

Land Use Policy 2015



Government of Nepal
Ministry of Land Reform and Management (MoLRM)
Singhdurbar, Kathmandu



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Opinion by the Minister

Only through contemporary Land Use Policy (LUP), guarantee of food security, environment-friendly development-works, secured human settlement and planned urbanization including sustainable and inclusive economic boost up can be achieved in the country. In the context that the existing Land Use Policy (LUP) has however given priority for protection of arable lands ensuring guarantee of food security; the devastating earthquake of April 15, 2015 and the aftershocks thereto have exposed us to non-vulnerable secured human settlement in the country. Therefore, a contemporary review on the existing Land Use Policy (LUP) was a must.

While formulating this Land Use Policy (LUP) based on the spirit and letters of Sub-Section (e) under Article 51 of the *Constitution of Nepal, 2015* Resolution Motion by the Legislative-Parliament, directions from Legislature-Parliament and Parliamentary Committees as well as the Ministry's own roadmap; this Policy contains feedbacks by National Planning Commission (NPC) Secretariat including stake holding Ministries as well as civil societies.

In devising of Land Use Plans (LUPs), this Policy has adopted three principles such as: the *Promoting Complimentary Land Use principle* for encouragement, the *Maintaining Competitive Land Use principle* for maintaining balance and *Avoiding Conflicting Land Use principle* for discouragement: whereas, on the other, the Policy has employed the strategy line of optimum and sustainable use of 'unused' and 'under-use' lands." I hope, after effective execution of this Policy, various problems relating to land use in the country shall be resolved then- which will help support sustainable, social, economical and ecological developments in the country.

To conclude, I would like to extend special thanks to MoLRM Secretary Mr. Lokdarshan Regmi including the coordinator of Policy Drafting Taskforce Mr. Krishnaraj B.C. and Members thereto: Mr. Ganesh Prasad Bhatta, Mr. Janakraj Joshi, Mr. Gopal Giri and Mr. Navraj Subedi, and to the Ministry and all staff under the Ministry –who have done invaluable contribution in bringing out this Policy into this form, upon being themselves deployed whole day and night with their utmost endeavours; and that I would like to express heartfelt best wishes for the successful execution of this Policy.

Dal Bahadur Rana

Minister for Ministry of Land Reform and Management (MoLRM)

October, 2015

Opinion by MoLRM Secretary

Only through the management of prudent use of Land and Land Resources (LLRs), the country can achieve sustainable, social, economical and ecological developments and prosperity. In the later days, because of multipurpose uses of lands, growing population, internal migration, unmanaged urbanization, among others, there has been excessive pressure on lands.

Although many attempts have been made in order to address problems as appeared in land management since last year, no desirable outcome has come out as yet in the absence of clear policy and consolidated institutional capability. In this context, the directly responsible Ministry of Land Reform and Management (MoLRM) has to indispensably initiate sustainable management relating to Lands and Land Resources (LLRs) while resolving existing problems, facing challenges therein and using the opportunities thereto.

In this backdrop, on the basis of specific principle, national needs, international commitment, directions from Legislature–Parliament and Parliamentary Committees as well as the Ministry's own roadmap; this Land use Policy (LUP) has been now prepared. This Policy is formulated with clear vision, mission and goals along with contemporary execution outcome timeframe thereon. I hope, this Policy formulated after making classification of lands and ensuring of the use of Lands and Land Resources (LLRs) on the basis of composition, capability and appropriateness pursuant to the underlying spirit and letters of sub-Section (e) (3) under Article 51 of the *Constitution of Nepal, 2015* shall bring about desired result.

In the policy making process, this Ministry and officials under it have directly and indirectly contributed a lot on their own behalf too –for which I would like to express thanks to all of them.

Lokdarshan Regmi
Secretary
October, 2015

Land Use Policy 2015

1. Background

Land use Policy (LUP) is a policy document relating to limits and protection of Land and Land Resources (LLRs), optimum use and effective management thereto. Legal and institutional management for Lands and Land Resources (LLRs), and protection, use and management thereon are done under this Policy. This Policy shall bring about benefits of using Lands and Land Resources (LLRs) by creating a situation of distributing lands in a just manner.

In the context of Nepal, on account of fast growing population, internal migration, unmanaged and rapid urbanization, among others, encroachment over arable lands, forests, Government and public lands, various natural resources is rampant these days, and the protection thereof has poised a challenge now. Disaster-risks such as: soil erosion, floods, and landslides are escalating by the impact of geographical and geological conditions and/or ecological changes. Of course a challenge has been thereby poised to food security, secured human settlement, ecological balance and sustainable development. In order to manage such risks and challenges, a *National Land Use Policy, 2013 A.D.* (2069 B.S.) was adopted by Government of Nepal (GoN), Council of Ministers in the same year.

