

Remuneration, Conditions of Service and Facilities of the Authorities of the Constitutional Bodies Act, 2053 (1997)

Date of Authentication and Publication

2053.9.17 (1 Jan. 1997)

Amendments:

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| 1. Some Nepal Laws (Amendment) Act, 2063(2006) | 2063.6.28(14 Oct. 2006) |
| 2. Amending Some Nepal Acts to Maintain Gender Equality Act, 2063(2006) | 2063.7.17(3 Nov. 2006) |
| 3. Republic Strengthening and Some Nepal Laws Amendment Act, 2066 (2010) ¹ | 2066.10.7(21 Jan. 2010) |

Act Number 16 of the year 2053(1997)

An Act Made to Provide for Remuneration, Terms of Service and Facilities of Office-bearers of Constitutional Bodies

Preamble: Whereas, it is expedient to make legal provisions on the remuneration, terms of service and facilities of office-bearers of the Constitutional Bodies;

Now, therefore, be it enacted by Parliament in the Twenty-fifth year of the reign of His Majesty King Birendra Bir Bikram Shah Dev.

¹ This Act came into force on 15 *Jestha* 2065 (28 May 2008), Prasasti and the word Kingdom has been deleted.

Chapter-1

Preliminary

1. **Short title and commencement:** (1) This Act may be called as the “Remuneration, Conditions of Service and Facilities of the Authorities of the Constitutional Bodies Act, 2053 (1997).”

(2) Sub-section (1) of Section 3 of this Act shall be deemed to have come into force on 1st *Shrawan* 2052 (17 July 1995) and the other Section shall come into force at once.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Act,-

(a)² “Office-bearers of Constitutional Bodies” means the Chief Commissioner and Commissioners of the Commission for the Investigation of Abuse of Authority, Auditor General, Chairperson and Members of the Public Service Commission, Chief Election Commissioner and Election Commissioners of the Election Commission and Chairperson and Members of the National Human Rights Commission, to be appointed pursuant to the Interim Constitution of Nepal, 2063(2007).

(b)³ “Chief Office-bearers” means the Chief Commissioner of the Commission for the Investigation of Abuse of Authority, Auditor General, Chairperson of the Public Service Commission, Chief Election Commissioner of the Election Commission and Chairperson

² Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066 (2010).

³ Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066 (2010).

of the National Human Rights Commission, to be appointed pursuant to the Interim Constitution of Nepal, 2063(2007).

- (c)⁴ "Office-bearers" means the Commissioners of the Commission for the Investigation of Abuse of Authority, Members of the Public Service Commission, Election Commissioners of the Election Commission and Members of the National Human Rights Commission, to be appointed pursuant to the Interim Constitution of Nepal, 2063(2007).
- (d) "Prescribed" or "as prescribed" means prescribed or as prescribed in the orders issued by the Government of Nepal by a notification published in the Nepal Gazette.

Chapter-2

Remuneration and Other Facilities

3. **Remuneration:** (1) The Chief Office-bearers shall be entitled to a monthly remuneration of Six Thousand Seven Hundred Rupees and the Office-bearers shall be entitled to a monthly remuneration of Five Thousand Nine Hundred Rupees.

(2) The Government of Nepal may make addition to the monthly remuneration and other facilities of the Office-bearers of Constitutional Bodies. In so making addition to the monthly remuneration and other facilities, the Government of Nepal shall publish a notification in the Nepal Gazette.

(3) If the term of office of the Office-bearers of Constitutional Bodies expires or resignation tendered by from office is accepted or if they die or are retired from office for any other reason, they shall be entitled to one month's

⁴ Amended by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066 (2010).

remuneration as an additional facility, in addition to the remuneration to which they are entitled until the day of which they are incumbent in their respective offices.

(4) The remuneration and additional remuneration receivable by the Office-bearers of Constitutional Bodies pursuant to Sub-section (3) shall be given to them or their respective nominees, as the case may be. If an Office-bearer dies and he or she has not nominated any person or if the nominee is not alive, such remuneration shall be provided to his or her near heir.

