

A Report on
Post Consultation Discussion with Bagmati Province to Ensure the
Inputs (Follow-up the Inputs are Considered or not)

Submitted by

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Date: 2025/08/31 (2082/5/15), Sunday

Program Venue: Hetauda

Background

A one-day discussion program on the subject of "**Post Consultation Discussion with Bagmati Province to Ensure the Inputs** (Follow-up the inputs are Considered or Not)" was carried out on 31st August, 2025 at Hetauda. The program participants included representatives from Ministry level, journalists' representatives, NGO representatives and local level people to ensure that representatives from all levels are present in the program. The program was chaired by Hon. Ananda Kumar Shrestha and facilitation was done by Ms. Aarati Pathak, Chairperson of the Women Rights and Resources Network.

Program Description

The program was organized for the discussion about key issues that were raised during the previous dialogue programs. The discussion program focused on key discussions that were arose from the previous dialogue programs to ensure whether they are included in the draft Bagmati Province Forest Act which was under the process of amendment. The program was started by discussing key highlights of the previous dialogue program. The key highlights are listed below:

During the **first consultation program** with province representatives along with local level stakeholders, Dr. Sindhu Dhungana presented the findings of a comprehensive gap analysis, emphasizing the urgent need to align the Bagmati Province Forest Act with the Federal Forest Act (2019), the National Forest Policy (2019), and international commitments such as CBD and CITES. The presentation underscored a necessary shift in forest policy from a purely conservation-driven model to one that embraces sustainable, production-oriented approaches. This includes incorporating eco-tourism, enterprise development, carbon trading, and strengthening community rights to ensure inclusive and effective forest governance.

During the **second event of dialogue program** with ministry representatives, stakeholders raised critical concerns throughout the discussions. Marginalized groups, including Indigenous Peoples and Local Communities (IPLCs), Dalits, women, and traditional occupational groups, highlighted limited recognition of their rights over forest resources. There was strong advocacy for provisions protecting traditional livelihoods, specifically those of yak herders, potters, Chiuri cultivators, and

Dalits dependent on certain species. Women's participation was another major focus, with recommendations to ensure at least 50% representation in Community Forest User Groups (CFUGs), including meaningful roles in key executive positions. Support for local enterprise development and eco-tourism was strongly urged, particularly the leasing of community forest land to marginalized households, especially women and Dalits, to uplift livelihoods. Calls were also made to prevent forced mergers of small CFUGs, remove outdated provisions such as block forest systems, and harmonize provincial laws with federal standards. Additionally, proposals to allow construction of water recharge ponds within CFUGs were advanced to improve watershed protection and disaster mitigation, including wildfire prevention. Parliamentarians questioned the continued import of timber despite Nepal's domestic potential, urging better utilization and value addition of forest products to optimize resources. Practical challenges were exemplified by the case of Bankariya women's soap-making training, where bureaucratic practices like reclaiming products after training hindered community empowerment. This highlighted the need to review restrictive laws that limit the genuine support for community-based enterprises. This program intended to discuss about overall issues and loopholes in existing Bagmati Province Forest Act which should be taken into consideration by proper amendment process.

The **third dialogue program** with media and communication roles were discussed, with journalists pointing out challenges in CFUG operations such as inactive community forests caused by unrenewed operational plans and poor communication channels between CFUGs and government authorities. Media representatives committed to amplifying stakeholder concerns and ensuring broader dissemination of issues related to equitable forest governance.

Commitments made during the consultations reflected strong political will. Provincial Assembly members including Hon. Ruku Chaulagain, Hon. Yamuna Devi Shrestha, and others expressed firm dedication to incorporating the recommendations into the ongoing amendment process. Hon. Ananda Kumar Shrestha acknowledged past legislative shortcomings in addressing IPLCs' needs and assured that the upcoming amendments would prioritize inclusivity and community rights. Journalists and other stakeholders also pledged to continue advocacy and collaboration to ensure accountability and progressive outcomes.

Each dialogue program concluded with a strong commitment to address the existing loopholes in the Bagmati Province Forest Act through thorough amendments developed in proper consultation with stakeholders at local, provincial, and national levels. These consultations successfully

consolidated diverse stakeholder voices, reinforcing the urgency of legal reforms that balance forest conservation with livelihood needs, promote gender and social inclusion, and strengthen local enterprise development. The firm commitments made by provincial assembly members, combined with active support from the media, signify significant progress toward establishing a more progressive, inclusive, and practical Bagmati Province Forest Act that effectively serves both the people and the environment.