The *National Land Use Policy, 2013 A.D.* prioritised the protection of arable lands ensuring food security. The devastating earthquake of April 25, 2015 A.D. and aftershocks thereto have exposed us to non-vulnerable secured human settlement in the country. So then, awareness has come that only guided activities are allowed to be operated in such identified areas of natural disasters. In erecting physical infrastructures from onwards, it is realized that we should take accounts of probabilities of newly created hazards among natural disasters—including earthquakes. In order to address all these contemporary issues on a long term basis, the *Land Use Policy, 2015* has come into existence upon making a review over the *Land Use Policy, 2013 A.D.*

2. Problems, Challenges and Opportunity

2.1 Problems

- (a) Causing adverse effect on food security thanks to reduced agricultural produce and low productivity because of rampant use of arable land into non-agricultural purposes and most of all arable lands fallen barren and growing of uncontrolled land fragmentation;
- (b) Protection of life and property and disaster management going to be intricate without due scientific classification, development and management of lands;
- (c) Trends of encroachment over arable lands, forests, Government and public lands, various natural resources is rampant these days because of fast growing population, internal migration, unmanaged and rapid

- urbanization, among others;
- (d) Ecological degradation and imbalance in biodiversity, reduction in natural resources including forests due to environmental pollution and climate changes through escalating of disaster-risks such as: soil erosion, floods, landslides and desertification, among others;
- (e) Negative impact raging in the lower riparian areas without proper conservation of Himalayan regions, high hills and Churia Zones;
- (f) Getting Lack of open spaces in urban areas.

2.2 Challenges

- (a) To develop a system of proper utilization of lands upon doing scientific classification thereof in a specific manner;
- (b) To ensure of institutional and co-ordinating roles of actions by the stake holding agencies, as sustainable use and management of Lands and Land Resources (LLRs) is a subject of cross-cutting issues;
- (c) To ensure guarantee of food security through boosting up agricultural produces and productivity upon preserving of arable lands and management thereto;
- (d) To make optimum use of lands for a hygienic, beautiful, well-facilitated and safe human settlement as to enhancing a planned and sustainable urbanization and for the development of physical infrastructures;
- (e) To conserve, develop and manage forests and green-belts, places of entertainment, open spaces, water, watersheds or wetlands in a bid to mitigating the impact of climate changes and newly created-hazards among natural disasters, and for biological diversities and environmental protection;
- (f) To refer Specific Land Use Zones (SLUZs) upon making classification of Land Use Zones (LUZs) in every plots through concluding plot surveys of all geographical landscapes of the country in the context that land records is still incomplete as yet;
- (g) To effectively enforce the laws for the execution of Land Use Policy (LUP) once it is formulated and organization structure thereto is made.

2.3 Opportunities

- (a) A commitment has been augmented by political parties and all stakeholders including civil societies ensuring of food security by preserving of arable lands and optimum use thereof;
- (b) Now a mass concerns is developing towards making optimum use of lands for a hygienic, beautiful, well-facilitated and safe human

- (c) settlement so as to enhancing a planned and sustainable urbanization;
- (d) A resilience is intensifying in the local levels so as to conserve and develop Lands and Land Resources (LLRs) and natural heritages;
- (e) Of course an opportunity has come for classification of lands, devising of a plan and execution thereof by developing a technically-equipped Land Use Information System (LUIS) and establishing access thereto;
- (f) Again, there has come an opportunity with respect to effective execution of Land Use Policy (LUP) in co-ordination with others;
- (g) Furthermore, an imperative opportunity has come towards making the country prosperous after achieving the goal of sustainable development in keeping with a balance between the environment and physical infrastructure development from proper utilization and management of Land and Land Resources (LLRs).

3. Core Bases for Formulating the Policy

(a) Constitutional Base

The core base of this Policy is taken from the underlying spirit and letters of sub-Section (e) (3) titled as: "Policies relating to Agriculture and Land Reform" under Article 51 of the *Constitution of Nepal, 2015* on Chapter of "Directive Principles, Policies and Obligations of the State", where it is envisaged that land management and commercialization, industrialization, diversification and modernization of agriculture shall be done by pursuing a Land use Policy (LUP). :

(b) Underlying Principles for Classification of Land Use Zones (LUZs)

In determining Land Use Zones (LUZs), following principles such as: Promoting Complimentary Land Use, Maintaining Competitive Land Use and Avoiding Conflicting Land Use, have been adopted.

(c) National Needs

To ascertain of environment-friendly construction-works by making optimum use of Lands and Land Resources (LLRs) in keeping with a balance between the environment and development, to develop a hygienic, beautiful, well-facilitated and safe human settlement; to enhance a planned and sustainable urbanization of the country, and to achieve sustainable and inclusive economic boost up through devising and executing of all regional development plans of the country under a level-wise Land Use Plans (LUPs).

(d) International Commitment

To get needful preparations for international commitments such as: to achieve the goals of sustainable developments, provide a safe, dignified and well-facilitated human settlement for all, to conserve biodiversities, to operate a campaign against desertification as well as to mitigating risks from climate changes.

