

Land (Survey and Measurement) Act, 2019 (1963)

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Amendments

1. Land (Survey and Measurement) 2024.7.6 (23 Oct.1967)
(First Amendment) Act, 2024
2. Land (Survey and Measurement) 2029.6.5 (21 Sept. 1972)
(Second Amendment) Act, 2029
3. Land (Survey and Measurement) 2033.7.4 (20 Oct. 1976)
(Third Amendment) Act, 2033
4. Land (Survey and Measurement) 2035.5.21 (6 Sept.1978)
(Fourth Amendment) Act, 2035
5. Land (Survey and Measurement) 2036.8.5 (21 Nov. 1979)
(Fifth Amendment) Act, 2036
6. Land (Survey and Measurement) 2046.7.11 (27 Oct. 1989)
(Sixth Amendment) Act, 2046
7. Administration of Justice Act, 2048 2048.2.16 (30 May 1991)
8. Land (Survey and Measurement) 2049.6.28 (14 Oct. 1992)
(Seventh Amendment) Act, 2049
9. Land (Survey and Measurement) 2057.3.7 (21 June 2000)
(Eighth Amendment) Act, 2056

10. Republic Strengthening and Some Nepal Laws Amendment Act, 2066 2066.10.7 (21 Jan. 2010)

Act number 51 of the year 2019 (1963)

An Act made to provide for survey and measurement of lands

Preamble: Whereas, it is expedient to make arrangements for the survey and measurement of lands and for determining their grade in order to maintain cordial relations between people of different classes, communities or regions inNepal¹ and to maintain convenience of the citizens of Nepal generally;

Now, therefore, His Majesty King Mahendra Bir Bikram Shah Dev has enacted this Act in accordance with Article 93 of the Constitution of Nepal.

1. **Short title, extension and commencement:** (1) This Act may be called as the "Land (Survey and Measurement) Act, 2019 (1963)."
- (2) This Act shall extend throughout Nepal.
- (3) This Act shall come into force immediately.
2. **Definitions:** Unless the subject or the context otherwise requires, in this Act:
- (a) "land" means all categories of land, including those with buildings, gardens, trees, factories, lakes, ponds etc.;
- (a1)² "survey and measurement" means the act of collecting data related to landowners and tenants, preparing maps of lands, ascertaining the area of lands, categorizing the grades of lands or registering lands

¹ Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066.

² Amended by the Eighth Amendment.

with the field book on the basis of maps or records, and this terms includes the act of carrying out an aerial survey, establishing controlling points for survey and making cadastral survey at various scale (*Man*) and publishing maps;

- (a2)³ "registration record" means the landowner registration record so prepared on the basis of the map and field book prepared following the survey and measurement of a land as to clearly indicating, *inter alia*, the landholder, tenant, plot, area and type or grade of the land;
- (a3)⁴ "border" means a border line determining the boundary between two different pieces of land;
- (a4)⁵ "plot" means a piece of land that has boarder in all four sides and has similarity in right, possession and grade in each place;
- (b)⁶ "landholder" means a person who has right to be a landowner of/in a land in accordance with the prevailing Nepal law;
- (c)⁷ "tenant" means a person who cultivates a land belonging to other landholder through the labour of him or her or of his or her family after getting the land for cultivation on any condition;
- (d)⁸ "*Patuwari*" means any persons who maintain records of lands or homesteads and recover land-revenue or other tariff in accordance therewith;
- (e) "government land" means the land where there exit roads, railway, government building or office and this expression also includes forest, shrubs, jungle, river, streams, *Nadi Ukas*, lake, pond and

³ Inserted by the Sixth Amendment.

⁴ Inserted by the Seventh Amendment.

⁵ Inserted by the Seventh Amendment.

⁶ Amended by the Second Amendment.

⁷ Amended by the Second Amendment.

⁸ Amended by the Second Amendment.

ridge thereof, main canal (*Nahar*), water course (*Kulo*), (Barron) *Ailani*, *Parti* and other types of land, *Bhir*, *Pahara*, *Dagar*, shore (*Bagar*) which is under the control of Government and such other lands as a Government land as prescribed by Government of Nepal by a Notification in the Nepal Gazette.

