

Commission for the Investigation of Abuse of Authority Rules, 2059 (2002)

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In exercise of the powers conferred by section 37 of the Commission for the Investigation of Abuse of Authority Act, 2049 (1991), the Commission for the Investigation of Abuse of Authority has framed the following Rules.

Chapter - 1

Preliminary

1. **Short Title and Commencement:** (1) These Rules may be called as "Commission for the Investigation of Abuse of Authority Rules, 2059 (2002)."
(2) These Rules shall come into force immediately.
2. **Definition:** Unless the subject or context otherwise requires, in these Rules,-
 - (a) "Act" means the Commission for the Investigation of Abuse of Authority Act, 2048 (1991).
 - (b) "Preliminary Investigation" means the acts of Investigation conducted from the Commission prior to the appointment of Investigation Officer pursuant to Section 12 of the Act.
 - (c) "Secretary" means the Secretary of the Commission.

Chapter - 2

Procedures Relating to Meetings of the Commission

3. **Meetings and Decisions of the Commission:** (1) Meetings of the Commission shall be held in presence of the Commissioners including the Chief Commissioner.

Provided that this sub-rule shall not be deemed to have impeded to hold meetings of the Commission even if the Chief Commissioner alone is present.

(2) The Secretary shall, at the direction of the Chief Commissioner, fix the date and time and make available the agenda of meetings of the Commission to the Commissioners.

(3) The Chief Commissioner shall preside over meetings of the Commission. In absence of the Chief Commissioner, the senior Commissioner amongst the Commissioners present shall preside over meetings of the Commission and the Commissioner so presiding over the meeting may exercise powers vested in the Chief Commissioner.

(4) Decision of majority of Commissioners shall be deemed to be the decision of the Commission. In case there is no majority opinion on any matters, the opinion supported by the Chief Commissioner shall be regarded as the decision of the Commission.

(5) The Secretary or an employee of the Commission designated by him/her shall maintain record of decisions of meetings in minute book and it must be caused to be signed by the Chief Commissioner and other Commissioner.

(6) The Secretary or any Officer of the Commission designated by him/her shall authenticate decisions of meetings of the Commission.

4. **Functions of the Secretary:** (1) Subject to general direction and control of the Chief Commissioner, the main duty of the Secretary shall be to conduct administrative functions of the Commission.

(2) In addition to the duty referred to in sub-rule (1), other functions, duties and powers of the Secretary shall be as follows:-

- (a) To register or cause to register the complaints, explanations and reports received at the Commission;
- (b) To prepare and submit or cause to submit the matters to be discussed in the Commission;

- (c) To execute or cause to execute decisions of the Commission;
- (d) To assign jobs to the subordinate staff
- (e) To conduct or cause to conduct programmes relating to human resources development of the Commission, the offices directly under the Commission and the offices to which the Commission has delegated powers;
- (f) To conduct or cause to conduct programmes relating to capacity enhancement of employees directly or indirectly related to works of the Commission;
- (g) To conduct or cause to conduct studies and research on the matters relating to works of the Commission;
- (h) To maintain or cause to maintain necessary contact and coordination with international organizations and associations relating to works of the Commission;
- (i) To maintain or cause to maintain necessary contact or coordination with Government of Nepal, civil society and other related bodies on behalf of the Commission;
- (j) To conduct or cause to conduct creative programmes such as training and workshops and so on for enhancement of effectiveness of activities of the Commission;
- (k) To conduct or cause to conduct publicity using communication media in order to raise public awareness against improper acts and corruption;
- (l) To coordinate or cause to coordinate the activities jointly conducted by the Commission in collaboration with other agencies;
- (m) To perform or cause to perform other activities as ordered or directed by the Commission;

- (n) To do or cause to do other acts that may be necessary to execute decisions of the Commission;
- (o) To do or cause to do other acts that may be necessary while performing functions and duties and exercising powers referred to in clauses (a) to (n).

(3) The Secretary may delegate any authority entrusted to him/her under this Rule to any Officer level employee of the Commission.