- (e) **Directions and Recommendations given by Council of Ministers/ Commissions/Committees**
- (i) After a Resolution Motion was passed by a Meeting of Legislature-Parliament dated May 13, 2015 A.D., Government of Nepal (GoN) framed a Plan of Actions titled: "Aftermaths of Earthquakes Resistant-Works and Recovery Integrated Plan of Actions, 2015". A direction was therefore given to GoN pursuant to No. 21 to review the *National Land use Policy, 2015*.
- (ii) Agriculture and Water Resources Committee of Legislature-Parliament issued a direction dated June 12, 2015 to review the *National Land Use Policy, 2013 A.D.*
- (iii) Recommendations given in High Level Land Reform Commissions on the land use and management.
- (f) **Long-term Roadmap of Ministry of Land Reform & Management**
The long-term Roadmap taken by Ministry of Land Reform and Management (MoLRM) in the context of optimum use and sustainable development of Land and Land Resources(LLRs) ensuring of food security, safe human settlement and balanced ecological development

4. Short Name and Commencement of the Policy

1. The name of this Policy may be cited as "*Land Use Policy, 2015 A.D.*"
2. This Policy shall be enforced from the date of approval by Government of Nepal (GoN), Council of Ministers.

5. A Long-term Approach/Vision

The vision of this Policy is to make optimum use of available Land and Land Resources (LLRs) in pursuit of sustainable social, economic and ecological developments and prosperity of the country as well.

6. Mission/Goal

The mission/goal of this Policy is to manage lands in a sustainable manner by developing a specific land use system through Land Use Plans (LUPs).

7. Objectives

1. To categorize/classify entire lands of the country into various Land Use Zones (LUZs);
2. To devise of level wise (Federal, Provincial and Local) Land Use Plans (LUPs);
3. To ensure of the use of Land and Land Resources(LLRs) on the basis of land use plans (LUPs) for protection of agricultural land, hygienic, beautiful, well-facilitated settlement and sustainable urbanization,

and for forests areas including natural heritages, biodiversities and historical, cultural and religious, archaeological and areas of strategic importance;

4. To mitigate natural and human created-disastrous hazards;
5. To assess and apply minimum property valuation and progressive tax system on lands on the basis of specific use after getting prepared of plot based records.

8. Policies & Strategies

In order to achieve the aforesaid vision, mission and objectives, the following policies and strategies shall be adopted:

Policy 1 : Entire lands of the country shall be basically classified into following Land Use Zones (LUZs) . Those zones could be sub-classified into Land Use sub-Zones as per necessity:

- (a) Agricultural Zone
- (b) Residential Zone
- (c) Commercial Zone
- (d) Industrial Zone
- (e) Mines and Minerals Zone
- (f) Cultural and Archaeological Zone
- (g) River and Lake-Reservoir Zones
- (h) Forest Zones
- (i) Public Use and Open Space Zone
- (j) Building Materials (Stone, Sands, Concrete) Excavation Zone
- (k) Other Zones as specified as per necessity.

Explanation: As Natural disasters such as: devastating earthquakes, floods, among others, may have adverse impact to one or more other land use zones (LUZs); so, in order to secure human settlement, urbanization or infrastructure development-works in a sustainable and in a earthquake resistant manner; the vulnerable zones shall be identified on the basis of geological study and such vulnerable/hazardous zones shall be denoted in the land use map.

Strategy 1 : Bases for land use zoning shall be as follows:

- (a) Bases of Land composition, capability and appropriateness
- (b) Land composition (geographical and geological), capability and appropriateness shall be considered as the main bases for land use zoning.
- (c) Existing land use base:
In the case of particular places, existing land use, land-composition, capability and appropriateness shall be the main bases for land use zoning.

- (d) On the basis of necessity base:
In case the state requires the land use differently than the specific land use category for public interests and physical infrastructure development, it shall determine otherwise for different purposes.
- Strategy 2: In the urban areas, keeping in view of comparative sensitivity, sub-classification shall be determined through micro-zoning.
- Policy 2 : According to federal structure, level wise (Federal, Provincial and Local Levels) Land Use Plans (LUPs) shall be devised of and be executed.
- Strategy 1 : While preparing Federal Land Use Map, it shall be done based on national priority and policy.
- Strategy 2 : Federal land use plan should be taken into account as general directives before devising of Provincial/Regional and zone-wise plans.
- Strategy 3 : In devising of Land Use Plans (LUPs), following objectives shall be considered into account:
- (a) To consolidate lands for protection of Agricultural Zone,
 - (b) To ensure of a hygienic, beautiful, well-facilitated and safe human settlement, sustainable and planned urbanization of the country;
 - (c) To maintain a balance between physical infrastructure development and environment;
 - (d) To conserve historical, religious, cultural and tourist hubs;
 - (e) To identify all types of vulnerable zones on the basis of geographical and geological study;
 - (f) To optimum utilize of 'non-use land', 'under-use land', 'misused land', and 'land use under exploitation';
 - (g) To ensure of protection and promotion of biodiversities;
 - (h) To mitigate the impact of climate change;
 - (i) To control unmanaged development and extension of industrial, commercialised or business zones;
 - (j) To develop in minimum a green belt, open space, and areas for gardening, playgrounds and entertainment venues in the urban or rural areas of residential settlements;
 - (k) To develop green belts and open spaces along with rivers, roads, both sides of canals, among others;
- Strategy 4 : In devising of level wise Land Use Plans (LUPs), lower level plans shall be made in conformity with upper level Land Use Plans (LUPs).
- Strategy 5 : In devising of rural and urban Land Use Plans (LUPs) in local levels, they shall be done separately in an extended form and then be implemented.