- (f)⁹ "public land" means and includes roads, wells, water conduits, shores, ponds and banks thereof, exits for chattels, pasture lands, graveyards, burial sites, inns, *Pauwas*, *Dewals*, religious meditation sites, memorials, temples, shrines, *Chowk*, *Dawali*, sewerage, *Chautaro*, lands where fairs, markets and public entertainment or sports sites are located, which been used publically but nor personally since ancient times, and such other lands as prescribed to be the public land by the Government of Nepal, by a notification in the Nepal Gazette; and
- (g) "prescribed" or "as prescribed" means prescribed or as prescribed in the rules framed under this Act.

3. Power to make survey and measurement of lands: (1)¹⁰ The Government of Nepal may issue an order to make survey and measurement of lands in all or any places within.....Nepal¹¹.

(2) The prescribed authority shall carry out the function as referred to in Sub-section (1).

(3)¹² Any station may be established on any land and any means/equipment of survey may be used, without any control, for the purpose of making survey and measurement of lands.

⁹ Amended by the Eighth Amendment.

¹⁰ Amended by the Eighth Amendment.

¹¹ Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066

¹² Amended by the Second Amendment.

(4)¹³ After the issuance of the order as referred to in Sub-section (1), the General Survey Office (Naapi Goswara)¹⁴ responsible for making survey and measurement shall give a notice to the Land-Revenue Office¹⁵ in the concerned district, indicating the date of commencement of survey in the area to be surveyed and measured, and for the provision of records required for that act.

(5)¹⁶ If it appears or is informed that there is any mistake or error in the act done by the authority making survey and measurement, ascertaining the area thereof and making entry or registration in the field book, the survey officer shall make necessary examination and make, or cause to be made, necessary correction prior to the distribution of landownership registration certificates pursuant to Sub-section (1) of Section 8; and departmental action shall be taken against the employee who makes such a mistake or error knowingly.

(6)¹⁷ The prescribed authority shall update, as prescribed, the map records prepared upon survey and measurement made pursuant to Sub-section (1).

3A.¹⁸ General duties of Jimidar, Patuwari: (1) Within the time-limit specified by the Land-Revenue Office¹⁹ in the concerned district, the *Jimidar, Patuwari* shall prepare records setting out detailed description of the lands the records of which are in his or her custody including the plot numbers of lands and hand over the same to the concerned Land-Revenue Office²⁰.

¹³ Amended by the Second Amendment.

¹⁴ Amended by the Sixth Amendment.

¹⁵ Amended by the Eighth Amendment.

¹⁶ Inserted by the Seventh Amendment.

¹⁷ Inserted by the Seventh Amendment.

¹⁸ Inserted by the Second Amendment.

¹⁹ Amended by the Eighth Amendment.

²⁰ Amended by the Eighth Amendment.

(2) If the act of making survey, mapping or establishing control point locations commences in the concerned area of their area²¹ (*Mauja*), the *Jimidar*, *Patuwari* or their representatives shall make presence and assistance as and when so required by the survey team²² from the commencement of that act to the end thereof.

3B.²³ **Details to be provided:** The Land-Revenue Office and concerned body shall provide such records and other documents as required for the survey and measurement to the concerned General Survey Office or Survey Office prior to the commencement of the survey and measurement.

4.²⁴ **Method of determining area of land:** (1) In determining the area of land surveyed and measured, the area shall be determined at the rate of Ten Thousand square meters equal to one hectare, and in preparing registration record, the record shall state both hectare and square meters. In so mentioning square meters, up to Two digits after decimal point of square meters shall be mentioned.

(2)The Land Revenue Office shall convert the area of the land, of which registration record has been maintained in *Bigaha* or *Ropani*, upon being surveyed and measured, prior to the commencement of this Section, into hectare and square meters.

5.²⁵ **Demarcation of border, boundary of Village Development Committee or Municipality or Ward:** In surveying and measuring pursuant to this Act, the border, boundary of the area or ward of the Village Development Committee or Municipality to be surveyed shall be demarcated prior to making survey of the Village Development Committee

²¹ Amended by the Seventh Amendment.

²² Amended by the Third Amendment.

²³ Inserted by the Eighth Amendment.

²⁴ Amended by the Seventh Amendment.