The post-consultation discussion program was conducted with the objective of identifying and addressing existing loopholes in the Bagmati Province Forest Act, currently undergoing the amendment process. The draft version of the Act, prepared by the Ministry, was presented during the program to facilitate review and ensure the incorporation of necessary changes. This initial draft served as a basis for scrutiny and feedback. The specific issues that were corrected and/or eliminated in the draft are detailed below:

दफा	साविकको व्यहोरा	संशोधनको लागि प्रस्तावित व्यहोरा	संशोधन गर्नपर्नुको कारण
२(म२) थप गर्ने	“दिगो वन व्यवस्थापन” शब्दलाई परिभाषित नगरिएको । (परिभाषा खण्ड)	२(म२) “दिगो वन व्यवस्थापन” भन्नाले वनको हैसियत अभिवृद्धि हुने गरी अधिकतम रूपमा वन पैदावार तथा सेवा प्राप्त गर्ने र भावी पुस्ताको आवश्यकतालाई पूर्ती हुने गरी मान्यता प्राप्त सूचकको आधारमा गरिने वन व्यवस्थापनलाई सम्झनुपर्छ ।	वनको दिगो व्यवस्थापन गर्न हाल र पछि सम्मका लागि अपरिहार्य भएकाले यसलाई परिभाषित गर्न बाञ्छनीय हुने ।
१८क	पुरानो घरको काठ स्थानान्तरणको प्रावधान नभएकोले थप गर्नु पर्ने	पुरानो घरमा प्रयोग भएको पुरानो काठको ओसारपसार गर्न प्रदेश सरकारले प्रदेश राजपत्रमा सूचना प्रकाशन गरी निश्चित समयका लागि खुला गर्न सक्नेछ । स्पष्टिकरण:-यस दफाको प्रयोजनको लागि पुरानो घरको पुरानो काठ भन्नाले कम्तिमा दश वर्ष भन्दा पुरानो घरमा प्रयोग भएको काठलाई संझनुपर्छ ।	पुरानो घरको काठ स्थानान्तर संवन्धि व्यवस्था नभएको र जनस्तरबाट बारम्बार माग भै रहकोले थप गर्न आवश्यक रहेको ।

दफा	साविकको व्यहोरा	संशोधनको लागि प्रस्तावित व्यहोरा	संशोधन गर्नपर्नुको कारण
१८ख (४)		वन क्षेत्रको नदीजन्य पदार्थको व्यवस्थापन संवन्धी अन्य व्यवस्था तोकिए बमोजिम हुनेछ ।	
१८ख (५)		तोकिए बमोजिमा प्रजातिहरू खडा रुख लिलाम बिक्री गर्न सकिने छ । यसरी लिलाम बिक्री गरिने रुख प्रजाति तथा प्रकृत्या तोकिए बमोजिम हुनेछ ।	थप गर्नु पर्ने वन नियमावली २५ ६ बमोजिम मिलाउने
२२ (२)	२२(२) को हालको विवरण हटाउने र जडीवुटी खेती, कृषि वन वाली तथा फलफूल रोपण गर्न सकिने प्रावधान समावेश गर्ने (नभएकोले थप गर्ने)	<u>समुदायमा आधारित वन उपभोक्ता समूहद्वारा व्यवस्थापन हुदै आएको रुख विरुवा नभएको वा भएको अवस्थामा दश प्रतिशत भन्दा कम छत्र घनत्व भएको वन क्षेत्रमा संवन्धित उपभोक्ता समूहले स्वीकृत वन व्यवस्थापन कार्ययोजनाको अधिनमा रही गैह्रकाष्ठ तथा जडीवुटी खेती, कृषि वन वाली तथा फलफूल रोपण गर्न सकिनेछ ।</u>	स्वीकृत वार्षिक कार्यक्रममा समावेश गरी सालवसाली रुपमा जडीवुटी खेती, कृषि वन वाली तथा फलफूल रोपण कार्य हुदै आएकोले यसलाई कानूनी आधार प्रदान गर्न आवश्यक देखिएकोले
३४(२क)	<u>नभएकोले थप गरिएको</u>	<u>आदिवासी जनजातिका प्रथाजनित अभ्यासहरूलाई कार्ययोजनामा समावेश गरी कार्यान्वयन गर्नु पर्नेछ ।</u>	आदिवासी जनजातीहरूको हक अधिकार स्थापित गर्न ।
३४(३)	तीस हेक्टरभन्दा कम क्षेत्रफल भएको सामुदायिक वनको कार्ययोजना पुनरावलोकन गर्दा सबडिभिजन कार्यालयको प्रमुख (अधिकृतस्तर) बाट स्वीकृत गराई लागु गर्नुपर्नेछ र सोको जानकारी सातदिनभित्र डिभिजन वन कार्यालयमा दिनुपर्नेछ ।	हटाउने	वन ऐन, २०७६ सँग तादम्यता मिलाउन ।
३८(४)	<u>समूहभित्र खपत भएको वन पैदावार (काठ र दाउरा) बाट</u>	हटाउने	हटाउने