- Strategy 6 : In devising of Land Use Plans (LUPs) and implementation thereof in the Kathmandu Valley, coordination shall be done with the Kathmandu Valley Development Authority (KVDA) and in the case of other areas of implementing town development plans with the stake holding agencies.
- Strategy 7 : While making Land Use Plans (LUPs) and implementation thereof, the stakeholders' participation shall be sought ensuring of gender and inclusiveness. Particularly, in devising of Land Use Plans (LUPs) in local levels, local community's involvement shall be ensured.
- Strategy 8 : In devising of Provincial/Regional and local level Land Use Plans (LUPs), Central Agency shall provide directions, technology and technical assistance as required.
- Policy 3 : The use of Land and Land Resources (LLRs) shall be ensured of on the basis of Specific Land Use Zones (SLUZs) and Land Use Plans (LUPs).
- Strategy 1 : Land use shall be ensured on the basis of Specific Land Use Zones (SLUZs) and Land Use Plans (LUPs).
- Strategy 2 : Doing land use different from Specific Land Use Zones (SLUZs), or changes in land use without approval of the authority concerned shall be discouraged and the land use so done be revoked.
- Strategy 3 : In order to ensure of human safety, to boost up production and productivity of lands, to protect biodiversity as well as to maintain ecological balance, the use of Land and Land Resources (LLRs) shall be ensured of on the basis of Specific Land Use Zones (SLUZs) and Land Use Plans (LUPs). And if the land use is to be changed otherwise deeming an appropriate reason, it may be done by the decision of Government of Nepal (GoN), Council of Ministers on the recommendation of the experts concerned.
- Policy 4 : Level wise Land Use Plans (LUPs) compatible with physical infrastructure development projects shall be devised of and be implemented.
- Strategy 1 : On the basis of Land Use Plans (LUPs) of the Zones concerned, plans for a hygienic, beautiful, well-facilitated and safe human settlement as well as a planned and sustainable urbanization and physical infrastructure of the country shall be devised of and be executed/implemented.
- Strategy 2 : On the basis of Land Use Plans (LUPs) of the Zones concerned and geological study, plans for a hygienic, beautiful, well-facilitated and

safe human settlement as well as a planned and sustainable urbanization and physical infrastructure of the country shall be devised of and be executed.

Strategy 3 : In operating physical infrastructure development-works, industrial development as well as operating land development programs, private and co-operative sectors shall be encouraged.

Policy 5 : Optimum use and protection of arable lands shall be ensured of upon discouraging of non-agricultural use of arable lands and the trend of keeping land fallow and rampant fragmentation.

Strategy 1 : In order to protect and promote agricultural sector, grants, facility/subsidy and compensation shall be ensured by discouraging non-agricultural use of arable lands and changes thereto.

Strategy 2 : High lands of mountainous region classified under agricultural zone shall be developed into a zone of valuable herbals, fruits, animal husbandry and pasture.

Strategy 3 : Lands now availing of irrigation facility and under Command Area of a planned irrigation project shall be classified into agricultural zones and those lands shall be ensured of such facility.

Strategy 4 : Upon specifying a minimum area of the land plot on the basis of Specific Land Use Zones (SLUZs), no one shall be allowed to make fragmentation of the land into a smaller piece.

Strategy 5 : In order to encourage commercial agricultural/business farming in a classified agricultural zone, criteria relating to Land Consolidation shall be framed and be implemented.

Strategy 6 : A provision shall be made where no one is allowed to leave fallow of agricultural lands in a classified agricultural zone without believable reasons for three consecutive years.

Strategy 7 : Government may reduce grants, facilities/subsidies and assistance to the landlord not doing agriculture in a classified agricultural zone but rather may impose additional tax.

Policy 6 : A hygienic, beautiful, well-facilitated and safe human settlement, as well as a planned and sustainable urbanization of the country shall be ensured of.

Strategy 1 : By identifying secured and appropriate less sloping places in every Provincial/Regional and Local levels within a Specific Land Use Zone (SLUZ), a geologically, geographically and ecologically safe human settlement shall be encouraged.

Strategy 2 : While developing and extending proposed new towns and/or

residential settlements in various places including along the Mid-Hill High Ways, private sector shall be encouraged to develop a hygienic, beautiful, well-facilitated and safe human settlement in a planned and sustainable ways.