²⁵ Amended by the Third Amendment.

or Municipality, such survey shall then be made. If in demarcating the border, boundary, there arises any dispute as to the border of a zone or district as well, the border, boundary shall be demarcated in accordance with the decision of the prescribed authority or committee. If it appears that it shall take time to decide the border, boundary subject to dispute, survey work shall continue and be completed by setting aside the registration of those plots of the border, boundary subject to dispute.

Provided that, if the survey of the whole district, Village Development Committee, Municipality or Ward is not made but that of some parts only is to be made, it is not required to demarcate the border, boundary pursuant to this Section.

5A.²⁶

6. To give notice and commence operation after entering into land:

(1) If it is necessary to establish a control point station in any land or to survey and measure any land, a notice shall be given to the landholder, tenant of the land where the control point station is to be established or which is to be surveyed and measured, neighbors, concerned *Jimidar*, *Patuwari* and Village Development Committee or Municipality prior to at least Fifteen days.

Explanation: In giving a notice to any landholder, tenant, neighbour, *Jimidar* and *Patuwari* for the purposes of this Sub-section, affixation of the notice of that matter unto main places of movement of general public of the area of the land where such control point station is to be so established or which is to be so surveyed and measured or of the area where the landholder or the tenant is residing shall be sufficient.

²⁶ Deleted by the Eighth Amendment.

Provided that, a notice in writing shall be given to the Village Development Committee or Municipality.

(2) In establishing a control point station in any land or surveying and measuring any land, such station or survey and measurement may be established or made in presence of the landholder, his or her representative, tenant, concerned *Jimidar*, *Patuwari*, neighbour and also a representative of the concerned Village Development Committee or Municipality.

Provided that, if any landholder or his or her representative, the tenant cultivating the land or neighbor does not show up within the time-limit specified in the notice as referred to in Sub-section (1), the control point station may be established or survey and measurement made in presence of the *Jimidar* of the area where that land is situated or his or her representative, *Patuwari* or representative of the concerned Village Development Committee or Municipality.

(3) In establishing a control point station in any land or surveying and measuring any land, such permanent or temporary landmarks, monuments or bacons may be placed or installed as may be necessary for that act and the bushes or branches of any tree may be cut off or cleared for having the view of landscape.

(4) If any control point station is established in any land, the record shall also state the area of land covered by that station, and the landownership registration certificate of the landholder of the land and the tilling slip of tenant, if any, shall also state that matter.

Explanation: The term "control point station" means and includes an area of up to 1.55 meters on all sides of the landmark in the centre.

(5)²⁷In the course of surveying and measuring, the landholders shall send certificate of his or her ownership and possession of the land personally or through his or her representative and get his or her land registered. A landholder who has since long past (ancient times) owned, possessed and cultivated a land without any evidence, registration and payment of land-revenue,²⁸ except a barren land, public land.....²⁹ and a land within the forest boundary as determined, shall also get the land registered. If such a landholder shows up go get such a land registered on the basis of such ownership and possession since long past (ancient times), the survey team shall affix a notice onto main places of frequent movement of people including the tenant and neighbours of the land, also indicating the name of the Village Development Committee or Municipality where the land so requested for registration is situated and the boundaries of ward and the name and address of the person showing up for such registration and stating that any one may make a complaint on that matter with the survey team within Twenty One days of the affixation of the notice, and shall also give a notice in writing to the local Village Development Committee or Municipality. If no complaint is made, the land shall be registered in the name of that landholder by the survey team if the land is outside the municipal area and by the General Survey Office if it is a house and land which is within the municipal area and occupied oneself without any evidence. If a complaint is made, the survey team, if the land is outside the municipal area, and the general survey office, if it is a house and land which is within the municipal area and occupied oneself without any evidence, shall carry out public inquiry and necessary examination and make a submission, accompanied by its opinion, to the committee or

²⁷ Amended by the Third Amendment.

²⁸ Amended by the Fourth Amendment.

²⁹ Deleted by the Sixth Amendment.

authority designated by the Government of Nepal, and shall act as sanctioned.

