

LEGAL AND JUDICIAL

How Can I Give Power of Attorney to a Person in Nepal?

27 August 2026

Learn how to give a Power of Attorney in Nepal from abroad with Adalat Lawyers. Get legal assistance for POA drafting, authentication, documentation, court representation, and authorized attorney services in Kathmandu, Nepal.

Giving a **Power of Attorney to a person in Nepal** allows an individual to authorize another person to perform specified legal acts on their behalf. This arrangement is particularly useful for Nepali citizens living abroad who cannot personally appear in Nepal for every legal, court, property, or other authorized transaction. The [National Civil Procedure \(Code\) Act, 2074 \(2017\)](#) contains specific provisions concerning attorneys and authorized attorneys in Chapter 13, Sections 144 to 155. Section 144 permits a party to a case to appoint a representative to perform an act related to the case or a specific act covered by the law. The appointment must be supported by a deed.

For a person living outside Nepal, Section 153 is particularly relevant. It permits a person to appoint an **authorized attorney** through a Power of Attorney to file a plaint, submit a statement of defense, withdraw a plaint claim, enter into a compromise, or perform other legal actions on their behalf. Where a general Power of Attorney is executed in a foreign country, the law provides for authentication by a **Nepali Ambassador or Consul General**.

The authority given to an attorney depends on the terms written in the Power of Attorney. Therefore, a person should clearly specify the acts that the appointed attorney may perform. The following sections explain the legal requirements, documents, process, authentication, fees, powers, cancellation, and legal services relating to giving Power of Attorney to a person in Nepal. [Adalat Lawyers in Nepal](#).

1. What Does Power of Attorney Mean in Nepal

A **Power of Attorney in Nepal** is a legal deed through which a person authorizes another person to act on their behalf for a case or specified legal acts. Under Section 144 of the National Civil Procedure Code, 2074, any party to a case may appoint a representative to perform an act related to the case or a specific act referred to in Chapter 13. When a

representative is appointed under this provision, an attorney is deemed to have been appointed, and a deed must be executed for that appointment.

The law also recognizes an **authorized attorney** under Section 153. An authorized attorney can receive authority to file a complaint, submit a statement of defense, withdraw a complaint claim, enter into a compromise, or undertake other legal actions for the person granting the authority. The Power of Attorney therefore defines what the appointed person may legally do. Section 150 expressly provides that the powers of an attorney are those set forth in the Power of Attorney executed when the attorney is appointed.

For a Nepali citizen living abroad, this legal mechanism can allow authorized actions to be performed in Nepal without requiring the person to personally perform every authorized act.

2. Who Can Give Power of Attorney Abroad

A person who wants another individual to act on their behalf may give a Power of Attorney subject to the requirements of the applicable law. For persons executing an authorized Power of Attorney abroad, Section 153 provides a specific authentication procedure. Where a general Power of Attorney is executed in a foreign country, the signature and thumb impression of the person appointing the attorney must be made in the presence of and authenticated by a **Nepali Ambassador or Consul General**.

The person giving the Power of Attorney should identify the person who will receive the authority and clearly state the legal acts that the attorney may perform. Section 153 also requires the photograph of the person appointing the attorney and the photograph of the attorney to be affixed to the Power of Attorney. Copies of the citizenship certificates or passports of both persons must also be submitted to the relevant District Judge, Nepali Embassy, or Consulate General, as applicable.

Therefore, an overseas person should prepare the document according to the applicable Nepalese legal requirements before seeking authentication abroad.

3. Who Can Become an Attorney in Nepal

A person appointed as an attorney must satisfy the qualifications prescribed by Section 145 of the National Civil Procedure Code, 2074. The law states that a person who is competent to conclude a contract according to law may become an attorney. The law also excludes a person who is a defaulter in payment of a claimed government amount under a judgment, specified fees or court fees required for execution of judgment, or a fine or penalty imposed by the court.