4. **Accommodation:** (1) The Government of Nepal shall make arrangement for governmental buildings for the housing of Office-bearers of Constitutional Bodies. Where arrangement of such buildings is not made or where the Office-bearers of Constitutional Bodies have no appropriate buildings of their own in the Kathmandu Valley and buildings have to be rented, they shall be entitled to such a monthly amount as prescribed by the Government of Nepal for the housing rent.

(2) The Government of Nepal shall repair and maintain the governmental buildings arranged pursuant to Sub-section (1).

(3) The Office-bearers of Constitutional Bodies who reside in their own houses shall be provided with One Thousand Five Hundred Rupees per month for sanitation and maintenance of their respective houses.

(4) The Office-bearers of Constitutional Bodies who shall be entitled to enjoy the facility provided pursuant to this Section until Seven days after the date of completion of their term of office.

5. **Electricity, water and telephone facilities:** (1) The Government of Nepal shall bear the expenses incurred in installing one line telephone to the residence of each of the Chief Office-bearers and such deposit as incurred for

such installation. The Government of Nepal shall bear a monthly amount of One Thousand Two Hundred Rupees for the tariff of electricity, water supply and telephone installed to their respective private quarters.

(2) The Government of Nepal shall bear the expenses incurred in installing one line telephone to the residence of each of the Office-bearers and such deposit as incurred for such installation.

(3) The Government of Nepal shall bear a monthly amount of Seven Hundred Rupees for the tariff of electricity, water supply and telephone installed to the Office-bearers' respective private quarters.

6. Transport and fuel facility: (1) The Government of Nepal shall, for transportation, provide One motor vehicle with a driver, One Hundred Fifty liter petrol per month and Five liter mobile in every three months to the Chief Office-bearer.

(2) The Government of Nepal shall, for transportation, provide One motor vehicle with a driver, One Hundred liter petrol per month and Five liter mobile in every Three months to the Office-bearer.

(3) The Government of Nepal shall provide the Office-bearers of Constitutional Bodies who use their respective personal motor vehicle with a sum that is equal to the basic pay scale of the light motor driver of the Government of Nepal, for the driver, and petrol and mobile to which they are entitled as mentioned in Sub-section (1) or (2).

(4) The Government of Nepal shall arrange for the repair and maintenance, and grease of the motor vehicles provided pursuant to Sub-section (1) or (2).

(5) The Office-bearers of Constitutional Bodies shall not be required to submit bills and vouchers of petrol and mobile.

(6) The Office-bearers of Constitutional Bodies shall be entitled to the facility receivable pursuant to this Section until Seven days after the date of their respective retirement from office.

Chapter-3

Daily and Travelling Allowance

7. **Daily and travelling allowance:** (1) The Office-bearers of Constitutional Bodies shall be entitled to the following daily allowance and travelling allowance on tour within Nepal in the course of business of their respective office:

- (a) Daily allowance: One Hundred Sixty Five Rupees per day to the Chief Office-bearers and One Hundred Forty Rupees per day to the Office-bearers.
- (b) Travelling allowance:
 - (1) In travelling on foot, Twenty Five Rupees per Kosh to the Chief Office-bearers and Fifteen Rupees per Kosh to the Office-bearers.
 - (2) In travelling by bus, fare chargeable for One person.
 - (3) In travelling by rail, air conditioned ticket expenses, where such air conditioned ticket is available, and failing it, first class ticket expenses chargeable for One person, to the Chief Office-bearers, and first class ticket expenses to the Office-bearers.

- (4) In travelling by air, ticket expenses chargeable for One person.
- (5) In travelling by other motor vehicle, fare chargeable for One person.

(2) In travelling outside Nepal in order to participate in a ceremony, event, conference etc. on behalf of the Government of Nepal or in the course of business of their respective office, the Office-bearers of Constitutional Bodies shall be entitled to the following daily allowance and travelling allowance:

- (a) **Daily allowance:** (1) One Hundred US Dollars for all Asian countries other than Japan, South Korea and Philippines.

Provided that, in the case of India, daily allowance shall be provided in Indian currency equivalent to such convertible foreign currency.

