

**[THE] Civil Servants' Contribution Fund (Operation)
Regulation, 2069 B.S. (2012)**

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In exercise of power the conferred by Section 2 of the Administrative Procedure Regulation Act, 2013 B.S. (1957), the Government of Nepal has made the following Rules.

1. **Short Title and Commencement:** (1) These Rules may be called the "Civil Servants' Contribution Fund (Operation) Regulation, 2069 B.S. (2012)"

(2) This Regulation will come into force at once.

2. **Definitions:** Unless the subject or context otherwise requires, in this Regulation,–

(a) "Central Committee" means the Central Committee constituted pursuant to Rule 5.

(b) "Fund" means the Civil Servants' Contribution Fund as referred to in Rule 3.

(c) "District Committee" means the District Committee constituted pursuant to Rule 8.

3. **Establishment of Fund:** (1) A Fund called as the Civil Servants' Contribution Fund has hereby been established.

(2) The Fund as referred to in sub-rule (1) shall consist of the following amount of money:

(a) Any amount of money to be contributed by a civil servant on a voluntary basis,

- (b) Any amount of money to be received from the Government of Nepal,
- (c) Any amount of money to be received from a national organization, institution, person or retired civil servant,
- (d) Any amount of money to be received from an international organization, institution, a foreign government or a person,
- (e) Any amount of money to be received from any other source.

(3) Before receiving any amount of money as referred to in clause (d) of Sub-rule (2), it will be required to get the prior approval of the Ministry of Finance, the Government of Nepal.

(4) The amount of money as referred to in Sub-rule (2) shall be deposited, by opening a separate account, into a Bank as designed by the Central Committee and which has obtained a license in accordance with the existing laws relating to financial institutions.

(5) The Account of the Fund shall be operated by the joint signatures of the Chairperson and the Member-Secretary of the Central Committee.

4. Money to be Collected in the Fund: (1) A Civil Servant may contribute, on a voluntary basis, a sum of at least one hundred rupees from the amount of salary received by him in the month of Srawan (July) of each year.

(2) The amount of money collected in the central-level offices pursuant to Sub-rule (1) shall be deposited in the Account as referred to in Sub-rule (4) of Rule 3.

(3) The amount of money collected in the District-level offices pursuant to Sub-rule (1) shall be, by opening a non-operating account, deposited into a Bank as designated by the District Committee concerned and which has obtained a license in accordance with the existing laws relating to financial institutions.

(4) The District Treasury Control Office of the district concerned shall make the necessary arrangement in matters relating to the deposit of the collected amount of money pursuant to Sub-rules (2) and (3) into the Account of the Fund as referred to in Sub-rule (4) of Rule 3.

(5) The central agencies and offices located at the District shall inform the Central Committee and the District Committee concerned respectively of the details of the amount of money to be deposited pursuant to Sub-rule (4).

5. Constitution of Central Committee: (1) There shall be a Central Committee at the Centre consisting of the following for the management and operation of the Fund:

- (a) Secretary, Ministry of General Administration -Chairman
- (b) Secretary, Ministry of Finance or a Joint Secretary designated by him or her -Member
- (c) Secretary, Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs or a Joint Secretary designated by him or her -Member
- (d) Secretary, Ministry of Education or a Joint Secretary designated by him or her -Member

- (e) Secretary, Ministry of Physical Planning, works and Transport Management or a Joint Secretary designated by him or her -Member
- (f) Comptroller-General or a Joint Comptroller General designated by him or her, Office of the Comptroller General -Member
- (g) Chairperson of the official Trade Union of the Civil Servants or a representative designated by him or her -Member
- (h) Joint Secretary, Ministry of General Administration -Member-Secretary

(2) Notwithstanding anything contained in Clause (g) of Sub-rule (1), pending the formation of an official Trade Union of the Civil Servants, the Chairperson of the Central Executive Committee of the Trade Union of the national-level Civil Servants or a representative designated by him or her may be invited, as a member, to participate in a meeting of the Central Committee.

6. Meeting and Decision of the Central Committee: (1) A meeting of the Central Committee shall be held, as may be required, at such date, time and place as may be fixed by the Chairperson.

(2) The Member-Secretary of the Central Committee shall be required to notify all the members along with the agenda of the meeting at least twenty four hours before a meeting of the Central Committee is held.

(3) A quorum of a meeting of the Central Committee shall be deemed to have been constituted if at least fifty percent of the total members of the Central Committee are present therein.

(4) A meeting of the Central Committee shall be chaired by the Chairperson, and if he or she is absent, it shall be chaired by a member selected from among themselves by the members of the Committee present in the meeting.

(5) All questions in a meeting of the Central Committee shall be decided by a majority of votes and in the event of an equality of votes, the person chairing the meeting shall have a casting vote.

(6) The Central Committee may, as may be required, invite any employee or official of the Government of Nepal or any other person to a meeting of the Committee as an observer.

(7) A decision of the Central Committee shall be certified by the Member-Secretary of the Central Committee.

(8) Other procedure relating to the meetings of the Central Committee shall be as determined by the Central Committee on its own.

7. **Functions, Duties and Powers of the Central Committee:** The functions, duties and powers of the Central Committee shall be as follows:

- (a) To identify the areas of contribution to be made from the proceeds of the Fund,
- (b) To make the necessary policy in respect of contribution to be made from the proceeds of the Fund,
- (c) To approve the annual budget, plans and programmes of the Fund,
- (d) To launch or cause to be launched employees' contribution programmes,
- (e) To give necessary instructions to the District Committee,
- (f) To release, as may be required, any amount of money to the District Committee from the Fund,
- (g) To keep the books and accounts of the Fund up-to-date,

(h) To perform any other function associated with the Fund.