A person convicted of **forgery, fraud, corruption, or an offense involving moral turpitude** is also disqualified under Section 145. The section, however, contains a provision that does not prevent a person from appointing a member of their joint family as attorney.

Accordingly, before giving a Power of Attorney to a person in Nepal, the person granting authority should ensure that the proposed attorney satisfies the statutory qualifications. The proposed attorney should also be clearly identified in the deed through the required identification documents.

4. What Legal Requirements Apply to Power Attorney

The legal requirements for a **Power of Attorney in Nepal** depend on whether the appointment concerns a case, a specific act, or an authorized attorney arrangement. Section 144 requires the appointment of an attorney through a deed. Section 146 provides that the deed referred to in Section 144 must be prepared in the format prescribed in **Schedule 13**. The executor must affix their signature or thumb impression to the Power of Attorney.

The Power of Attorney must also be witnessed by at least two witnesses. It must contain identification of the witnesses and the writer, and the witnesses and writer must provide their signatures or thumb impressions as required by the provision.

For an authorized attorney under Section 153, additional requirements apply when the document is executed abroad. The appointing person must sign and affix a thumb impression in the presence of, and have the Power of Attorney authenticated by, a Nepali Ambassador or Consul General. The law also requires photographs and copies of citizenship certificates or passports of both parties.

5. What Documents Are Needed for Power Attorney

The documents required for a **Power of Attorney to a person in Nepal** depend on the type of authority being granted. Section 153 specifically identifies several documents and identification materials for authentication of an authorized Power of Attorney executed abroad. The person giving the Power of Attorney should prepare the required documents before approaching the Nepalese diplomatic or consular authority.

Common documents and materials required under the cited provisions include:

- Power of Attorney prepared in the legally applicable form;
- Signature or thumb impression of the person granting authority;
- Photograph of the person granting the Power of Attorney;

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- Photograph of the person appointed as attorney;
 - Copy of the citizenship certificate or passport of the person granting authority;
 - Copy of the citizenship certificate or passport of the appointed attorney;
 - Identification of at least two witnesses where Section 146 applies;
 - Identification of the writer of the Power of Attorney;
 - Signatures or thumb impressions required under the applicable provision.

Section 146 requires the deed to contain witness and writer identification and signatures or thumb impressions. Section 153 specifically requires photographs and citizenship or passport copies for authentication of the authorized Power of Attorney executed abroad.

6. How Can I Prepare a Power Attorney

A **Power of Attorney document in Nepal** should be prepared according to the nature of the authority being granted. The person giving the authority should first determine what the appointed person needs to do. If the authority relates to court proceedings, the document should clearly identify the legal actions that the attorney is authorized to undertake. Section 153 expressly recognizes authority to file a plaint, submit a statement of defense, withdraw a plaint claim, enter into compromise, and perform other legal actions.

The preparation process can generally follow these steps:

1. Identify the person who will receive the authority.
2. Determine the specific legal acts the attorney must perform.
3. Prepare the Power of Attorney in the applicable legal format.
4. Include the required details and identification information.
5. Affix the required photographs.
6. Arrange the required citizenship or passport copies.
7. Sign and affix the thumb impression as required.
8. Arrange witness requirements where applicable.
9. Authenticate the document before the appropriate authority.
10. Submit the authenticated document for the relevant legal proceeding or transaction.

The authority should be drafted clearly because Section 150 states that the attorney's powers are determined by the Power of Attorney executed at appointment.

7. Where Can I Authenticate Power Attorney Abroad

A person executing an authorized Power of Attorney outside Nepal must follow the authentication mechanism prescribed by Section 153. Where a general Power of Attorney is executed in a foreign country, the law requires the signature and thumb impression of the person appointing the attorney to be made in the presence of and authenticated by a **Nepali Ambassador or Consul General**.