(2) One Hundred Twenty Five US Dollars for all other countries including Japan, South Korea and Philippines.

- (b) **Travelling allowance:**

- (1) In travelling by motor vehicle, motor fare as per the bill, chargeable for One person.
- (2) In travelling by rail, air conditioned ticket expenses, where such air conditioned ticket is available, and failing it, first class ticket expenses chargeable for One person, to the Chief Office-

bearers, and first class ticket expenses to the Office-bearers.

- (3) In travelling by air, business class ticket expenses chargeable for One person, to the Chief Office-bearers, and economic class ticket expenses to the Office-bearers.
- (4) In travelling by sea, amount as per the bill, chargeable for One person.
- (5) While making a formal visit by the Office-bearers of Constitutional Bodies to any place outside Nepal as a guest of a foreign country, they shall be entitled to the daily allowance at the rate of half the daily allowance receivable pursuant to Clause (a) of Sub-section (2) until they stay in such a foreign country.

8. Other provisions relating to travelling: (1) The Office-bearers of Constitutional Bodies shall be entitled to half the daily allowance for the day on which they return from a visit, and such an allowance shall be half the minimum daily allowance receivable for the place where they stayed on the previous day of return.

(2) The Office-bearers of Constitutional Bodies shall, for the payment of the travelling allowance, fill in the travelling bill and provide required evidences including distance evidence, logbook and receipts, within Thirty Five days after the date of return from a visit.

9. Insurance expenses and airport tax: In making travel within or outside Nepal in the course of business of their respective offices, the Office-bearers

of Constitutional Bodies shall be entitled to the insurance expenses of Three Hundred Thousand Rupees and to the amount chargeable for airport tax.

10. ⁵

11. **Cloth allowance:** (1) In going outside Nepal in order to take part in any ceremony, event, international conference etc. in the course of governmental business or on behalf of the Government of Nepal, the Chief Office-bearers and Office-bearers shall be entitled to the cloth allowance of Four Thousand Nine Hundred Fifty Rupees and Four Thousand Two Hundred Fifty Rupees, respectively, once in Three years.

(2) If in going outside Nepal pursuant to Sub-section (1), an Office-bearer of Constitutional Body obtains approval to be accompanied by his or her wife or husband,⁶ such a husband or wife⁷ shall be entitled to the cloth allowances once in Three years in a sum equivalent to half of his or her remuneration of One month.

12. **Leader allowance:** In going abroad as leaders of delegations, the Office-bearers of Constitutional Bodies shall be entitled to a leader allowance in a sum that is Twenty Five percent of the daily allowance receivable by them respectively.

13. **Casual expenses:** (1) The Office-bearers of Constitutional Bodies shall, while making visit in the course studying situation in various districts of Nepal, be entitled to casual expenses of One Thousand Rupees for each time, up to two times in a year, without the requirement of submission of bills and vouches of expenses.

⁵ Repealed by Some Nepal Laws Amendment Act, 2063(2006).

⁶ Inserted by the Gender Equality Maintaining Some Nepal Acts Amendment Act, 2063(2006).

⁷ Amended by the Gender Equality Maintaining Some Nepal Acts Amendment Act, 2063 (2006).

(2) The Office-bearers of Constitutional Bodies shall, while making visit outside Nepal in the course of participating in a ceremony, event, international conference, seminar etc., be entitled to casual expenses in such amount as decided by the Government of Nepal. Bills and vouchers of the casual expenses so provided have to be submitted.

14. Dashain expenses: (1) The Office-bearers of Constitutional Bodies shall be entitled to the yearly *Dashain* expenses equivalent to One month's remuneration being drawn by them respectively.

15. Leave: (1) The Office-bearers of Constitutional Bodies may be entitled to the following leaves, with full remuneration:

- (a) Casual leave and festival leave,
- (b) Home leave,
- (c) Sick leave,
- (d) Obsequies leave,
- (e) Extra-ordinary leave.

(2) The Office-bearers of Constitutional Bodies shall be entitled to a casual leave of Six days and a festival leave of Six days every year.