Chapter - 3

Provisions Relating to Complaints

5. **Complaints of improper Acts:** (1) The person willing to lodge a complaint relating to an improper act may lodge the complaint in a format referred to in Schedule-1 either being present in person at the Commission or through post or any other means.

(2) Notwithstanding anything contained in sub-rule (1), it shall not be deemed to have impeded to conduct Investigation on any such complaint merely for the reason that the complaint is not in the format referred to in Schedule-1.

6. **Complaint of corruption:** (1) A person willing to lodge complaint relating to corruption may lodge the complaint being present in person at the Commission or send such a complaint by any other means.

(2) While lodging a complaint pursuant to sub-rule (1), the following details shall be stated to the extent it is within knowledge of the complainant;-

- (a) In case of corruption committed by the person assuming public office, the full name, surname, address, designation and office of the said person and if any other person is involved in such act, his/her name, surname and address;

- (b) Actual description relating to corruption;
- (c) Date of commission of corruption and date of its information;
- (d) Evidences showing Commission of corruption or description relating to it;
- (e) In case the complainant wants to keep his/her name confidential, the content of the same.

(3) In case anyone has lodged a complaint pursuant to sub-rule (1) having his/her name kept confidential, the Commission may, on the basis of such a complaint, initiate actions relating to Investigation of corruption.

(4) Notwithstanding anything contained elsewhere in these Rules, it shall not be deemed to have impeded the Commission to accept a subject matter relating to corruption published in any newspaper or publication as information or a complaint.

7. **Registration of complaint:** Complaints receiving at the Commission shall be registered in a General Registration Book.
8. **Original Evidences to be given Back:** The Commission may return back the original copies of evidence submitted by the complainant pursuant to clause (d) of sub-rule (2) of Rule 6 having retained certified copies thereof .
9. **May Refer to Conduct Investigation or Take Actions:** The Commission may refer a complaint received to it relating to improper acts committed in any agency of Government of Nepal to the concerned agency for submitting report to it or taking any other necessary actions having investigated into the matter and it shall be the duty of the concerned agency to do or cause to do as per the said referral.
10. **Complaints may be set aside or put on pending:** (1) The Commission may order to set aside the following categories of complaints received the Commission:-

- (a) Except complaints on matters relating to public interest or concern, the complaints relating to improper acts that are not endorsed or could not be endorsed;
- (b) Except complaints on matters relating to public interest or concern, the complaints relating to improper acts that have been lodged by persons other than the aggrieved person;
- (c) Complaints having expired the limitation ;
- (d) Complaints beyond competence and jurisdiction of the Commission;
- (e) Complaints not found to be based on facts *prima facie* or written with confusing contents;
- (f) Complaints motivated only to cause trouble or harassment;
- (g) Complaints lodged on extremely trivial matters or issues;
- (h) Complaints not possible to take actions for any reason;
- (i) Complaints given again on the same matter without any new evidence after setting aside the same complaint once.

(2) If there arises difficulty to take actions and decisions on any complaint lodged at the Commission, complaint may be put on pending.

Chapter - 4

Procedures Relating to Initial Inquiry or Investigation

11. **Initial Inquiry:** In case the Commission deems, upon having studied the complaints relating to abuse of powers received at the Commission, that initial inquiry has to be conducted, the Commission may conduct or cause to conduct initial inquiry on its own or by other governmental agency or organization or officials.
12. **Investigation:** (1) On the basis of gravity of the complaint filed at the Commission or on the basis of report of initial inquiry conducted pursuant to Rule 11, in case the Commission deems it necessary to conduct Investigation on such matter, it may designate Investigation Officer having prescribed the duration to complete the Investigation, necessary terms of reference relating to the Investigation and name of necessary support staffs.
 - (2) While appointing Investigation Officer pursuant to sub-rule (1), the appointment shall be made in the format referred to in Schedule-2.
 - (3) In case the Investigation could not be completed within the time limit prescribed pursuant to sub-rule (1), the concerned Investigation Officer shall request the Commission for extending the time limit or for direction having also stated the reasons therefor.
 - (4) In case it is requested for extending the time limit pursuant to sub-rule (3), the Commission may extend the time limit along with necessary directives.
13. **Change of Investigation Officer:** In case an Investigation Officer appointed to conduct Investigation on any matter could not complete the task assigned to him/her for any reason whatever or could not have time to complete the Investigation or the said Investigation could not be completed by him/her and the said subject-matter has to be investigated from another Investigation