- Strategy 3 : In new declared town development areas and/or other town-oriented areas, a minimum and maximum ceiling area of a real estate of a housing unit shall be prescribed.
- Strategy 4 : Basic Guidelines relating to human settlement, urbanization plans and building constructions in the classified lands of the urban and rural settlement areas, and minimum standards of basic infrastructure, greenery and open spaces/zones shall be prescribed in line with Building Code and Standards.
- Strategy 5 : In case vulnerable and unsecured human settlements are to be relocated thanks to natural disasters; those settlements, if possible, shall be transferred for infrastructure development and livelihood to any other appropriate places upon identification thereof—which could be secured through ecological and humanitarian point of views.
- Strategy 6 : The state shall encourage developing a basic infrastructure integrated human settlement in co-ordination with stake holding agencies.
- Strategy 7 : Upon controlling the trend of unmanaged settlement, a hygienic, beautiful, well-facilitated and safe human settlement in a planned ways with infrastructure shall be encouraged for a planned and sustainable urbanization of the country in line with the prescribed Building Guides and Codes & Standards.
- Strategy 8 : In a bid to mandatorily implement or make implement of the prescribed Building Guides and Codes & Standards, the capacity building of local levels shall be developed.
- Strategy 10: In co-operation with Government/public-private partnership (PPP concept) and/or public-cooperatives, a secured and low cost housing in the residential zone under a human settlement shall be encouraged for the landless and the people with low access to lands in line with the prescribed Building Guides and Codes & Standards.
- Policy 7 : Conservation and optimum use of forests and other natural heritages shall be ensured of.
- Strategy 1 : Priorities shall be given to preparing green certificates through map-surveys and demarcation of forests and Reserves Areas.
- Strategy 2 : While implementing National Priorities Projects –if forest area is to be used, afforestation equivalent to those areas –not less than that should be mandatorily done.

- Strategy 3 : Aforestation and protection of forests shall be encouraged in the spoiled areas of forests where forest management shall be done.
- Strategy 4 : In order to conserve *Churia Bhabhar Hill Areas*, a special plan shall be devised and be implemented.
- Strategy 5 : For protection of *Churia Bhabhar Hill Areas*, vulnerable human settlements in the sensitive parts of those areas shall be shifted, in a bid of relocation, under a Development of Basic Infrastructure Integrated Human Settlement Programs.
- Strategy 6 : Especial measures shall be adopted to conserve water-sheds areas, wet-land areas, Reserves, intermediary areas, National Parks and Wildlife Reserves and pasture areas.
- Strategy 7: Forest areas having bio-track for living beings or potentially of biodiversities shall be developed into a reserved forest. Forest areas, grassy fields, habitat of wildlife and/or bird-animals shall be protected.
- Strategy 8: Works relating to conservation, promotion and use of spoiled areas of forests and natural heritages (lakes-reservoir, pond, rivers or rivulets/brooks or brooklets, wetlands, among others) shall be initiated so as to improve their existences.
- Strategy 9: Lands in mountainous and hill areas having low productivity and with human settlement in between forest zones shall be relocated to other appropriate zones and be encouraged to develop forests into such areas.
- Policy 8 : Incentive-oriented programs shall be operated in order to motivate people for the use of Land and Land Resources (LLRs) in accordance with Land Use Zones (LUZs) or Land Use Plans (LUPs).
- Strategy 1 : If industry, housing company, private sector, co-operative sector, among others, became interested for agricultural development in line with land use plans and the policy concerned, the state shall provide additional subsidy/facility to them.
- Strategy 2 : Private sector shall be encouraged if they come to develop the 'unused land' under the Specific Land Use Zones (SLUZs) and Land Use Zones (SLUZs) – for the purposes of commercial farming, tourist hubs, research center, scientific laboratory, entertainment venues, games & sports, among others.
- Strategy 3 : Additional subsidy/facility shall be available to the person or institution/agency who provides secured buildings or housing under a managed housing project subject to fulfilment of standards set forth by the state.