(3) The Office-bearers of Constitutional Bodies shall be entitled to a home leave at the rate of One day for Eleven days of work. The home leave can be accumulated for a maximum of One Hundred Fifty days. In setting the period of work for the purposes of the home leave, the period of casual leave and the festival leave and that of public holiday shall also be added to the period of work.

(4) The Office-bearers of Constitutional Bodies whose home leave is accumulated for more than One Hundred Twenty days may be entitled to receive payment of such amount in lump sum by the end of every financial year as may be set at the rate remuneration being drawn by him or her in lieu of the home leave for a maximum period of Thirty days out of that excess home leave accumulated by the last day of the month of *Chaitra* of that financial year.

(5) The Office-bearers of Constitutional Bodies may be entitled to a sick leave with remuneration at the rate of Fifteen days each year. Such sick leave may be accumulated without any ceiling. If an Office-bearer of Constitutional Body suffers from severe and serious disease and submits a certificate by a recognized doctor to that effect, he or she may be entitled to an additional sick leave with remuneration for up to Two months if his or her sick leave is not remaining, and after the use of such additional sick leave with remuneration, to a sick leave without remuneration for a period of additional Four months at a time and not exceeding a maximum of Twelve months during the entire period of service.

Provided that, the home leave shall be deducted at the rate of One day for every Two days of additional sick leave while so taking the additional sick leave with remuneration.

(6) If an Office-bearer of Constitutional Body has to observe obsequies himself or herself, he or she shall be entitled to an obsequies leave for a period not exceeding Fifteen days according to his or her traditional rites and rituals.

(7) The Office-bearers of Constitutional Bodies may be entitled to an extra-ordinary leave as follows, and such a leave shall be with half remuneration:

- (a) Not exceeding One month at a time, and
- (b) Not exceeding Three months in total during the period of service.

(8) If any person who is holding a constitutional position or an office in the service of the Government of Nepal is appointed to the office of Office-bearer of Constitutional Body, he or she shall not be deprived of the enjoyment of right to his or her accumulated leave while he or she was in that position or service.

(9) If an Office-bearer of Constitutional Body is retired from his or her office, he or she shall be entitled to payment in lump sum of the amount to be set by the remuneration being drawn by him or her from the office in which he or she has lien for the leave accumulated pursuant to Sub-section (3).

16. **Leave sanction authority:** (1) The Chief Office-bearer shall have to obtain approval of any leave other than the casual leave and the festival leave from the President⁸ and the Office-bearers have to obtain approval of any leave from the concerned Chief Office-bearer.

Chapter-4

Treatment Expenses, Pension and Gratuity

17. **Treatment expenses:** (1) An Office-bearer of Constitutional Body shall be entitled to the medical expenses in the following amount incurred in his or her treatment upon falling ill.

⁸ Amended by the Republic Strengthening and Some Nepal Acts Amendment Act, 2066(2010).

- (a) Expenses according to the bills of a hospital of expenses incurred in admitting to the hospital and doing treatment there, and expenses of medicines purchased according to the prescription of the doctor of the hospital.

Provided that, the prescription of doctor has to set down the diagnosis of disease.

- (b) Expenses as per the bill of expenses incurred in doing surgical operations other than plastic surgery.

Provided that, expenses incurred in operations at a private nursing home shall not be provided.

- (c) Expenses as per the bill of expenses in the prescribed amount for the equipment including spectacles, teeth, earphone etc.

(2) Notwithstanding anything contained in Sub-section (1), no treatment expenses of more than Twelve months remuneration receivable by an Office-bearer of Constitutional Body throughout the whole period of service shall be provided.

(3) The Government of Nepal may provide additional financial assistance in such a sum as it considers appropriate for the treatment of an Office-bearer of Constitutional Body within Nepal if the medical board constituted by the Government of Nepal recommends for such treatment and for treatment in a foreign country if such medical board recommends that his or her treatment cannot be done within Nepal and should be done in a foreign country, and this assistance shall be in addition to the treatment expenses to which he or she is entitled pursuant to Sub-section (1).