Officer, the Commission may, having appointed another Investigation Officer, cause to conduct Investigation again or cause to complete the Investigation on the matters yet to be completed by the then Investigation Officer.

14. **Notice to be sent for seeking explanation, inquiry, statement or information of experts:** While seeking explanation or calling for inquiry or statement in connection with Investigation on improper act or corruption committed by any person assuming public office pursuant to Sub-section (1) of Section 11 or Section 15 of the Act respectively, the Commission shall give notice in the format referred to in Schedule-3 and while calling experts or person having information, it shall give information on the format referred to in Schedule-4.
15. **Statement may be taken keeping in due date or in custody:** In case the task of taking statement by the Commission of the person alleged to have committed abuse of powers could not be completed on one day alone, the Investigation Officer may take statement having him/her kept on due date or in custody until the task of taking statement is completed.
16. **Provisions Relating to Due Date:** While keeping the accused person on due date by the Commission in connection with an Investigation, due date shall be given to him in the format referred to in Schedule-6 having prepared due date receipt in the format referred to in Schedule-5.
17. **Supplementary (tatimba) statement:** The Commission may, in connection with Investigation, take supplementary (*tatimba*) statement or additional information having called the accused or person having information.
18. **Arrest warrant:** In case the Commission has to arrest a person in connection with an Investigation, an arrest warrant shall be given in the format referred to in Schedule-7.

19. **Detention slip:** While detaining any person in custody as per prevailing laws in connection with an Investigation, detention slip shall be given in the format referred to in Schedule-8.
20. **Search:** (1) While conducting search and seizure in connection with inquiry and Investigation on a complaint of abuse of authority, the deed of entrance and deed of search and seizure shall be prepared as per the formats referred to in Schedule-9 and 10 respectively.
- (2) In case the cash, kind or any other goods found from search and seizure conducted pursuant to sub-rule (1) has to be taken, a receipt of taking such cash or goods has to be prepared and given to the house-owner or owner of the cash or kind or the person taking the custody of the cash or kind, and if none of them are found or they are found but denied to take the receipt, the cash or kind shall be taken having given the receipt to the representatives of the local bodies. In case even the representatives of local bodies are not present, the same content shall be mentioned in the deed of seizure and the receipt shall be affixed on the place of seizure and if such content is stated in the deed of search and seizure, it shall be deemed to have been accepted by the concerned person.
21. **Seeking Security or Guaranty of Assets:** (1) While seeking security or guaranty of assets from the person accused of corruption, the Commission shall issue order to that effect in the format referred to in Schedule-11.
- (2) While seeking security or guaranty of assets pursuant to sub-rule (1), deeds have to be prepared in the format referred to in Schedule-12 and Schedule-13 as the case may be.
22. **Office May be Maintained at Any Place:** The Commission may, in course of an inquiry and Investigation, maintain its office in any office or at any place in addition to its own office.

23. **Report to be submitted:** (1) The Investigation Officer shall, upon completion of task of Investigation, submit report along with his opinion having analyzed the collected evidences and the actual position seen therefrom.

(2) On the basis of the report submitted pursuant to sub-rule (1), if it is found that the Investigation Officer has caused any procedural error or any other error while conducting the Investigation, the Commission may give order to rectify such error or it may itself examine the files and documents.

24. **To be Referred to for Keeping Record:** (1) In case the Commission has a warn to any person assuming public office, it shall be referred to the following offices for keeping its record: -

- (a) In case of any official of political appointment, to the cabinet secretariat;
- (b) In case of employees, to the concerned authority
- (c) In case of persons other than those referred to in Clauses (a) and (b), to the authority prescribed by the Commission.