- Strategy 4 : Tunnel ways or rope ways shall be encouraged as an appropriate means of transport in the mountainous settlements even from ecological point of view.
- Policy 9 : Keeping lands under conditions of 'non-use' or 'under-use', 'misuse' and 'excessive use' shall be discouraged.
- Strategy 1 : Acts affecting natural flow of rivers, boundaries and prescribed standards shall be prohibited.
- Strategy 2 : Boundaries of lake-reservoirs, bio-track, public pond, wetland and pasture lands should not be encroached upon and shall be used for promotion of tourism without affecting their natural features.
- Strategy 3 : Protection of soil by maintaining its natural core shall be encouraged; whereas on the other, acts against standards of land use causing changes in the natural features shall be discouraged.
- Strategy 4 : Acts such as: facilitating land-soil, affecting arable land and making road or extension thereto causing vulnerability to nearby local settlement, shall be discouraged.
- Strategy 5 : In order to bring 'non-use' type of Govt., or public lands, 'under-used' or 'low graded' type of lands into Specific Land Use Zones (SLUZs), land development programs shall be encouraged on such lands.
- Policy 10 : In order to keep balance between development and environment for the mitigation of natural and human created-hazards, vulnerable zones shall be identified and the provision thereof shall be made to ensure of operating of certain activities only in those zones.
- Strategy 1 : Upon identifying highly hazardous zones of natural disasters certain activities only shall be given to operate in such places.
- Strategy 2 : In order to protect sensitive zones through eyes of natural disasters, protective programs shall be allowed to operate.
- Strategy 3 : In operating construction and/or development-works, in order to keep balance between land, environment and development; the principle of sustainable development shall be adopted in view of the impact of climate change.
- Strategy 4 : In maintaining the natural flow of rivers through secured and sustainable embankment, the upper level Govt. lands so made shall be used, on the basis of appropriateness, for agriculture, forest, road, green belt and open places/zones.

- Policy 11 : Protection and optimum use of natural heritages, tourist hubs and historical, cultural and religious, archaeological zones including lands belonging to Government, the public and trust shall be ensured.
- Strategy 1 : By indentifying various historical, cultural and religious, archaeological zones and potential areas of tourists' hubs; use and protection thereof shall be done not affecting their originalities according to the objectives of those zones.
- Strategy 2 : Use of heritages affecting those listed in the world heritages and change of Land Use Zones (LUZs) shall be prohibited.
- Strategy 3 : In order to protect zones of strategic, environmental and sensitive through eyes of biodiversities and zones of special importance, No GO Zone shall be managed to a certain distance of those zones, and those zones shall be prohibited for other uses.
- Strategy 4 : In case important natural resources discovered in future such as: minerals, oil, gases, among others; whatever zones they lie in, the zones shall be used under the same classification according to the Specific Land Use Zone classification.
- Strategy 5 : Lands belonging to Government, public or trusts –which are not in proper use shall be managed under protection and be used under Specific Land Use Zones (SLUZs) purposes.
- Strategy 6 : Records of Government and public lands shall be maintained and a permanent mechanism equipped with functions, duties, powers and responsibilities shall be established for necessary protection.
- Policy 12 : Minimum valuation and land tax system shall be developed as per a plot based land records upon referring Land Use Zones (LUZs) on the basis of specific land use.
- Strategy 1 : By concluding plot survey-design/map of the lands yet to be surveyed, land use zones (LUZs) shall be referred to in a total plot based land records.
- Strategy 2 : On the basis of specific land use zones (SLUZs) and progressive tax system, the valuation of real estate/property and assessment of taxes shall be provisioned.
- Strategy 3 : Except the business company making residential house collectively or jointly, or the institution in the residential housing zone, progressive tax shall be levied on other real estate/property by fixing minimum land area as the criteria of one real estate/house per family.

- Strategy 4 : Tax subsidy shall be given to the land used for agricultural purposes. Except that, tax shall be assessed on the basis of use and benefits.
- Policy 13 : Information system on Land Use Plans (LUPs) shall be developed.
- Strategy 1 : In a bid to devising of Land Use Plans (LUPs), necessary Land Use/Land Resources Map, Land Capability Map, Land Use Zoning Map, Hazard Map and data base of the Theme shall be prepared.
- Strategy 2 : Upon developing an information system on Land Use Plans (LUPs) based on modern technology, easy access to the updated system and distribution thereof shall be available to the stakeholders.
- Strategy 3 : The updated Land Use Information System (LUIS) shall be mandatorily taken as the base for various purposes such as: infrastructure developments, establishment and operation of industrial enterprises, human settlement and urbanization and extension thereof in addition to devising of plans in various levels of state structure.
- Policy 14 : Institutional structure shall be established in course of the execution of land use policy, plans and programs thereto.
- Strategy 1 : Institutional structure/mechanism shall be established for the execution of Land use Policy (LUP), plans and programs thereto.
- Strategy 2 : For the effective execution of Land use Policy (LUP), necessary Acts, Rules and Regulations and Directives shall be enacted/framed.
- Strategy 3 : For the execution of Land use Policy (LUP), effective co-ordination in between or among different stake holding agencies shall be provisioned.
- Policy 15 : Public awareness shall be enhanced on land use and long term impact thereto.
- Strategy 1 : Knowledge and awareness on optimum land use and land resources shall be augmented by including the contents relating to land use in different levels' academic curriculum.
- Strategy 2 : Production and broadcasts of various Awakenning Audio-Video materials shall be done according to Land Use Zones (LUZs) classification.
- Strategy 3 : The capability of Govt. Agencies and awareness shall be augmented in the Specific Land Use Zones (SLUZs) only on the basis of land use plans (LUPs) in order to make programs compatible with them.