The relevant Nepalese diplomatic or consular authority therefore plays a direct role when the Power of Attorney is executed abroad under this provision. The applicant should present the required Power of Attorney and supporting identification documents. Section 153 requires photographs of both the person granting the authority and the appointed attorney and copies of their citizenship certificates or passports.

The applicant should ensure that the document complies with the legal requirements before attending for authentication. If the Power of Attorney is executed within Nepal under the general authorized-attorney provision, Section 153 provides authentication by a **Judge of any District Court**. The location of execution therefore affects the applicable authentication authority.

8. How Does Power Attorney Registration Process Work

The registration and acceptance of a Power of Attorney involve examination of whether the document satisfies the legal requirements. Section 151 provides that, before registering a Power of Attorney, the court must examine whether it meets the requirements of Chapter 13. If the document meets the requirements, the court registers it.

If the court finds that the Power of Attorney does not satisfy the requirements, it makes an endorsement stating the reason for the deficiency and provides a **three-day time limit** to prepare the document, meet the requirements, and tender it again. If the Power of Attorney is corrected and submitted within that time limit, the court must register it.

A general process can therefore be summarized as follows:

1. Prepare the Power of Attorney.
2. Verify the required legal details.
3. Complete signatures, thumb impressions, witnesses, photographs, and identification requirements.

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4. Authenticate the document before the appropriate authority if executed abroad.
 5. Submit it to the relevant court or authority.
 6. Allow the court to examine compliance with Chapter 13.
 7. Correct any identified deficiency within the prescribed period.
 8. Obtain registration or acceptance according to the applicable procedure.

9. What Powers Can I Give My Attorney

The powers granted to an attorney depend on what is expressly stated in the Power of Attorney. Section 150 of the National Civil Procedure Code, 2074 provides that the powers of an attorney are those set forth in the Power of Attorney executed at the time of appointment. The document therefore determines the scope of authority available to the appointed person.

Under Section 153, an authorized attorney may be appointed to **file a complaint, submit a statement of defense, withdraw a complaint, enter into compromise, or carry out other legal action** on behalf of the person granting authority. The appointment may be made with or without specifying a particular case.

An authorized attorney appointed under Section 153 may appear in court when the case is proceeded, heard, and adjudicated. The authorized attorney may also appoint another person as an attorney for that purpose.

The person giving authority should therefore state the intended powers accurately and avoid assuming that an attorney automatically has authority beyond the terms of the Power of Attorney.

10. What Laws Govern Power Attorney in Nepal

The principal statutory provisions supplied for this article are contained in **Chapter 13 of the National Civil Procedure (Code) Act, 2074 (2017)**. Sections 144 to 155 deal with attorneys and authorized attorneys. Section 144 concerns appointment of an attorney, while Section 145 establishes the qualification of a person who may become an attorney. Section 146 addresses the form of Power of Attorney.

Sections 147 to 149 address circumstances where a person may act as attorney in more than one case, where a party may become an attorney, and where an attorney may be appointed in more than one court. Section 150 determines the powers of an attorney by reference to the executed Power of Attorney. Section 151 deals with examination and registration, while Section 152 provides for changing an attorney or dealing with a case personally.

Section 153 contains the principal provisions relating to an **authorized attorney**, including execution abroad and authentication by a Nepali Ambassador or Consul General. Section 154 addresses transfer of rights in immovable property through an authorized attorney, while Section 155 specifies circumstances in which the status of an authorized attorney terminates.

11. How Long Does Power Attorney Processing Take

The statutory provisions supplied do not prescribe one universal number of days for completing every Power of Attorney process from abroad. The time can depend on preparation of the document, completion of identification requirements, authentication, submission, and any examination by the relevant court. Applicants should therefore distinguish between the time required to prepare and authenticate a Power of Attorney and the time required for its subsequent registration or use.