(2) It shall be the duty of the concerned official/authority to maintain an updated record as referred to it pursuant to sub-rule (1).

25. **Other Necessary Actions:** The Commission may, for the purpose of section 12A. of the Act, use the following actions as other necessary actions

- (a) To recover the amount,
- (b) Not to appoint to the post of public responsibility for a period up to two years,
- (c) Not to assign to the works of such responsibility for a period of two years in maximum,
- (d) Not to entrust responsibility of making administrative and financial decisions for upto two years,

- (e) To prohibit to take part in foreign trainings, studies and seminars for up to a period of two years,
 - (f) To prohibit to perform any specific functions for upto a period to two years,
 - (g) Other actions deemed to be appropriate by the Commission.
26. **To File a case:** Upon having decided by the Commission to file case of corruption, the concerned Investigation Officer shall file the case to the concerned court having prepared the charge-sheet in the format referred to in Schedule-14.
27. **Matters to be stated in Charge Sheet:** (1) While filing case relating to corruption, the following matters have to be stated in the charge sheet to the extent possible: -
- (a) Name, surname, age of the accused along with his/her permanent and temporary, other contact address and name of the grandfather and father and in case of a married woman, name of the husband;
 - (b) Duties, responsibilities, powers, date, position at the time of commission of corruption by a person holding a public post;
 - (c) The matters or facts of the charges or accusations;
 - (d) The related law,
 - (e) Analysis of laws and facts,
 - (f) Matters of negligence, recklessness or *mala fide* intention,
 - (g) If unlawful gain or loss is caused, the matters showing to whom the gain or loss is caused,
 - (h) Amount of loss caused or attempted.
 - (i) Bases of determining the degree of culpability,
 - (j) Claim of punishment,
 - (k) Other relevant necessary matters

(2) In case a person is missed to have been charge sheeted pursuant to bus-rule(1), the Commission may file an additional charge sheet.

28. **Notice of filing of a case:** Upon filing a case against the person assuming public office, the Investigation Officer shall, within three days from the date of filling the case, give notice thereof to the concerned authority.

29. **Procedures relating to Appeal and Review:** (1) Upon receipt of a copy of the judgment after the verdict in the case filed by the Commission and upon studying the judgment, the government attorney engaged in the Commission or the Legal Practitioner appointed for the same task or the concerned Officer shall submit his/her opinion to the Secretary whether or not an appeal or a review petition has to be filed.

(2) With regard to the opinion received pursuant to sub-rule (1), the Secretary shall submit the same to the Commission along with his/her comment or opinion, if any.

(3) The Commission shall decide whether or not to file appeal or review petition on the bases of the facts of the case, the relevant law, judgment of the court and opinions submitted pursuant to sub-rules (1) and (2).

(4) In case the Commission decides to file appeal or petition for review, the Commission shall, through the government attorney of the Commission or the Legal Practitioner appointed for the said work or the concerned Officer, file appeal or review petition to the concerned court.

Chapter-5

Miscellaneous

30. **Amount may be made available for Bribe:** (1) In connection with Investigation of a complaint filed at the Commission that any person assuming public office has asked for bribe, the Commission may make available amount as bribe to such person assuming public office through its own employees or through the complainant or any other person.

(2) No action shall be taken against and no punishment shall be imposed on, any employee or person making available bribe amount pursuant to sub-rule (1).

31. **Details of those not submitting statement of property to be made available:** (1) Details of the person assuming public office who does not submit statement of property within the time limit pursuant to Sub-section (1) of section 31A. of the Act shall be made available to the Commission by the agency or official prescribed for the purpose of the same Sub-section within thirty-five days.

(2) The agency or official prescribed for the purpose of Sub-section (2) of section 31A. of the Act shall conduct Investigation with regard to the person not submitting the statement of property even within the time limit extended pursuant to section 31A, (2) of the Act on the presumption of amassing unlawful property and shall make available report thereof to the Commission within thirty days.