9. Execution Management

With respect to the use of Land and Land Resources (LLRs), this Policy shall be a fundamental policy. Policies related to various zones on Land and Land Resources (LLRs) such as: Forests, agriculture, urban development, settlement, irrigation, energy, industry, and tourism and education shall conform to the spirit of this Policy. For the execution of this policy, there exist the execution management frameworks that follow:

(a) Legal Frameworks

For executing of this land use policy, necessary Act relating to land use, Rules or Regulations, Directives, procedure and criteria shall be framed and be implemented.

(b) Institutional Frameworks

For the execution of the land use policy, a Department of Land Use Management and Division Offices under the Department shall be established. In the Federal, Provincial and Local Levels, land use Execution and Co-ordination Committees shall be formed. For the development of a certain places, a land use plan (LUP) shall be devised and executed in co-ordination with such agency such as: Development Authority as envisaged by a Special Act.

(c) Outcome Timeframe of Land Use Policy Execution

Legal frameworks, establishment of institutional structure, inter-institutional co-ordination as well as access to Land Use Information System (LUIS) as envisaged by this Policy shall be completed in a certain timeframe and in order to assure of the execution of land use, an Outcome Timeframe of Land Use Execution as of Schedule -2 is attached herewith.

(d) Monitoring and Appraisal

1. The Ministry of Land Reform and Management (MoLRM) shall monitor the execution of this Policy routinely.
2. Appraisal on the efficacy of the execution of this Policy shall be made by experts selected under open competition in every Five years independently, through a participatory and co-ordinating manner.

10. Assumption

It is assumed that there could be favourable situations in order to ensure the successful execution of this policy as under:

- (a) As sustainable use and management of Land and Land Resources (LLRs) is a subject of cross-cutting issues, there shall be an institutional assistance and highest co-ordination in between or among stake

- holding agencies.
- (b) In course of executing this policy, landlords concerned shall provide necessary assistance/or support. Also, active support shall be available from all stakeholders in order to address proper complaints of the civilians.
 - (c) There shall be of course a high standard commitment in the execution of this Land use Policy. All stake holding institutions shall give top priority for the execution of this Policy.
 - (d) Sufficient financial sources and means shall be available for the programs as envisaged in this Policy.
 - (e) Appropriate legal provisions, organizational structure and skilled manpower shall be available for the execution of this Policy.
In case the situations as of the above not available in the country; there could be risk in the execution of this Policy.

11. **Revision on Policy**

- (a) The policies and laws inconsistent with this Policy shall be revised by the institutions concerned in order to conform to this Policy.
- (b) This Policy may also be reviewed and revised as per necessity.

12. **Repeal**

The Land Use Policy, 2013 has been repealed.

Schedule -1
(Related to 1)

Definitions of Land Use Zones (LUZs)

(a) **Agriculture Zone**

"Agriculture Zone" shall denote the zone where agricultural production (Corn crops, cash crops, horticulture etc.), animal husbandry, fisheries, agricultural forest products and plants planted in private land, are existed or may be existed. This term also denotes any specific zone which is declared as agricultural zone by Government of Nepal (GoN), among others.

(b) **Residential Zone**

"Residential Zone" shall denote the land used by human beings for habitat. This term also denotes shed, *bhakar* (large bamboo bin used to store crops), garage, stable, well, water tap, fruits garden, vegetable garden, yard or the land used for other such purpose whether the land is adjoined to a house or not. This term also indicates colony home, apartment constructed by a business company or institution by a business company or institution in residential zone, and any specific zone declared as residential area by Government of Nepal (GoN), among others.

(c) **Commercial Zone**

"Business zone" means the land covered by house, shop, hotel, exhibition hall, petrol pump, go down, health, communication or goods transacting spot or any literary, scientific or technical service, association making available of information and consultancy, *haat* (local market places where transaction is done in a regular interval), disco operated for business purpose, club, swimming pool, theatre hall including entertainment site or any business purpose, and is separated for the purpose. The term also indicates a commercial building constructed by Business Company or association in business zone, and the land covered by such building. Moreover, this term also denotes any geographical area that is declared by Government of Nepal (GoN) so as to make it urbanized for market expansion and business purpose, among others.

(d) **Industrial Zone**

"Industrial zone" means the land covered by house or hut constructed for establishment of industry that produces goods or to be operating thereof including the land having separated for the purpose. This term also indicates any specific geographical zone declared by Government of Nepal (GoN) as industrial corridor, industrial village, industrial cluster, special export zone or special economic zone for promotion of industry, among others.