Section 151 provides a specific period when the court identifies deficiencies in a Power of Attorney. If the court finds that the document does not meet the requirements, it must state the reason and provide a **three-day period** to correct the document and tender it again. If the corrected Power of Attorney is submitted within that period and satisfies the requirements, the court registers it.

The applicant should therefore ensure that the document is correctly prepared before submission. Complete identification, photographs, signatures, thumb impressions, witnesses, and authentication requirements can reduce the possibility of rejection or correction.

12. What Government Fees Apply to Power Attorney

The National Civil Procedure Code, 2074 expressly provides a fee for authentication of a Power of Attorney under Section 153. Section 153(3) states that **NPR 500** shall be charged for authentication of a Power of Attorney pursuant to the relevant provision.

This statutory authentication fee should be distinguished from any other professional, documentation, administrative, travel, translation, courier, or case-related costs that may arise depending on the circumstances. The provision supplied for this article specifically establishes the NPR 500 authentication fee under Section 153; it does not establish a single total cost for every Power of Attorney transaction.

The applicant should also consider that the cost of preparing the document can depend on whether legal drafting assistance is obtained and whether the Power of Attorney is connected with a court case, property transaction, or

another legal matter. Before executing the document, the applicant should confirm the applicable requirements and charges with the relevant authority and legal professional.

13. How Can I Submit Power Attorney Documents

After preparing and authenticating a Power of Attorney, the document must be submitted to the relevant court or authority for the purpose for which the authority was granted. Where the Power of Attorney concerns court proceedings, the document may be examined by the court under Section 151 before registration. The court must determine whether it satisfies the requirements of Chapter 13.

For a person living abroad, the process can generally involve these steps:

1. Prepare the Power of Attorney according to the applicable legal requirements.
2. Complete photographs and identification documents.
3. Sign and affix the required thumb impression.
4. Obtain authentication from the Nepali Ambassador or Consul General where Section 153 applies to a document executed abroad.
5. Send the authenticated document to the authorized attorney or relevant legal representative in Nepal.
6. Submit the document to the competent court or authority.
7. Allow the court to examine the document.
8. Correct any deficiency identified by the court within the prescribed period.
9. Use the authority only within the scope stated in the Power of Attorney.

The appointed attorney should retain the relevant original documents and comply with the conditions and limits written in the deed.

14. What Checklist Should I Complete Before Authentication

Before giving a **Power of Attorney to a person in Nepal**, the person granting authority should verify the legal and documentary requirements applicable to the intended appointment. The following checklist is based on the requirements stated in Sections 144 to 153:

- Identify the person who will act as attorney.
- Confirm that the proposed attorney satisfies Section 145.

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- Determine the exact legal acts to be authorized.
 - Prepare the Power of Attorney in the applicable format.
 - Include the required identification information.
 - Affix the photograph of the person granting authority.
 - Affix the photograph of the appointed attorney.
 - Prepare copies of both citizenship certificates or passports.
 - Arrange at least two witnesses where Section 146 applies.
 - Include identification of witnesses and the writer.
 - Complete required signatures or thumb impressions.
 - Authenticate the Power of Attorney before the appropriate authority.
 - Submit the document to the relevant court or authority.
 - Check whether the court identifies any deficiency.
 - Correct and resubmit any deficient document within the three-day period provided by Section 151.

The checklist can help an overseas applicant organize the required documents before authentication and submission.

15. How Can Lawyers Help With Power Attorney

A lawyer can assist with preparing and reviewing a **Power of Attorney in Nepal**, identifying the appropriate legal authority, determining the scope of powers, and preparing the document according to the applicable statutory provisions. Legal assistance can be particularly useful when the Power of Attorney relates to litigation, defense of a case, withdrawal of a claim, compromise, or property rights.

Section 150 makes the scope of the deed significant because the powers of the attorney are determined by the Power of Attorney executed at the time of appointment. Section 153 also provides specific authority for an authorized attorney to undertake several litigation-related acts.

