

Inquiry Commission (Terms and Conditions of Service of the Members) Rules, 2051 (1994)

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The Government of Nepal, having exercised the power conferred by Section 12 of the Inquiry Commission Act, 2026 (1969), has framed the following Rules:

1. Short Title and Commencement: (1) These Rules may be called as "Inquiry Commission (Terms and Conditions of Service of the Members) Rules, 2051 (1994)".

(2) These Rules shall come into force immediately.

2. Definition: Unless the subject or context otherwise means in these Rules;-

(a) "Act" means the Inquiry Commission Act, 2026 (1969).

(b) "Commission" means the Commission constituted under Section 3 of the Act.

(c) "Member" means the Member of the Commission and its terms also includes the chairperson of the Commission.

3. Oath to be Taken: (1) The Chairperson and Member of the Commission, prior to commencing the function of the Commission, shall take an oath of the post and secrecy in the format prescribed in the Schedule.

(2) The Chairperson of the Commission constituted by the Government of Nepal under Sub-section (1) of Section 3 of the Act shall take an oath of office and secrecy before the Chief Justice of the Supreme Court and the other members before the Chairperson.

(3) The Chairperson of the Commission constituted by the Government of Nepal under Sub-section (2) of Section 3 of the Act shall take an oath of office and secrecy before the Chief Justice of the Supreme Court or the Justice of the Supreme Court specified by him/her and the other members before the Chairperson.

4. **Conduct to be Followed:** (1) The member shall comply with the conduct mentioned in these Rules.

(2) Failure of a member to comply with the conduct mentioned in these Rules shall be deemed his/her failure to comply with the conduct of his/her post.

5. **National Interest is to be Given Top Priority:** The Member shall accomplish his/her duty in a truthful and honest manner by avoiding the vested interest of religion, caste, gender, ethnicity, community or area.

6. **Not to be Made Adverse Effect on the Function or Prestige:** The Member shall not commit any act by causing adverse effect on the function of the Commission or prestige of the members.

7. **To be Held the Duty with Resoluteness:** The Member while accomplishing his/her duty shall act with resoluteness by applying his/her knowledge and conscience without being under influence of any one's fear, terror or incentive.

8. **To be Remained Free from the External Influence:** The Member shall accomplish his/her responsibility being free from the external influence without any greed or partiality.

9. **Not to be Disclosed the Secrecy:** The Member shall not inform anything or make available any other related matter to any one in such a way to cause obstruction in the affairs of the Commission or disclose the secrecy of the Commission.

10. **Not to be Embezzled the Amount:** The Member shall not embezzle the amount obtained for the expenses of the affairs of the Commission.
11. **Not to be Taken an Undue Advantage:** The Member shall not commit any act to take undue advantage under influence of his/her post.
12. **Not to be Got Done the Restricted Function from Others:** Effort to do any function restricted by these Rules should not be made, it should not be got made from the other and other person also should not be encouraged to do so.
13. **Remuneration and Emolument:** The remuneration and emolument of the Member shall be as prescribed in the time of formation of the Commission.

NEPAL LAW COMMISSION

Schedule

(Relating to Sub-rule (1) of Rule (3))

Oath of Post and Secrecy

I, , hereby, swear solemnly in the name of God that I, as a Chairperson/Member of the Commission, shall discharge the duties assigned to me faithfully to the best of my knowledge and wisdom, without fear, partiality or favor, malice or greed, and that I shall not disclose any secrecy of the Commission which is known to me in course of affairs of the Commission either directly or indirectly at any time, irrespective of whether or not I remain in the service except in the situation of being necessary for accomplishment of my duty.

Date:

Signature:

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