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	<u>प्राप्त रकमको शून्य दशमलव पाँच प्रतिशत रकम सेवा शुल्क बापत प्रदेश संचित कोषमा जम्मा गर्नुपर्नेछ ।</u>		
३८(५)	<u>नभएकोले थप गरिएको</u>	<u>सामुदायिक वन उपभोक्ता समूहका सदस्यहरू मध्य वनपैदावार प्रयोग हुने परम्परागत पेशा अवलम्बन गरिरहेका सीमान्तकृत घरपरिवारलाई सामुदायिक वनबाट त्यस्तो वनपैदावार निशुल्क उपलब्ध गराउन सकिनेछ</u>	परम्परागत पेशाको संरक्षण र जिविकोपार्जन प्रवर्धन गर्न ।
३९(३)	<u>उपदफा (१) बमोजिम पर्यार्यटन कार्यक्रम संचालनबाट प्राप्त शुल्कको दश प्रतिशत रकम प्रदेश संचित कोषमा जम्मा गर्नुपर्नेछ ।</u>	<u>हटाउने</u>	प्रदेश आर्थिक ऐनमा तोक्दा व्यवहारिक हुने ।
३९(४)	<u>नभएकोले थप गरिएको</u>	<u>सामुदायिक वन उपभोक्ता समूहका नाउँमा वनमा आधारित उद्योग दर्ता गर्न सकिनेछ ।</u>	सामुदायिक वनमा उद्यम प्रवर्धन गर्न ।
४२(४)	<u>नभएकोले थप गरिएको</u>	<u>सामुदायिक वनको उपभोक्ता समितिमा अध्यक्ष वा सचिव मध्ये एक, उपाध्यक्ष वा कोषाध्यक्ष मध्ये एक सहित कम्तीमा ५० प्रतिशत महिला समावेश गर्नुपर्नेछ । साथै समूहमा भएका घरधुरीहरूलाई कूल जनसंख्या मानी सामुदायिक वनको उपभोक्ता समितिमा आदिवासी जनजाति र अन्य सीमान्तकृत समुदायको समानुपातिक समावेशी प्रतिनिधित्व गराउनु पर्नेछ ।</u>	सामुदायिक वनमा समावेशिता कायम गर्नका लागि ।

दफा	साविकको व्यहोरा	संशोधनको लागि प्रस्तावित व्यहोरा	संशोधन गर्नपर्नुको कारण
४५(४)	उपदफा (३) बमोजिम खर्च गरेर बाँकी रहेको रकम अन्य विकास कार्यमा खर्च गर्न सक्नेछ।	<u>उपदफा (३) बमोजिम खर्च गरेर बाँकी रहेको रकमको कम्तीमा पचास प्रतिशत रकम सम्बन्धित स्थानीय तहसँग समन्वय गरी महिला केन्द्रित स्वरोजगारमुलक उद्यमको विकास, गरीबी न्यूनीकरण, जस्ता कार्यमा खर्च गरिनेछ। यसरी खर्च गरेर बाँकी रहेको रकम उपभोक्ता समूहको हितमा प्रयोग गरिनेछ।</u>	वन ऐन, २०७६ सँग तादम्यता मिलाउन।
८८	<u>यस ऐन अन्तर्गत गठित उपभोक्ता समूहको पदाधिकारी वा सदस्यले कोषको रकम दुरुपयोग वा हिनामिना गरेमा प्रचलित भ्रष्टाचार नियन्त्रण ऐन बमोजिम कारवाही हुनेछ।</u>	हटाउने	प्रचलित अन्य ऐन अनुसार कारवाही हुने विषय समावेश गर्न आवश्यक नहुने।

Photo plates