(3) While conducting Investigation by the Commission for abuse of authority against the person assuming public office, the record of statement of property may be sought from the concerned agency or official or such person may be asked to submit statement of property up to a prescribed time having given him/her a reasonable time.

(4) The Commission may conduct Investigation as per law upon taking the information, statement of property and probe reports received at the Commission as per these Rules as a complaint or evidence.

32. **Record of Freeze Property to be maintained:** (1) In case an immovable property or cash amount or bank guaranty has been taken as security deposit from or on behalf of any accused in connection with Investigation of a complaint filed at the Commission, a central record thereof must be maintained.

(2) In the record referred to in Sub-rule (1), the name, surname and address of the accused ; if the security is given by the third person, his/her name, surname, address; details of the property; date of order for freezing, the official giving order for freezing; the office freezing property, date and dispatch number of the letter written for freezing property and complaint registration number shall be mentioned.

33. **Releasing Freeze a property:** (1) In case an immovable property or cash amount or bank guaranty has been taken as security deposit from or on behalf of any accused in connection with Investigation of a complaint filed at the Commission, such freezed property or bank guaranty or assets deposited as security shall be released after the termination of the complaint.

(2) If a case has been filed by the Commission and the case has been decided acquitting the defendant, the bank guaranty or assets deposited by or on behalf of the accused shall be released and deposited amount shall be refunded if it is decided by the Commission not to file appeal or submit review petition.

34. **Expenses to be certified:** With regard to expenses incurred by any employee or Investigation team in connection with an Investigation in such circumstances that bill or receipt may not be

taken, the Secretary shall certify such expenses on the basis of details submitted by such employee or team leader.

35. **Coordination committee may be formed:** (1) In order to conduct studies research and other promotional activities on the subjects deemed to be appropriate, the Commission may form coordination committees comprising of representatives of non-governmental organizations and civil society.

(2) The formation, functions, duties and powers of the committee to be formed under Sub-section (1) shall be as determined by the Commission.

36. **Giving information of decision and returning original documents:** (1) In case the Commission has recorded statement with a person assuming public office and the Commission has decided to terminate the complaint, the concerned office shall be informed about the said decision.

(2) In case original documents are brought from any agency in connection with taking actions on any complaint, the original documents so brought shall be returned to the concerned office as soon as possible if such complaint is ordered to be terminated.

37. **Procedures Relating to Getting Documents:** (1) The concerned person willing to get copies of documents available at the Commission shall submit application to the Commission in the format prescribed in Schedule-15 along with Rupees Five per page as copying fee.

(2) Out of the documents included in the case file related to the subject in which the Commission has decided not to file case and to terminate the complaint, the concerned Officer shall make available the copy of the statement given at the Commission or decision of the Commission.

(3) Notwithstanding anything contained in sub-rule (2), no copy of any document related to the subject which is under consideration at the Commission shall be made available.

(4) While making available copies, it shall be verified with the original copy and the concerned employee shall certify it as being accurate to the original document and submit it to the concerned Officer.

Provided that, if the Commission has decided or ordered not to make available copy of any document, no copy of such document shall be made available.

38. **Oath of office to be taken:** In case any person other than a person assuming a public office has to begin works as an expert at the Commission, he/she shall take an oath of office before the Secretary in the format referred to in Schedule-16.

39. **Officer Level Employees to Have More Powers:** (1) In case the Investigation Officer deputed from the Commission in connection with inquiry and Investigation after having received the information that abuse of authority is committed or going to be committed has to intervene immediately, he/she may exercise powers of arresting person, conducting search and seizure and other powers conferred by these Rules.

(2) While conducting Investigation on the basis of any complaint, in case it is found that corruption or improper act has been committed in the matters other than those mentioned in the complaint, the Commission may conduct Investigation on the matters not mentioned in the complaint and may take decision whether or not to file case or take or not to take actions on the basis of the said Investigation.

40. **Inspection:** (1) The Chief Commissioner, Commissioner or Officer level employee may inspect or cause to inspect whether or

not the employees have conducted their activities as per the prevailing laws and authority delegated by the Commission.

