

NEPAL RECORDER
Year 17, No. 26

Kathmandu: July 9, 1993

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Ministry of Law, Justice and Parliamentary Affairs
Nepal Rajapatra, Vol. 43, No. 19 (E), Jestha 27, 2050 (June 9, 1993).

National Parks and Wild Life Conservation (Fourth
Amendment) Act, 1993

Preamble: Whereas it is expedient to amend the 1973 National Parks and Wild Life Conservation Act, now therefore, the Parliament has enacted this law in the 22nd year of the reign of His Majesty King Birendra Bir Bikram Shah Dev.

1. Short Title and Commencement

- (1) This law may be called the National Parks and Wild Life Conservation (Fourth Amendment) Act, 1993.
- (2) It shall come into force at once.

2. Amendment in Section 2 of the 1973 National Parks and Wild Life Conservation Act

In Section 2 of the 1973 National Parks and Wild Life Conservation Act (hereinafter called the principal act):

- (1) The following Clause (e2) has been added after Clause (e1):
 - (e2) Buffer Zone means the areas around national parks or reserves prescribed under Section 3A in order to provide the local inhabitants the facility of utilizing forest products on a regular basis.
- (2) The following Clause (j1) has been added after Clause (j):
 - (j1) Conservator means a person appointed by His Majesty's Government for the conservation and management of a national park, reserve, conservation area, or buffer zone.

3. Addition of Sections 3A, 3B and 3C in the Principal Act

The following Sections 3A, 3B and 3C have been added after Section 3 of the principal act:

3A. Power to Prescribe Buffer Zones

- (1) His Majesty's Government may prescribe by notification in the Nepal Rajapatra any area around national park or reserve as a buffer zone by specifying the boundaries.
- (2) His Majesty's Government may alienate, transfer the ownership of or change the boundaries of a buffer zone designated under Sub-Section (1) by notification in the Nepal Rajapatra.

3B. Conservation and Management of Buffer Zone

The conservator shall perform functions relating to the conservation and management of the buffer zone.

Provided that the land-ownership of the local people in that area shall not be affected while performing functions relating to conservation and management.

3C. Compensation to be Paid

In case any house or land of an inhabitant located within the buffer zone comes under the natural boundaries of the national park or reserve as a result of land slides and floods and the concerned inhabitant becomes homeless, the concerned national park or reserve shall pay a reasonable compensation to him on the recommendation of the Users' Committee formed under Section 16C from the amount allocated for community development.

4. Amendment in Section 6 of the Principal Act

The words "national parks or reserves," occurring at different places in Section 6 of the principal act, have been replaced by "national parks, reserves or conservation areas".

5. Addition of Section 16C in the Principal Act

The following Section 16C has been added after Section 16 of the principal act;

16C. Users' Committee

- (1) The concerned conservator may form users' committees through coordination with the local body for the management of fallen trees, dry timber, firewood and grass inside the national park, reserve, conservation area or buffer zone.

- (2) The functions, duties and powers of the Users' Committee, other than those mentioned in Sub-Section (1), shall be as prescribed.

6. Amendment in Section 22 of the Principal Act

The words "of national parks or reserves" occurring in Section 22 of the principal act, have been replaced by "of national parks, reserves, conservation areas or buffer zones".

7. Amendment in Section 25 of the Principal Act

Sub-Section (1) of Section 25 of the principal act has been replaced by the following Sub-Section (1):

- (1) Any person who supplies information which helps in the arrest of a person who kills or injures a rhinoceros, tiger, elephant, musk-deer, clouded leopard, snow leopard or bison may be given a cash reward not exceeding Rs 50,000, and any person who supplies information which helps in the arrest of anyone who kills or injures a protected wild-life other than those mentioned above may be given a cash reward not exceeding Rs 25,000.

8. Addition of Section 25A in the Principal Act

The following Section 25A has been added after Section 25 of the principal act;

25A. Power to Incur Expenses for Local Development

Thirty to fifty percent of the income earned by a national park, reserve or conservation area may be spent for the community development of the local people by establishing coordination with the local body.

9. Amendment in Section 26 of the Principal Act

Sub-Sections (1) and (2) of Section 26 of the principal act have been replaced by the following Sub-Sections (1) and (2):

- (1) Any person who kills or injures, or purchases, sells, or supplies or accepts through transfer a rhinoceros, tiger, elephant, musk-deer, clouded leopard, snow leopard, or bison or keeps or buys or sells rhinoceros horn or musk pods, snow leopard skins, and trophies of similar other protected wild life in an illegal manner shall be punished with a fine ranging between Rs 50,000 and Rs 1,00,000, or with imprisonment for a term ranging between five years and fifteen years or with both.

- (2) Any person who kills or injures any protected wilf-life other than those mentioned in Sub-Section (1) shall be punished with a fine ranging between Rs 40,000 and Rs 75,000, or with imprisonment for a term ranging between one year and ten years, or with both.

Royal Seal Affixed on:
Jestha 27, 2050
(June 9, 1993).
