

Strategy for Fit for Purpose Land Administration to Implement Proposed Land Policies in Nepal

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SUMMARY

Major changes are awaited in the Nepalese Land Administration System ever since the culmination of the decade long armed conflict 10 years back. Recognizing the need for organized land policies in place, especially after the Comprehensive Peace Agreement to settle the decade long armed conflict in 2007 and mega earthquake of 2015, the changes are targeted to be implemented sooner than later. The National Land Use Policy 2015 (with major amendment in its earlier version of 2012) which has been approved by the government with little action on the ground and the proposed Land Policy which awaited to be approved soon needs well planned strategy for implementation. This study aims to develop fit-for purpose strategy for implementing progressive provisions on land tenure and management as outlined in the new Constitution of Nepal, existing and proposed land policies in compliance with internationally accepted and tested tools such as Global Land Tool Network (GLTN) tools and Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) components.

Nepal is at a phase of state restructuring providing for a federal system wherein state power including executive, legislative and judicial authorities are distributed within Centre, Provinces and Local Government bodies of the Rural and the Urban Municipalities. Implementation of land administration mostly falls under the jurisdiction of provincial and local governments. Provincial and Local government will now provide land administration services with limited technical, human resources as well as infrastructure. Under the currently existing mechanisms, it will be very expensive and time consuming to design modern and state of the art Land Administration System with appropriate technology, institutional and legal framework throughout the 7 provinces and 753 local Government units. In this context, a Fit-For-Purpose (FFP) approach for land administration and a suitable strategy can be the only option to implement the newly enacted policies and provisions.

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Under this study, existing spatial, legal and institutional arrangement for land administration is assessed. Shortcomings of LAS and provisions in the new policies are compared. Alternative approaches which can fit with the purpose of the act are proposed. Some existing and fresh field studies to pilot the newly proposed strategies are carried out. Stakeholders' opinions are widely collected through workshops and group discussions. Experts and professionals' opinions are also collected from personal interviews and discussions. A detailed comparison of standards, time and cost are made and results are drawn. The result shows the newly proposed strategies are "good enough" to achieve the goal of land administration with "low cost" and "reasonable time".

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