(2) Upon inspection pursuant to sub-rule (1), the Chief Commissioner or Commissioner may give directions on the matters deemed to be necessary and it shall be the duty of the concerned Officer to follow or cause to follow direct given in such a way.

(3) Upon inspection pursuant to sub-rule (1), the Officer level employee shall submit the report of the activities conducted during the inspection.

(4) On the basis of the report received pursuant to sub-rule (3), the Commission may give necessary directives to the concerned office or Officer and it shall be the duty of the concerned Officer to follow or cause to follow the directives given in such a way.

41. **Use of Scientific and Communication Equipment and Devices:** The employees or persons involved in Investigation of abuse of authority shall have powers to possess and use scientific and communication equipment and devices as may be necessary according to the order of the Commission.
42. **Repeal and saving:** The Commission for the Investigation of Abuse of Authority Rules, 2048 have been repealed. The acts and activities conducted as per the said Rules shall be deemed to have been conducted as per these Rules.

Schedule-1

(Relating to sub-Rule of Rule 5)

Complaint Relating to Improper Act

Commission for the Investigation of Abuse of Authority.

Subject: – About the Improper acts committed

I hereby submit this complaint pursuant to Rule 5 of the Commission for the Investigation of Abuse of Authority Rules, 2059 having stated the following details: –

1. Name, Designation and office of the person committing improper act:–
2. Full description of improper act:–
3. Date on which improper act was committed and Date on which the complainant came to know about it:–
4. Evidence justifying the complaint: –
5. Loss or grievances caused to the complainant from Improper act :–
6. If any complaint has been filed in any other agency with regard to the subject matter of the complaint, the name and address of such agency and its result :–
7. If the complainant wants to keep his name confidential, details thereof :–

The above mentioned content is true and correct and if found false, I shall be liable as per laws.

Signature of the complainant

Name and Address of the Complainant.

(If the complainant works in any office, designation and name address of the office)

Done on

- Note: 1. The above mentioned format is general one, to the extent possible all of the above facts shall be mentioned.
2. If the complainant is the person mentioned in the proviso to Sub-section 1 of Section 8 of the Act, certified evidence shall also be enclosed as to why the aggrieved person cannot file the complaint.
3. Copies of the evidence being possessed by the complainant shall be enclosed and evidence not in hold details must be given where and with whom it remains .

Nepal Law Commission

Schedule-2

(Relating to sub-rule 2 of Rule 12)

Ref. No.

Date

Dispatch No.

Subject: - Appointment of Investigation Officer.

Mr/Ms/Mrs.

.....

In order to complete entire investigation of the case with the following details and to submit report thereof pursuant to section 20 to the Commission for the Investigation of Abuse of Authority Act, 2048, you have been appointed as the Investigation Officer. You are required to complete the investigation under the direct supervision and control of the concerned commissioner and to submit the report thereof along with opinion to the commission within month/days pursuant to Rule 12. The following support staffs are designated in order to complete the said investigation.

<u>S.No.</u>	<u>Designation</u>	<u>Name</u>
1.		
2.		
3.		
4.		
5.		

Subject to be investigated

<u>S.No.</u>	<u>F.Y.</u>	<u>Complainant</u>	<u>Issues of the complaint</u>
1.			
2.			
3.			
4.			
5.			

CC to

Division No. :- The concerned original file(s) along with certified list of documents be handed over to him/her and to update the record accordingly.

Schedule-3
Relating to Rule 14)
Notice

Issued by the Commission for the Investigation of Abuse of Authority in the name of, a resident of

In connection with investigation of a complaint filed at this Commission (short description of the complaint) a complaint has been filed against you on the subject of, and statement / explanation is required, therefore, you are required to be present at (Hours) on(date) at the office/tour office of this Commission , and if you do not present, it shall be as per law.

