the amount paid by him while obtaining such lands.

Contd...

11.

(2) In case any person creates any obstruction in the course of action being taken under this Act, the prescribed authority may punish him with a fine not exceeding Rs 1,000.00, or with imprisonment for a term not exceeding 1 year or with both.

9. Complaints Or Appeals Not To Be Entertained

No suit, complaint or appeal filed against any action or decision taken by the prescribed authority under this Act or the rules framed hereunder shall be entertained.

Provided that:

His Majesty's Government may have any such decision of the prescribed authority reviewed, if any complaint is filed thereagainst.

10. Power To Frame Rules

His Majesty's Government may frame rules for the purpose of implementing the objectives of this Act.

11. Saving

In matters provided for in this Act and the rules framed hereunder, action shall be taken accordingly and in other matters action shall be taken in accordance with current Nepal law.

Royal Seal affixed on
Ashwin 6, 2028
(September 22, 1971)

By Order,
Chudamani Faj Singh Malla
Secretary to HMG.