(4) If an Office-bearer of Constitutional Body dies prior to obtaining the treatment expenses pursuant to this Section, the person specified in Sub-section (1) of Section 19 may obtain such treatment expenses.

(5) If his or her husband, wife, mother, father, son or daughter living in the undivided family falls ill, an Office-bearer of Constitutional Body shall be entitled to Ninety percent amount of the treatment expenses as per the bill up to half the amount of treatment expenses receivable pursuant to Sub-section (2) on the condition that such amount shall be deducted from the maximum amount of treatment expenses receivable pursuant to that Sub-section. In making a request for such treatment expenses, a doctor's prescription mentioning the diagnosis of disease has also to be submitted.

Provided that, the treatment expenses receivable pursuant to this Sub-section shall, at one time, not exceed One month's remuneration of the Office-bearer.

(6) If his or her husband, wife, mother, father, son or daughter living in the undivided family of an Office-bearer of Constitutional Body falls ill and has to undergo treatment in a foreign country or to undergo operation or treatment upon being admitted to a hospital within Nepal, the Office-bearer of Constitutional Body shall be entitled to Ninety percent amount of the treatment expenses as per the bill of expenses and treatment expenses incurred as per the treatment prescription of hospital, out of the amount receivable by the Office-bearer of Constitutional Body pursuant to Sub-section (2).

(7) Notwithstanding anything contained in Sub-sections (5) and (6), if the husband or wife, mother or father of an Office-bearer of Constitutional Body, living in an undivided family, is an incumbent employee in any governmental service or in the service of a corporation under governmental

ownership and control, he or she shall not be entitled to such treatment expenses.

(8)⁹ If, at the time of retirement of an Office-bearer of Constitutional Body, the treatment expense is remaining, with or without taking some or none of the treatment expenses receivable during the total period of service pursuant to Sub-section (2), the Office-bearer of Constitutional Body shall be entitled to a lump sum amount to be set by Two-Thirds of that remaining amount of treatment expenses after his or her retirement.

Provided that, an Office-bearer of Constitutional Body who is retired with entitlement to pension shall, at the time of such retirement from service, be entitled to a lump sum payment of the whole of such remaining amount.

(9) If an Office-bearer of Constitutional Body who requests for treatment expenses pursuant to this Section falls ill so that he or she is not able to attend the office, he or she has to request for the sick leave so long as the sick leave is remaining. He or she may request for other leave only when the sick leave is not remaining.

(10) The details of the treatment expenses received by an Office-bearer of Constitutional Body pursuant to this Section shall be maintained in the records of leave and personal records of such an Office-bearer of Constitutional Body.

18. Pension and gratuity: (1) A person who is appointed to the office of Office-bearer of Constitutional Body shall, upon retirement from that office, be entitled to the following pension or gratuity as follows:

(a) If he or she has already completed the service period of Ten years in the office of Office-bearer of the

⁹ Amended by the First Amendment.

Constitutional Body, a monthly pension of Sixty Six percent of his or her monthly remuneration.

- (b) If a person who is holding a constitutional position or in the service of the Government of Nepal or who is a retired person from such service is appointed to the office of Office-bearer of Constitutional Body and retires from the service and he or she has completed the service period of Twenty years or more upon computing the period of his or her such previous service and the period of service in the office of Office-bearer of Constitutional Body, he or she shall, upon his or her retirement, be entitled to choose any one out of the monthly as referred to in Clause (a) or the monthly pension to be set as follows:

$$\frac{\text{Total year of service} \times \text{monthly remuneration}}{50}$$

Explanation: For the purposes of this Clause, “period of service in the government service” shall mean the period of service upon being appointed by the Government of Nepal or by a corporate body receiving grants from the Government of Nepal to any pensionable post, pursuant to the laws in force.

(2) For the purpose of calculating the period of pension pursuant to clause (a) of Sub-section (1), such calculation shall be made by adding half the total period of service in the constitution position or office or government service or in both offices to the office of Chief Office-bearer or Office-bearer of Constitutional Body or in both offices.