Date: -

Signature of Investigation Officer: -

Name of Investigation Officer: -

Schedule-4
(Relating to Rule 14)

Since you have to be heard as a witness/expert/special person in connection with investigation of a complaint filed at this Commission relating to, you are required to be present at (hours) on(date) at the office/tour office of this Commission , and if you do not present, it shall be as per law.

Date: -

Signature of Investigation Officer: -

Name of Investigation Officer: -

Nepal Law Commission

Schedule-5
(Relating to Rule 16)

Due date Receipt

Prepared by the Commission for the Investigation of Abuse of Authority

Plaintiff

Name and Address of the

Defendant

I hereby, sign that I shall be present at the office/tour of the Commission at (hours) on (Date).

Sd.

Full Name

Nepal Law Commission

Schedule-6

(Relating to Rule 16)

Due date slip issued by

Commission for the Investigation of Abuse of Authority/Tour office

Case: -

You (Name and Address) (Office and designation) are required to appear at Division No.of this Commission at the following time and date. It shall be as per law if you do not appear and lapse the due date.

Date to Appear

Time

Signature and Date of the staff

Issuing the due date slip

Nepal Law Commission

Schedule-7
(Relating to Rule 18)
Arrest Warrant

Issued by the Commission for the Investigation of Abuse of Authority in the name of Mr/Ms/Mrs. (age), the son/daughter/wife of, a resident of

Since an investigation has to be conducted against you on the charge of, you are required to appear along with police personnel/employee who is approaching with this warrant. Otherwise he/she shall use force to arrest you.

Investigation Officer

Signature: -

Name: -

Destination: -

Date: -

Nepal Law Commission

Schedule-8
(Relating to Rule 19)
Detention slip

Mr./Mrs./Miss

.....

In the course of an investigation on a complaint filed at this Commission against you, it seems from the evidence collected till the date that there is reasonable cause that you may disappear/escape/go at large/ the Commission has asked for deposit/security as it seems that you have caused loss an amount and you have stated in written form that you are unable to produce the deposit security after being heard about the order, therefore, this detention slip is issued to you pursuant to Sub-section (4) of Section 19 of the Commission for the Investigation of Abuse of Authority Act, 2048 entitling you to the rations as per laws.

of the concerned official

Signature: -

Name: -

Date: -

C.C.: -

(The Concerned person/Custody)

Schedule-9

(Relating to sub-rule 1 of Rule 20)

Deed of Entrance

Since there is possibility of recovery of cash/kind/materials/goods/document/evidence relating to the offence of corruption involving, a resident of village, ward No.....VDC/Municipality District, the following persons have to enter on behalf on the Commission for the Investigation of Abuse of Authority in to the same compound, residence located at under your ownership/ procession/control/custody for conducting search and seizure in connection with investigation, therefore, we, the following persons do here by prepare and submit this deed of entrance to the Commission for the Investigation of Abuse of Authority as our search is over and we entered into the said place.

The Particulars

Name and Address of the persons search who made to the person entering into for search and seizure (along with name of father and grand father): -

- 1.
- 2.
- 3.

In Presence of: -

1. Owner of home/goods or his/her representative
2. Local persons/Peoples Representatives/lady or gentleman to the extent possible
3. Accused to the extent possible

Employees preparing the deed: -

- 1.
- 2.

Done on

Schedule-10

(Relating to sub-rule (1) of Rule 20)

Deed of search and seizure

Prepared by the Commission for the Investigation of Abuse of Authority

Since we, the following persons entering into the home/residence of ,(age), a resident of and the son/daughter of and grand son/daughter of having followed the process as per laws, have recovered the following cash/kind/goods/document/evidence and since the team deputed from the Commission for the Investigation of Abuse of Authority has requested us to prepare the deed of search and seizure because such cash or goods have to be taken to the Commission in connection with investigation, we agree with the request. We do hereby submit to the Commission through the team deputed that the following contents are true and correct.

Particulars

Details of locations of cash/kind/document recovered during search

- 1.
- 2.

Details of cash/kind/documents recovered and seized

- 1.
- 2.

Persons engaged in the search and seizure

- 1.
- 2.