- (e) **Mines and Minerals Zone**
"Mines and Minerals Zone" means the land where mines and minerals are excavated, produced or processed or any specific geographical area which is declared as mines and minerals by Government of Nepal (GoN). This term also denotes any zone where any mine is found or mines industry is operated or where industry of excavation, production, processing and purification of minerals is located, house and hut used for the same propose and the land used for operation of the industry of the same purpose, among others.
- (f) **Cultural and Archaeological Zone**
"Cultural and Archaeological Zone" means palace, building, cloister, temple, shrines, mosque, and monastery, *mane* (the prayer wheel) of historical importance including other religious place, temple, shrines and historical importance place. This term also indicates any specific geographical area that is declared as historical, cultural, religious and archaeological area by Government of Nepal (GoN), among others.
- (g) **River and Lake-Reservoir Zone**
"River and Lake-Reservoir Zone" means river, brooklet, territorial stream, canal, pond, lake-reservoir or wetland, among others.
- (h) **Forest Zone**
"Forest Zone" means government, community, leasehold forest covered fully or partially by tree and vegetation including wild life conservation, preserved area, bushes, nursery plant and the place which is declared as forest area by Government even in non existence of tree including lands with all types of forest. This term also denotes any specific geographical area which government declared as forest area for expansion of forest area or green area, among others.
- (i) **Public Use and Open Space Zone**
"Public Use and Open Space Zone" means academic institution including school, college, vocational education centre, university, security body, health institution including Health Centre, Health Post, private and community hospital, government office responsible for telecommunication, drinking water, electricity and other energy supply, community building, library, elder's home and house, hut, *patti*(resting inn/house) constructed for public use and the land covered by thereof. These terms also denotes hill, mountain, slope land or snow covered area, grazing land which is not contained in other classification of this policy. This term-phrase also indicates playground, park, stadium, *chautaro*(platform under a tree), ground, picnic

spot, open place which is not in use for specific purpose, highway, district road, village road, bus park, airport, cargo area, dry port, railway, ropeway, waterway, cable car, electrical transmission line, port existed in any other zone declared as public use zone by the existing law and Government of Nepal (GoN), among others.

- (j) **Construction Materials (stone, sands, concrete) Excavation Zone**
"Construction Materials (stone, concrete, sand mines) Excavation Zone" means specific zone prescribed for excavation, production or processing of stone, concrete, sand mines as per the set standard, or any special geographical area which is declared by Government of Nepal (GoN) as Construction Materials (stone, concrete, sand mines) excavation Zone, among others.
- (k) **Other Zones Specified as per Necessity:**
"Other Zones Specified as per Necessity" means the zone which are not existed in any of the above mentioned land use zone but seems necessary to mention specific type of land use zone. This term-phrase denotes the land with mixed type. So here, "Mixed Zone" means zone remaining in various town, town-oriented, residential and business zone located in highway area in the time being at present which is mixed with each other in an inseparable way and cannot be separated from each other. This zone shall be applied only for the purpose of regulating the previous settlement and market zone.

Schedule-2
Related to 9(d)
Outcome Timeframe of Land Use Execution

Particulars	Indicators	Database	Timeframe					Risks & Presumption	Responsible Institution
			Within 1 (One) Year	Within 1-3 Years	Within 3 (Three) Years	Sources for Justification			
<p>Goal: To contribute in achieving sustainable social, ecological developments and economic prosperity through optimum use of available lands & land resources (LLRs)</p> <p>Outcome: Having achieved of optimum use of lands & land resources(LLRs) in a planned way through classification of Land Use Zones (LUZs)</p> <p>Return-1: Stakeholders' access to Land Use Information System (LUIS – Land Use Zone Fixation Map Design & Database) once its establishment</p> <p>Return-2: Having been framed of level wise (Federal, Provincial & Local Levels) Land Use Plans (LUPs)</p>			√	√	√				
	Contribution of this sector on GDP (Gross Domestic Production)		√	√	√	Economic Survey Report, Annual Progress Report		MoLRM & MoF	
	Stakeholders' access to Land Use Information affiliated to the system		√			Annual Progress Report		National Land Use Project (NLUP)	
	No of level wise (Federal, Provincial & Local Levels) Land Use Plans (LUPs)		√	√		Annual Progress Report		NLUP	

Particulars	Indicators	Database	Timeframe					Responsible Institution	Risks & Presumption
			Within 1 (One) Year	Within 1-3 Years	Within 3 (Three) Years	Sources for Justification	Needful budgets to be available		
Return-3: Having done Classification of Land Use Zones (LUZs)	No of Local Levels (RMC/MC) of having Classified Land Use Zones		√	√		Annual Progress Report	NLUP	Needful budgets to be available	
Return-4: Having been framed of Land Use Act and implemented	framed of Land Use Act		√	√		Nepal Gazette	MoLRM, MoGA & MoF		
Return-5: Having been established of Department of Land Use Management (DoLUM)	Having been established of DoLUM		√	√		GoN, Council of Ministers	MoLRM, MoGA & MoF		
Return-6: Having been set up of Inter-Institutions Co-ordination & Monitoring Mechanism (ICoMM)	Having been set up ICoMM		√	√		ICoMM	MoLRM, MoGA & MoF		
Return-7: Local Levels should have been able and competent to implement Land Use Plans (LUPs) or programs	Local Levels should have been competent to implement Land Use Plans (LUPs) or programs		√			MoFALD, Annual Progress Reports of National Land Use Project (NLUP)	MoLRM, MoGA & MoF		