(3) If a person who has already got gratuity for having served in a constitutional position or in the service of the Government of Nepal is appointed to the office of Office-bearer of Constitutional Body and returns the whole amount of gratuity received by him or her previously within one year of such appointment, his or her previous service period shall be calculated for the purposes of pension.

(4) The amount of gratuity to be received by the Office-bearer of Constitutional Body pursuant to this Section shall not be more than his or her remuneration of Twelve months.

(5) When the remuneration of the Office-bearers of Constitutional Bodies is increased, the figure of pension being drawn by the Office-bearer of Constitutional Body who is receiving pension shall be also be increased by Two-Thirds of the percent of increase in the figure of remuneration.

(6) If a person who is receiving pension for having served in a constitutional position or in the service of the Government of Nepal is appointed to the office of Office-bearer of Constitutional Body and is also eligible to pension pursuant to this Act, he or she may choose any one out of the pension being received by him or her previously and the pension receivable pursuant to this Act.

(7) Notwithstanding anything contained in the foregoing Sub-sections, an Office-bearer of Constitutional Body who is removed from office for the reason of incompetence or misconduct or failure to perform duties of his or her office honestly shall not be eligible to receive pension or gratuity pursuant to this Act.

19. Family pension and gratuity: (1) The pension or gratuity as referred to in Section 17 shall, in the following circumstance, be provided to such person

out of his or her family members as has been nominated by the Office-bearer of Constitutional Body and to the nearest heir out of his or her family members if the person so nominated has died or failing such nomination:

- (a) If the Office-bearer of Constitutional Body dies while in service, up to Seven years after the death,
- (b) If he or she dies prior to expiration of Seven years after starting to receive pension pursuant to Section 18, up to the period that remains to complete Seven years.

(2) If the Office-bearer of Constitutional Body dies while in service and is entitled to gratuity but not to pension pursuant to Section 18, the person as referred to in Sub-section (1), out of his or her family members, shall be entitled to the amount of that gratuity.

(3) The widow or widower of the deceased Office-bearer of Constitutional Body shall be entitled to half the amount of such pension during his or her life after the date of expiration of the period of entitlement to pension where the Office-bearer of Constitutional Body dies while in service in the office of Office-bearer of Constitutional Body or prior to completion of Seven years after receiving pension, and his or her widow or widower is entitled to family pension pursuant to Sub-section (1), and after the date of death of his or her wife or husband where his or her wife or husband dies after the completion of Seven years after receiving pension.

(4) When the remuneration of the incumbent Office-bearer of Constitutional Body is increased, the figure of family pension being drawn by the person who is receiving the family pension pursuant to Sub-section (1) and (3) shall also be increased by Two-Thirds of the percent of increase in the figure of remuneration.

Chapter-5

Miscellaneous

20.¹⁰ Provision of acting: (1) If any Chief Office-bearer goes on leave or the office of any Chief Office-bearer falls vacant, the senior-most Office-bearer of the concerned Constitutional Body shall act as the acting Chief Office-bearer during the period of leave or until such vacant office is fulfilled, as the case may be.

Provided that, in the case of the Auditor General, the senior-most Deputy Auditor General shall act as the acting Auditor General.

(2) A person who acts as the acting Chief Office-bearer pursuant to Sub-section (1) shall receive such remuneration and facilities as receivable by the Chief Office-bearer during the period of such acting arrangement.

Provided that, no person shall be entitled to the pension, gratuity etc. facility under this Act by the reason only that he or she has so become the acting Chief Office-bearer.

20A.¹¹ Computation of age: In computing the age of an Office-bearer of Constitutional Body on the following ground, the age shall be computed on the basis of the age by which he or she gets retired earlier:

- (a) The age to be set on the basis of the day or year of birth mentioned in the educational institute certificate submitted by him or her,
- (b) The age to be set on the basis of the day or year of birth mentioned in his or her citizenship certificate, or

¹⁰ Amended by Some Nepal Laws Amendment Act, 2063 (2006)

¹¹ Inserted by the Republic Strengthening and Some Nepal Acts Amendment Act, 2066(2010).

- (c) The age to be set on the basis of the day or year of birth mentioned in his or her sheet roll.