8. Constitution of District Committee: (1) There will be a District Committee in each District, consisting of the following, in order to extend the necessary assistance to the cooperation programmes as fixed by the Central Committee.

- (a) Chief District Officer, District Administration Office -Chairperson
- (b) Local Development Officer, District Development Committee -Member
- (c) District Education Officer, District Education Office -Member
- (d) District Engineer, District Technical Office -Member
- (e) Chairperson of the district-level official Trade Union of the Civil Servants -Member
- (f) The Chief, District Treasury Control Office -Member-Secretary

(2) Notwithstanding anything contained in Clause (e) of Sub-rule (1), pending the formation of a District-level official Trade Union of the Civil Servants, the Chairperson or the Executive Committee of the District-level Trade Union of the Civil Servants of his or her representative may be invited to a meeting of the District Committee to participate as an observer.

(3) The Secretariat of a District Committee shall be located in the District Treasury Control Office.

9. Meetings and Decisions of District Committee: (1) A meeting of a District Committee will be held as may be required.

(2) A meeting of a District Committee shall be held at such date, time and venue as fixed by the Chairperson.

(3) A quorum of the meeting of a District Committee shall be deemed to have been consisted if at least more than fifty percent of the total members of the District Committee are present therein.

(4) All questions in a meeting of a District Committee shall be decided by a majority of votes and in the event of equality to votes, the person chairing the meeting shall have a casting vote.

(5) A District Committee may, as may be required, invite any employee, official or person to its meeting to participate as an observer.

(6) A District Committee may, on its own, determine the other proceedings relating to its meeting.

10. Functions, Duties and Powers of District Committee: A District Committee shall have the following functions, duties and powers:

- (a) To facilitate to make deposits into the Fund,
- (b) To make arrangements to cause to deposit the monies collected from the offices located in the District into an account as designated by the Central Committee,
- (c) To prepare monthly details of the monies collected from the Offices located in the District and send the same to the Central Committee,
- (d) To identify any area of possible cooperation of contribution in the District and forward the same to the Central Committee by formulating programmes of contributions,
- (e) To send to the Central Committee the annual progress report within thirty five days after the end of a fiscal year,
- (f) To perform any other function as may be assigned by the Central Committee.

11. Utilization of Proceeds of the Fund: (1) Proceeds of the Fund shall be utilized for the following activities in such manner as to serve the interest of the citizens of the economically, socially and culturally disadvantaged classes, communities and ethnic groups and those of the remote and backward areas:

- (a) For carrying out any immediate relief programme in an emergency situation wherever such activities are carried out with the involvement of Civil Servants,
- (b) For facilitating in the rehabilitation work of persons suffered from a natural or man-made calamity,
- (c) For carrying out various training programmes on skill development,
- (d) For making available essential social services such as education, health, drinking water or protecting the environment,
- (e) For extending the necessary cooperation in any other area of contribution as deemed appropriate by the Central Committee.

(2) Notwithstanding anything contained in Sub-rule (1), nothing herein will prevent from utilizing the proceeds of the Fund in any welfare activity of the Civil Servants.

(3) The functions as referred to in Sub-rule (1) may be performed in collaboration with any governmental entity, non-governmental organization or institution or community.

(4) The Central Committee shall make public the details of any plan and programme approved by the Central Committee as referred to in Sub-rule (1) and any amount of money appropriated for that purpose.

12. District Committee to Submit Annual Programme: (1) A District Committee shall, subject to Rule 11, be required to make annual programmes of the areas in its District that may be funded by the contribution and submit it to the Central Committee.

(2) The Central Committee may approve an annual programme submitted by a District Committee pursuant to Sub-rule (1) taking into consideration the condition of the Fund and the priority areas to be funded by the contribution.

(3) The Central Committee shall make available to the District Committee concerned an approved programme as referred to in Sub-rule (2) and the funding required for implementing the programme. The District Committee shall carry out the programme subject to the approved programme.

(4) Proceeds received to carry out a programme approved by the Central Committee shall be deposited into a Current Account of a Bank having obtained a license of "A" class in accordance with the laws relating to Banks and financial institutions in such manner as to be operated the Account jointly by the signatures of the Chairperson and the Member-Secretary of the District Committee.

(5) A District Committee should make expenditures for any approved programme from the Account as referred to in Sub-rule (4).

(6) Notwithstanding anything contained in this Rule, nothing herein will prevent the Central Committee to carry out an employee contribution programme on its own.

13. Audit and Auditing: (1) The account of the incomes and expenditures of the Fund shall be maintained in a format as followed by the Government of Nepal.

(2) Auditing of the Fund shall be carried out by the Auditor-General or an Auditor designated by him or her.

- 14. Publication of Annual Report:** The Central Committee shall publish its annual report of its activities within three months from the end of a fiscal year.
- 15. Secretariat:** (1) There shall be a Secretariat of the Central Committee in the Ministry of General Administration.
- (2) The Ministry of General Administration shall make available employees that may be required for the Secretariat.
- 16. Government of Nepal to Give Instructions:** (1) The Government of Nepal may, on matters of operation of the Fund, give instructions to the Central Committee, as may be required.
- (2) It shall be the duty of the Central Committee to follow the instructions given pursuant to Sub-rule (1).
- 17. Power to make Guidelines and Enforce them:** The Central Committee may, in order to regulate the business of the Fund, make Guidelines, as may be required and enforce them.