(5a)³⁰ If a person obtains the ownership of a house and land of which land-revenue is not maintained through a deed executed at household and has continuously possessed the house and land at least since Fifteen years ago considering that he or she has right in the house and land and any complaint has not been made on that deed in any court during that period, in the course of surveying and measuring the land, the deed shall be recognized as a valid deed despite that it has not been registered and such a house and land shall be registered in the name of that landholder, and the provision contained in Sub-section (7) shall not apply in this respect.

(5b)³¹ In surveying and measuring a house and land on the ground floor and upper floors or on the same floor, owned by different persons, such a house and land shall be registered separately in the name of the house and land holders having separate ownership.

(5c)³² If the concerned person makes a claim in writing, along with the evidence, over a land which is registered, and land revenue of which is maintained, in his or her name, which has been owned and possessed by him or her and which contains private forests and shrubs, such a land shall be registered in the name of the concerned landholder in accordance with the decision made by the committee formed pursuant to Section 11B. after making necessary examination into the matter.

(5d)³³ In making entry or registration in the field book of a land upon surveying it in an area where re-survey and measurement has been made, the previous map and registration record prepared upon making

³⁰ Inserted by the Fourth Amendment.

³¹ Inserted by the Fourth Amendment.

³² Inserted by the Seventh Amendment.

³³ Inserted by the Seventh Amendment.

survey and measurement in the past shall be looked into and verified, and the description thereof shall be mentioned in the evidence column of the field book.

(6) In the case of a landholder and tenant who do not get their land registered or send their representative either in the course of making survey and measurement pursuant to Sub-section (5), a notice shall be published for the second time in the concerned Village Development Committee or Municipality, thereby giving a time-limit of a maximum of Fifteen days for them to show up for the registration of their land. If the evidence of title (ownership and possession) of the landholder and the tenant who appears to have the land registered within the said time-limit is verified or if the landholder of any land which is not registered or on which no land revenue/tax is being paid appears to have his or her land registered on the basis of possession, the prescribed authority may, upon conducting necessary inquiry, register such a land after collecting a fine of Five Rupees.

.....³⁴

(6a)³⁵ The prescribed authority may, upon verifying the details mentioned in the previous records, and in presence of one representative of the Ward Committee, register the land of a landholder who neither appears even within the time-limit given for the second time pursuant to Sub-section (6) nor sends his or her representative. The landholder who is not satisfied with the registration so made may file a complaint in the Court within Six months after the date of knowledge of that matter.

³⁴ The proviso deleted by the Sixth Amendment.

³⁵ Amended by the Eighth Amendment.

(7)³⁶ If a dispute relating to the ownership of any land arises between Two or more persons while it is being surveyed and measured, the prescribed authority shall examine the evidence presented by both parties on the matter, make a decision to have the land registered on a provisional basis on the name of the party whose evidence seems to be stronger until a final decision is made by the Court, and give an evidence to that effect to the concerned party. If the unsatisfied party does not make a complaint in the Court against that decision within Thirty Five days, that decision shall be final and the land shall be registered accordingly in the name of the concerned person. If a complaint is made, the land shall be registered in accordance with the final decision made by the Court.

(8)³⁷

(9)³⁸ If, in making re-survey and measurement of land in a place where the lands have already been surveyed and measured and registration records thereof have been prepared pursuant to this Act, a dispute arises between two or more persons in relation to the title to any land as mentioned in the previous registration records, the prescribed authority shall register the land by verifying the previous registration records.³⁹

6A.⁴⁰

6B.⁴¹ Relating to registration of omitted land (Chhut Jagga): (1)

Notwithstanding anything contained in the prevailing law, if, in the course of surveying and measuring land, the survey and measurement of any land is omitted or despite being surveyed and measured its registration is omitted, the concerned person may make an application, accompanied by

³⁶ Amended by the Third Amendment.

³⁷ Deleted by the Eighth Amendment.

³⁸ Inserted by the Sixth Amendment.

³⁹ Amended by the Eighth Amendment.

⁴⁰ Deleted by the Eighth Amendment.

⁴¹ Inserted by the Eighth Amendment.

such documents as required for the survey and measurement of such a land, to the prescribed authority.

(2) If an application is made pursuant to Sub-section (1), the prescribed authority shall submit the application to the prescribed committee and shall do in accordance with the recommendation of that committee.