In Presence of

- (a) Person taking the cash/kind/documents excepts those seized: -
- (b) Person getting the receipt of goods seized
- (c) Local bodies Representatives (to the extent possible)
- (d) Accused person (To the extent possible)

We have taken the goods seized as stated above having given you the receipt of those goods.

Employees completing the task

Done on

Schedule-11
(Relating to sub-rule (1) of Rule 21)
Order slip Requiring the Deposit

Complainant

Defendant

Case: - Corruption

1. Facts of the Case: -
2. Amount of loss, if any: -
3. Grounds, reasons and legal provisions for requiring deposit or guaranty of assets: -
4. Amount required to be deposited: -

Of the Official giving order: -

Signature: -

Name: -

Designation: -

Date: -

Schedule-12

(Relating to sub-rule (2) of Rule 21)

Document of Consent to Submit Deposit/Guaranty while requesting for Deposit

I came to know about the order datedissued by the Commission. I shall be present at the place and time prescribed by the Commission. I do hereby sign on it stating that I agree to forfeit the deposit or guaranty I have submitted pursuant to Nos. 124 and 124A. of the chapter on Court Proceeding, of the general Code (*Muluki Ain*) if I would not be present as mentioned here above and to recover the guaranty amount from my any other property if it could not be recovered from the said property.

.....

Nepal Law Commission

Schedule-13
(Relating to sub-rule (2) of Rule 2)

Deed of consent to be executed if guaranty of assets is given by the third person while asking for deposit

I came to know the order issued by the Commission in the case of Mr/Ms/Mrs. , the son/daughter/wife of and grandson of Mr., a resident of

Since he/she could not produce the deposit/guaranty asked from him/her by the Commission and since I do agree to produce it on his/her behalf in case he/she would not present at the prescribed time and place, I agree the forfeiture the deposit/guaranty I have produced pursuant to No. 124A. of the chapter on Court Proceeding, the general code (*Muluki Ain*) and if it could not be realized from that property, I also agree to realize it from my any other property.

Name and Address of the Guarantor: -

Name of his father: -

Name of his Grandfather: -

Contact Address: -

Schedule-14
(Relating to Rule 26)

Charge-sheet

Submitted to the Court
(..... No. of the Year)

.....

Versus

..... Defendants

Case: -

1. Contents of the Case: -
 - (a)
 - (b)
 - (c)
2. Charges and Claims: -
 - (a)
 - (b)
 - (c)
3. Evidence: -
 - (a) Documents
 - (b) Witnesses
 - (c) Testimony of Experts

Reported by

On behalf of Government of Nepal

(Authorized Officer on behalf of the Commission for the Investigation
of Abuse of Authority)

Done On :

Schedule-15

(Relating to Rule 37 of sub-rule (1) of Rule 37)

An Application

Filed at the Commission for the Investigation of Abuse of Authority

Subject - Request for copies of the documents

Plaintiff

Accused

As I, the applicant, a concerned person, request for getting copies of the following documents. The receipt of payment of RS. as copying fee levied as per law is enclosed herewith.

1. Details of document of, which copy is required: -
 - (a)
 - (b)
 - (c)
2. Content showing the concern: -
 - (a)
 - (b)
 - (c)

The aforementioned contents are true and correct and if found false, I shall be liable as per law.

Signature of the applicant

Full name and address of the applicant

Date: -

Schedule-16
(Relating to Rule 38)

Oath of Office

I, , do hereby swear in the name of God/solemnly resolve that I shall perform the functions and duties assigned to me as in the capacity of an expert at the Commission to the best of my knowledge, conscience and with sense of honesty, benevolence and dutifulness and without fear or favour or malice or greed and being subjected to the prevailing law. I shall not disclose or indicate either directly or indirectly any confidential matter that I come to know in the course of performing my duty to any one other than the authorized person in any situation irrespective of whether or not I remain in the service contract.

Details of the person taking oath

Name: -

Signature: -

Date: -

Designation: -

Person certifying the administering of oath of office

Name: -

Signature: -

Date: -

Designation: -