Adalat Lawyers, a litigation law firm in Kathmandu, Nepal, can assist clients with legal drafting, review, court-related Power of Attorney matters, and representation within the authority permitted by Nepalese law. A lawyer can also help ensure that the document states the intended powers clearly and that the required documents are prepared before authentication. The client should clearly communicate the purpose and scope of the proposed Power of Attorney before execution.

Frequently Asked Questions

Can I give Power of Attorney from abroad?

Yes. Section 153 of the National Civil Procedure Code, 2074 provides a mechanism for executing an authorized Power of Attorney abroad. A general Power of Attorney executed in a foreign country must be signed and thumb-printed in the presence of, and authenticated by, a Nepali Ambassador or Consul General. Photographs and citizenship or passport copies of both persons are also required.

Who can receive my Power of Attorney?

A person who satisfies the statutory qualifications can become an attorney. Section 145 requires the person to be competent to conclude a contract according to law and imposes additional conditions concerning government or court-related defaults and certain criminal convictions. The law also allows appointment of a member of the appointing person's joint family as attorney.

Where can I authenticate Power of Attorney?

If the authorized Power of Attorney is executed abroad under Section 153, authentication is carried out by a **Nepali Ambassador or Consul General**. If the general authorized Power of Attorney is executed within Nepal, the provision refers to authentication by a Judge of any District Court. The applicable authentication authority therefore depends on where the Power of Attorney is executed.

What documents are needed for Power of Attorney?

Section 153 requires the photograph of both the person appointing the attorney and the attorney to be affixed to the Power of Attorney. Copies of their citizenship certificates or passports must also be submitted. Section 146 additionally requires witness and writer identification, signatures, or thumb impressions for the deed covered by that provision. Other documents can depend on the purpose.

Can I authorize someone for court cases?

Yes. Section 153 expressly permits a person to appoint an authorized attorney to **file a plaint, submit a statement of defense, withdraw a plaint claim, enter into compromise, or carry out other legal action** on their behalf. An authorized attorney appointed under this section may appear in court when the case is proceeded, heard, and

adjudicated, subject to the applicable authority.

How much does Power Attorney authentication cost?

Section 153(3) of the National Civil Procedure Code, 2074 provides that a **fee of NPR 500** shall be charged for authentication of a Power of Attorney under the relevant provision. This statutory fee should not automatically be treated as the total cost of every Power of Attorney matter because other legal, documentation, administrative, or transaction-related expenses may apply depending on the circumstances.

How long does Power Attorney processing take?

The supplied statutory provisions do not prescribe one universal processing period for every Power of Attorney. However, Section 151 provides a specific **three-day period** when the court identifies deficiencies in a Power of Attorney and asks the applicant to correct and tender it again. If the corrected document satisfies the requirements and is submitted within that period, the court registers it.

Can I cancel my Power of Attorney later?

Yes. Section 152 allows a party to revoke a Power of Attorney and appoint another attorney or deal with the case personally by making a petition to that effect. Section 155 also identifies circumstances in which the status of an authorized attorney terminates automatically, including completion or expiry of the specified act, purpose, or period and certain other circumstances prescribed by law.

Can foreigners give Power of Attorney in Nepal?

The provisions supplied primarily explain the appointment of attorneys and authorized attorneys under Nepalese civil procedure law and specifically address execution of an authorized Power of Attorney in a foreign country. They do not, in the cited text, establish a separate comprehensive rule concerning every foreigner's eligibility to grant a Power of Attorney. The applicable citizenship, transaction, and substantive-law requirements should therefore be checked for the particular matter.

Can lawyers prepare my Power of Attorney document?

Yes, a lawyer can assist with preparing or reviewing a Power of Attorney and ensuring that its terms correspond with the intended legal authority. Section 146 specifies the required form for the deed referred to in Section 144, while Section 150 makes the written scope of authority significant. Legal assistance can help ensure that the document accurately states the powers intended to be granted.

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