(3) If an application is not made pursuant to Sub-section (1), after Sixty days of the date of distribution of the land ownership registration certificates of that area, such a land shall be registered as a government or public land and records thereof shall be maintained accordingly.

(4) After the commencement of the act of survey and measurement in any area pursuant to Sub-section (1), the Land Revenue Office shall send the record file relating to the registration of omitted land to the concerned General Survey Office for necessary action.

6C.⁴² **Registration of land possessed upon encroachment:** Despite that any land measured and surveyed as a government or public land in the past being cultivated, tilled or possessed by any person upon encroaching and making a building there, such a land shall be registered as a government or public land in the course of making survey and measurement.

6D.⁴³ **Power to correct registration records:** (1) Notwithstanding anything contained in the other Sections of this Act, if the existing road or water course changes or the existing road or water course can no longer be used because the concerned person has left his or her land for a road or water course and so expanded the road or water course and the existing registration records so differ, and an application is made to the prescribed authority for making correction in the records, the concerned General

⁴² Inserted by the Eighth Amendment.

⁴³ Inserted by the Eighth Amendment.

Survey Office shall submit the application to the prescribed committee and correct and adjust the records by registering the road or water course adjoining the land of the applicant in the name of the concerned person, in accordance with the recommendation of that committee.

(2) If, in preparing the registration records pursuant to this Act, if there is any error in the name, surname, address, age of any landholder or name of his or her father and grandfather, plot number, area or type of the land, the concerned authority shall, upon making necessary inquiry, adjust the registration records.

7.⁴⁴ **In the case of alteration in area of land:** (1).....⁴⁵ If, in the course of making survey and measurement of any land, its area becomes more or less than the previous area, that area of the land as set accordingly shall be maintained in the name of the concerned landholder.

(2)⁴⁶ If the land of any person is adjoining a government or public land, the survey and measurement of the land shall be made on the basis of the previous registration records or evidence, if any available, and failing such records or evidence, such survey and measurement shall be made by setting the area on the basis of the borders as recommended by the chairperson of the concerned war of the concerned Village Development Committee or Municipality and at least two nearby neighbors. In so setting the area, if the area of the land of the person adjoining the government or public land is altered, a submission shall be made to the prescribed committee, and survey and measurement of land shall be made by setting the area as recommended by that committee.

⁴⁴ Amended by the Eighth Amendment.

⁴⁵ Deleted by the Eighth Amendment.

⁴⁶ Amended by the Eighth Amendment.

(3)⁴⁷

(4) After the submission of registration records according to the area set by the survey and measurement to the land revenue office, the concerned landholder shall pay the land revenue or tax accordance to the registration records.

8.⁴⁸ To obtain registration certificate: (1)⁴⁹ After the completion of the act of survey and measurement and preparation of registration records, the prescribed authority shall prepare land ownership registration certificates, as an evidence of ownership in the lands as set forth in the registration records, and give such certificate to the concerned landholders or their representatives.

(1a)⁵⁰ In the case of separate ownership on the ground floor or upper floor or the same floor of any building, separate land ownership registration certificates shall be prepared in relation to the floors under such separate ownership and given to the concerned landholders or their representatives.

(2) If a person does not obtain the land ownership registration certificate pursuant to Sub-section (1), the person may make a complaint to the prescribed authority within Sixty days⁵¹ after the date of the commencement of distribution of land ownership registration certificates in the same area or if a person who obtains the land ownership registration certificate but is not satisfied therewith, the person may make such a complaint to such authority within Sixty days⁵² after the date of receipt of the land ownership registration certificate.⁵³

⁴⁷ Deleted by the Eighth Amendment.

⁴⁸ Amended by the Sixth Amendment.

⁴⁹ Amended by the Sixth Amendment.

⁵⁰ Inserted by the Sixth Amendment.

⁵¹ Amended by the Eighth Amendment.

⁵² Amended by the Eighth Amendment.

⁵³ Inserted by the Seventh Amendment.

(3) The prescribed authority shall conduct necessary investigation into the complaints made pursuant to Sub-section (2), check and verify the registration records prepared pursuant to Sub-sections ⁵⁴ (5), (5a), (5b), ⁵⁵ (5c), (5d) and (6) of Section 6 and issue the land ownership registration certificate if it is so required and issue another land ownership registration certificate upon making correction if the land ownership registration certificate is to be so corrected.