21. Provident Fund: A provident fund deduction shall be made from the monthly remuneration of the Office-bearers of Constitutional Bodies at the rate of Ten percent, and cent percent shall be added by the Government of Nepal to that deducted amount and deposited in the provident fund.

22. Additional facility: (1) An Office-bearer of Constitutional Body who has already spent Three years without taking any other leave except the casual leave and the festival leave shall be entitled to the daily and travelling allowance that is half the daily and travelling allowance receivable by him or her pursuant to this Act while going to and coming from his or her house on the home leave earned by him or her.

Provided that, his or her family member shall not be entitled to the daily and travelling allowance.

(2) In getting retirement from his or her office or resigning from office after getting the resignation accepted, an Office-bearer of Constitutional Body shall be entitled to a lump sum amount in lieu of his or her accumulated home leave of up to One Hundred Twenty days and sick leave accumulated according to the salary being drawn by him or her at that time. Even in the event of his or her death while in service, his or her family member shall be entitled to such salary, pension or gratuity.

23. Time required for journey: The Office-bearers of Constitutional Bodies shall, while going to their respective home on home leave and coming back from home to attend their respective office shall be entitled to the time for journey at the rate of One day for Eight *Kosh* in the case of journey on foot

and for such days as actually required for journey by motor vehicle, rail and air for one time a year.

Provided that, he or she shall not be entitled to the time for journey to go to or stay elsewhere than home on the home leave. In giving the time for journey, it shall be given for the shortest route by the fastest means, and no more time for journey than that actually taken in the journey to and from shall be given.

24.¹² Oath: Prior to assuming the duties of their office, the Chief Office-bearer shall take an oath of office and secrecy before the Chief Justice, and the Office-bearer shall take such an oath before the Chief Office-bearer concerned, in the form as set forth in the Schedule.

25. Repeal and saving: (1) The following Acts are, hereby, repealed:

- (a) The Act Relating to Remuneration, Terms of Service and Tenure of the Auditor General, 2023.
- (b) The Act Relating to Remuneration, Terms of Service and Facilities of the Members of Public Service Commission, 2023.
- (c) The Act Relating to Tenure, Remuneration, Other Terms of Service and Facilities of the Election Commissioners, 2026.
- (d) The Act Relating to Remuneration, Terms of Service and Facilities of the Commissioners of the Commission for the Investigation of Abuse of Authority, 2050.

¹² Amended by the Republic Strengthening and Some Nepal Acts Amendment Act, 2066 (2010).

(2) Any acts and actions done and taken pursuant to the Acts set forth in Sub-section (1) shall be deemed to have been done and taken pursuant to this Act.

(3) The remuneration and other facilities received by the Office-bearers of Constitutional Bodies prior to the commencement of this Act shall be deemed to have been obtained pursuant to this Act.

(4) The facilities being drawn by the Office-bearers of Constitutional Bodies appointed prior to the commencement of this Act may receive such facilities even after the commencement of this Act so long as they hold such office.

(5) Those persons who are receiving pension after getting retirement from the offices of Chief Commissioner and Commissioners of the Commission for the Investigation of Abuse of Authority, Auditor General, Chairperson and Members of the Public Service Commission, Chief Election Commissioner and Election Commissioners shall be deemed to have been receiving pension under this Act.

Schedule¹³

(Relating to Section 24)

I.....being completely loyal to the country and people, do hereby solemnly affirm/swear in the name of God that I shall, with genuine loyalty towards the Interim Constitution of Nepal, 2063(2007) which ensures that state authority and sovereignty is vested in the people of Nepal, truthfully and impartially carry out my duties and responsibilities as, putting myself strictly within the limits of the prevailing laws, always thinking the good of the country and the people in high esteem, without fear, biasness, prejudice or ill-will and I also do hereby solemnly pledge that I shall not disclose in any manner any matter coming to my knowledge in the course of discharging my official duty whether or not I remain in office, except while being obliged by the prevailing law.

Date:

Signature:

¹³ Inserted by the Republic Strengthening and Some Nepal Acts Amendment Act, 2066 (2010).