

Dream (*Swapna*) Garden Development Board (Formation) Order, 2056 (2000)

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In exercise of the powers conferred by Section 3 of the Development Board Act, 2013 (1956), Government of Nepal has issued the following order.

1. **Short Title and Commencement:** (1) This Order may be called "Dream Garden Development Board (Formation) Order, 2056 (2000).
(2) This order shall come into force immediately.
2. **Definition:** Unless the subject or context otherwise requires in this order:
 - (a) "Board" means the Dream Garden Development Board formed pursuant to Section 3.
 - (b) "Dream Garden" means a garden located inside the compound of *Keshar Mahal, Thamel*, Ward No. 29 of *Kathmandu* Municipal Corporation, *Kathmandu* District and which is under the ownership of the Ministry of Education.
 - (c) "Chairperson" means the Chairperson of the Board.
 - (d) "Member" means the member of the Board and also includes the Chairperson and Member-Secretary.
 - (e) "Executive Director" means the Executive Director appointed or designated pursuant to Section 6.
 - (f) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Rules framed under this order.
3. **Formation of the Board:** (1) A Board named as the Dream Garden Development Board is, hereby, formed in order to make the Dream

Garden beautiful and attractive from touristic point of view and to develop it as a model from environmental friendly and conservation perspectives.

(2) The Board referred to in Sub-section (1) shall comprise of the following members: -

- (a) Secretary, Ministry of Education Chairperson
- (b) Representative, Tourism
Development Board Member
- (c) Representative, Eco-Himal Member
- (d) Two persons nominated by
Government of Nepal from amongst
the persons who have made special
contribution in tourism and
environmental sectors and from
amongst the land donors. Member
- (e) A person designated by the Board
from amongst the nominated Member-
members Secretary

(3) The tenure of office of the members nominated pursuant to Clause (d) shall be of four years.

(4) Government of Nepal may, if it deems appropriate, bring necessary alteration or changes in the members of the Board by a Notification in the Nepal Gazette.

(5) The Board may, if it deems appropriate, invite any national or foreign expert in a meeting of the Board.

(6) The office of the Board shall be located in the Kathmandu Valley.

4. **Functions, Duties and Powers of the Board:** The functions, duties and powers of the Board shall be as follows: -

- (a) To prepare the annual budget and programmes of the Board and to approve it;
- (b) To formulate a Master Plan for the development and conservation of the Dream Garden;
- (c) To develop the Dream Garden from touristic, environmental and aesthetic point of views;
- (d) To carry out construction and sanitation works without causing adverse impact on the beauty of the *Keshar Mahal* in order to bring the Dream Garden in its original form;
- (e) To carry out various income generating programmes for the development, conservation and maintenance of the Dream Garden;
- (f) To conduct programmes on art, tourism promotion, environment protection, and educational development from the income to be accrued from the income generating activities;
- (g) To make provisions of the financial resources that may be necessary for the development and conservation of the Dream garden;
- (h) To fix the entrance fee required for entrance into the Dream Garden;
- (i) To operate or cause to operate restaurants and snacks shops at the houses or shades located at the Dream Garden;
- (j) To collect fees from having allowed to organize various festivals, ceremonies etc. in the Dream Garden;
- (k) To carryout such other works as are required for achieving the objectives of the Board.

5. **Procedures Relating to Meetings of the Board:** (1) The meetings of the Board shall be held on the date and at the time and the venue as prescribed by the Chairperson of the Board, and the notice as to the meeting shall be given to the members at least seven days in advance.

(2) The meeting of the Board shall be presided over by the Chairperson of the Board and by the person selected by the members from amongst themselves in the absence of the chairperson.

(3) The presence of at least fifty percent members of the total number of members of the Board shall be deemed to constitute a quorum for a meeting of the Board.

(4) The majority opinion shall prevail at the meeting of the Board; and in the event of a tie, the person presiding over the meeting shall exercise the casting vote.

(5) The decisions of the Board shall be authenticated by the Member-Secretary.

(6) Other procedures relating to meetings of the Board shall be as determined by the Board itself.

6. **Provisions Relating to Executive Director:** (1) Government of Nepal may appoint or designate one Executive Director to work as chief administrator of the Board.

(2) The remuneration, terms and conditions of the service and facilities of the Executive Director shall be as prescribed by Government of Nepal.

(3) The functions, duties and powers of the Executive Director shall be as prescribed.

7. **Provisions Relating to Employees:** (1) The Board may, for operation of its business, appoint necessary employees.

(2) The functions, duties and powers as well as the terms and conditions of the service and facilities of the employees appointed pursuant to Sub-section (1) shall be as prescribed.

8. **Fund of the Board**: (1) There shall be a separate fund of the Board and the following amounts shall be deposited with the said fund: -

- (a) Amount received from Government of Nepal,
- (b) Amount received from any international association, organization or foreign government,
- (c) Amount accrued by the Board,
- (d) Amount received from any other resource.

(2) Prior to receiving the amount referred to in Clause (b) of Sub-section (1), the Board shall obtain an approval of Government of Nepal

(3) The amount shall be expended for such programme for which the amount has been received by the Board.

(4) The amount to be collected in the fund of the Board shall be deposited in any commercial bank having opened an account.

(5) All expenditures to be incurred in the name of the Board shall be made from the fund referred to in Sub-section (1).

(6) Operation of the account of the Board shall be as determined by the Board.

9. **Accounts and Audit**: (1) Accounts of the income and expenditure of the Board shall be maintained as per the prevailing laws.

(2) Accounts of the Board shall be audited by the Office of the Auditor General or by an auditor designated by such Office.

(3) Government of Nepal may, at any time, examine or cause to examine the accounts of the Board and the documents relating to it and all cash and kind of the Board.

10. **Sub-committee may be Formed:** (1) The Board may form sub-committee, as may be necessary, in order to carry out or to assist in carrying out any function to be carried out in accordance with this Order or Rules framed under this Order.

(2) The functions, duties, powers and procedures of the sub-committee to be formed pursuant to Sub-section (1) shall be as determined by the Board at the time of its formation.
11. **Property and Documents of the Board:** The records and documents relating to all immovable property registered in the name of the Board and to be received by the Board shall be maintained at the office of the Board.
12. **Delegation of Powers:** The Board may delegate some of the powers out of the powers conferred on it to a member, sub-committee or officer level employee of the Board as may be necessary.
13. **Meeting Allowance:** The members of the Board shall be entitled to the meeting allowance and other facilities as prescribed by Government of Nepal.
14. **Liaison with Government of Nepal:** The Board shall liaise with the Government of Nepal through the Ministry of Education.
15. **To give direction:** Government of Nepal may issue necessary directives to the Board and it shall be the duty of the Board to abide by such directives.
16. **Rules may be framed:** The Board may, in order to operate its business, frame necessary Rules and such Rules shall come into force once they are approved by Government of Nepal.