Provided that, if, in investigating into a complaint pursuant to this Sub-section, the land ownership registration certificate cannot be issued or corrected because of a dispute arisen as to the title or ownership or possession pursuant to Sub-section (7) of Section 6, the prescribed authority shall immediately issue a slip to the complainant, clearly setting out that the land ownership registration certificate can be issued or corrected only after that matter is decided by the court.

(4) ⁵⁶ The registration of the government land or public land shall be made as prescribed.

8A. ⁵⁷ Cancellation of registration records upon receipt of details: The concerned General Survey Office or Survey Office shall submit the details relating to the survey and measurement within One Hundred Twenty days after the date of distribution of the land ownership registration certificates, and upon receipt of such details, the previous registration records of survey and measurement shall *ipso facto* be canceled.

9. ⁵⁸ Recovery of expenses of survey and measurement: Expenses incurred in the survey and measurement of land conducted for the purpose

⁵⁴ Amended by the Fourth Amendment.

⁵⁵ Inserted by the Seventh Amendment.

⁵⁶ Amended by the Sixth Amendment.

⁵⁷ Amended by the Eighth Amendment.

⁵⁸ Amended by the First Amendment.

of collection of revenues of the Government shall not be recovered from the public.

Provided that, the expenses incurred in the survey and measurement of land conducted for the purpose of any person himself or herself may be recovered in full from that person.

9A.⁵⁹ Compensation to be paid: If any control point station is set up on any land, compensation as prescribed shall be paid to the landholder and tenant of that land.

9B.⁶⁰ General responsibilities of landholders and tenants: (1) The tenant, if any, of the land on which the control point station is set up and failing such a tenant, the landholder shall do all reasonable acts to safeguard the control point station.

(2) If, except as a result of an act of God, the control point station sustains any loss or damage in any manner or is shifted, demolished or destroyed, the person who has responsibility pursuant to Sub-section (1) shall, unless otherwise proved, be deemed to have caused loss or damage to, shifted, demolished or destroyed the control point station.

10.⁶¹ Categorization of grade of land: In conducting survey and measurement of lands, the grades of lands shall be categorized on the basis of the prescribed grounds.

10A.⁶² Land revenue office to perform functions of *Jimidari, Patuwari*:
The land revenue office shall perform the functions to be performed by *Jimidari, Patuwari* following the cancellation of such functionary.

⁵⁹ Inserted by the Second Amendment.

⁶⁰ Inserted by the Second Amendment.

⁶¹ Amended by the Eighth Amendment.

⁶² Amended by the Eighth Amendment.

11.⁶³ **To maintain maps and records:** (1) In making survey and measurement of lands, the maps of lands shall be prepared in the form as specified by the Director General of the Department of Survey.⁶⁴

(2) In making survey and measurement of lands, the records of lands shall be prepared and updated as prescribed.⁶⁵

.....⁶⁶

11A.⁶⁷

11B.⁶⁸ **Power of Government of Nepal to form committee:** If it appears that a survey officer or prescribed authority⁶⁹ has done any act in contravention of this Act or the rules framed hereunder or that the boundary of a forest, government land, public land or trust land have been encroached upon or it appears that there has arisen any ordinary problem in relation to registration upon survey and measurement, the Government of Nepal may form a committee to rectify or resolve such an act or problem. The functions, duties and powers of the committee so formed⁷⁰ shall be specified at the time of its formation.⁷¹

11C.⁷² **Power to make survey and measurement for plotting or integrated development:** The Government of Nepal may make, or cause to be made, survey and measurement for the plotting or integrated development of any private, governmental or public lands.

⁶³ Amended by the Third Amendment.

⁶⁴ Amended by the Sixth Amendment.

⁶⁵ Amended by the Sixth Amendment.

⁶⁶ Proviso deleted by the Seventh Amendment.

⁶⁷ Deleted by the Eighth Amendment.

⁶⁸ Inserted by the Third Amendment.

⁶⁹ Amended by the Seventh Amendment.

⁷⁰ Inserted by the Sixth Amendment.

⁷¹ Amended by the Eighth Amendment.

⁷² Inserted by the Eighth Amendment.

11D.⁷³ Aerial survey, map publication etc. may be made by obtaining

approval: Notwithstanding anything contained in the other Sections of this Act, if any person, other than the prescribed authority, wishes to make an aerial survey, use the control stations set up by the Government of Nepal, publish maps prepared by the Government of Nepal or sell maps published abroad withinNepal⁷⁴ such a person may do so, subject to the observance of the prescribed terms and conditions.

Provided that, no map published in abroad shall be sold in Nepal if it contradicts with the map prepared by Government of Nepal.

11E.⁷⁵ Power to give permission to make survey and mapping: (1) The

Government of Nepal may give permission to any person or body to carry out acts of survey and mapping as prescribed, subject to the survey and measurement made pursuant to this Act.

(2) The matters relating to the fees leviable for the issuance of permission pursuant to Sub-section (1), the terms and conditions to be observed by the permission holder person or body and other relevant matters shall be as prescribed.

12. Penalties: (1) If, in making survey and measurement or setting up control point stations, any person obstructs, or causes someone to obstruct, the survey and measurement of land or setting up of such stations by disfiguring fences or signals, instigating people or manhandling or otherwise, the prescribed authority may punish such a person making such obstruction with a fine of up to Fifty Rupees for the first time, of Fifty to One Hundred Rupees for the second time and of One Hundred to Five

⁷³ Inserted by the Eighth Amendment.

⁷⁴ Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066.

⁷⁵ Inserted by the Eighth Amendment.

Hundred Rupees for the third time or with imprisonment for a term of Six months or with both.

(2) If a person is held to have made a false complaint that there is any kind of alternation in the land surveyed and measured pursuant to Section 8, the prescribed authority may punish such a person making such false complaint with a fine of up to One Hundred Rupees.

(3) ⁷⁶ The chief of Land Revenue Office ⁷⁷ may fine the *Jimidar* who does not prepare and submit records within the time-limit pursuant to Section 3A. with up to Five Hundred Rupees, the *Patuwari* who does not prepare and submit the same within the said time-limit with up to Three Hundred Rupees or the *Jimidar* or *Patuwari* who does not appear or send his or her representative with up to Five Hundred Rupees for the absence of each day.

(4) ⁷⁸ If any person shifts, demolishes or destroys or otherwise damages a control point station without the approval of the Department of Survey, the prescribed authority may recover the amount of such damages as well as the costs involved in the re-installation or repair of the control point station and also fine such a person with up to One Thousand Rupees. The prescribed authority may recover the amount of expenses incurred from the false complaint from the person who makes such false complaints in this respect and fine such a person with up to Five Hundred Rupees.

(5) ⁷⁹ If any person does any act or action without obtaining permission pursuant to Section 11D., the prescribed authority may fine such a person with up to Twenty Thousand Rupees and all surveys and maps as

⁷⁶ Inserted by the Second Amendment.

⁷⁷ Amended by the Eighth Amendment.

⁷⁸ Inserted by the Second Amendment.

⁷⁹ Inserted by the Eighth Amendment.

well as other materials related with the action or act done or taken without obtaining permission shall be confiscated.

(6)⁸⁰ If any person does any other act or action in contravention of this Act, the prescribed authority may fine such a person with up to Ten Thousand Rupees.

- 13.⁸¹ **Appeal**: A person who is not satisfied with a decision made by the authority prescribed under Section 12 or the chief of Land Revenue Office⁸² may file an appeal to the concerned Court of Appeal⁸³ within Thirty Five days after the date of such decision.
14. **Power to frame Rules**: The Government of Nepal may frame rules in order to implement the objects of this Act.
15. **Validity of acts or actions done or taken previously**: Any acts or actions required to be done or taken pursuant to this Act or the Rules framed hereunder prior to the commencement of this Act shall be deemed to have been done or taken under this Act.
16. **Repeal**: For the purposes of this Act, numbers 7, 8, 9 and 10 of land *Goshowara* of the *Muluki Ain* (General Code) and Nepal law relating to survey and measurement of lands shall be deemed to have been repealed.

⁸⁰ Inserted by the Eighth Amendment.

⁸¹ Amended by the Second Amendment.

⁸² Amended by the Eighth Amendment.

⁸³ Amended by the Administration of Justice Act, 2048..