

# **Mahakali Zonal Hospital Development Board (Formation) Order, 2045 (1988)**

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2045.3.6 (20 June, 1988)

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

**1. Short title and commencement:** (1) This Order may be called as the "Mahakali Zonal Hospital Development Board (Formation) Order, 2045 (1988)".

(2) This Order shall come into force immediately.

**2. Definition:** Unless the subject or the context otherwise requires, in this Order, "Hospital" means the Mahakali Zonal Hospital.

**3. Formation of the Board:**

3.1 A Board to be named as the Mahakali Zonal Hospital Development Board (hereinafter referred to as the "Board") is, hereby, formed.

3.2 The Board referred to in Sub-section 3.1 shall consist of the following members:

3.2.1 A person nominated by the Government of Nepal from amongst the imminent social workers -Chairperson

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<sup>1</sup> Altered by a Notification in Nepal Gazette dated 2051.12.20 (3 April, 1995)

- 3.2.2 President, District Development Committee, Kanchanpur -Member
- 3.2.3 Chief District Officer, District Administration Office, Kanchanpur -Member
- 3.2.4 Mayor, Mahendranagar Municipality -Member
- 3.2.5 Two persons nominated by the Government of Nepal from amongst imminent social workers -Member
- 3.2.6 The following persons nominated by the Government of Nepal on the recommendation of the Board:
- (a) Two persons from amongst the specialist doctors
- (b) One person from amongst the medical officers
- (c) One person from amongst the paramedical and nursing staff for one year term on rotational basis -Member
- 3.2.7 Medical Superintendent, Mahakali Zonal Hospital -Member Secretary

3.3 The tenure of office of the members nominated pursuant to Sub-sections 3.2.1, 3.2.3 and 3.2.4<sup>2</sup> shall be Two years.

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<sup>2</sup> Sub-section 3.2.3 and 3.2.4 are to be amended as 3.2.5 and 3.2.6 but it was not amended yet.

- 3.4 The Government of Nepal may, if it considers so necessary, alter the number of members of the Board by a Notification in the Nepal Gazette.
- 3.5 The Board may, if it considers so necessary, may invite any officer of the Government of Nepal or any other expert to attend its meeting as an observer.

**4. Functions, duties and powers of the Board:**

- 4.1 It shall be the duty of the Board to develop the Hospital by making it self-reliant by enhancing the standards of treatment and services to be provided by the Hospital, through provision of donation or assistance from various sectors.
- 4.2 For the performance of the duty set forth in Sub-section 4.1, the Board may carry out the following functions:
- 4.2.1 To arrange for the development of the Hospital.
- 4.2.2 To expand, build and maintain the Hospital.
- 4.2.3 To arrange for such means and facilities as may be required for the improvement in, and expansion of, the services of the Hospital.
- 4.2.4 To create such technical and administrative posts as may be required for the Hospital, and to engage employees on deputation from the Government of Nepal, Ministry of Health or the Institute of Medicine or to so appoint them on the contract service that their salary and allowances are paid from its own source.
- 4.2.5 To obtain assistance from international organizations, with the approval of the Government of Nepal.

- 4.2.6 To operate child health training programmes and to request the Academy of Medical Sciences for necessary support in the operation of such programmes.
- 4.2.7 To determine out-patient and in-patient medical services and laboratory and other service fees.
- 4.2.8 To determine the number of free and paid beds and the rate of fees for the same.
- 4.2.9 To make request to the Government of Nepal to give preference to the candidates recommended by the Board for advanced training on the subjects related with the operation of the Hospital.
- 4.2.10 To submit annual reports of the Hospital to the Government of Nepal.
- 4.2.11 To carry out, or cause to be carried out, such other functions as may be required for the implementation of the aforesaid functions.

**5. Meetings and decisions of the Board:**

- 5.1 A meeting of the Board shall be held as specified by the chairperson of the Board.
- 5.2 The member secretary of the Board shall call a meeting if one-third members of the Board make a submission in writing for the meeting.
- 5.3 In the case of the office of chairperson being vacant or the chairperson being absent, the member secretary of the Board may, as required, call the meeting of the Board.

- 5.4 The presence of 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.
- 5.5 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.
- 5.6 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.
- 5.7 The decisions of the Board shall be authenticated by the member-secretary of the Board.
- 5.8 Other rules of procedures relating to the meeting of the Board shall be as determined by the Board itself.
- 5.9 The Board shall meet at least three times a year.

**6. Fund of the Board:**

- 6.1 The following amounts shall be credited to the fund of the Board, and the expenses of the Board shall be borne from the fund.
  - 6.1.1 Amounts received from the Government of Nepal for salary and allowances of the employees of the Hospital.
  - 6.1.2 Grants received from the Government of Nepal for the operation of the Hospital.
  - 6.1.3 Amounts received from international organizations.
  - 6.1.4 Amounts received from various services provided by the Hospital.
  - 6.1.5 Amounts received from various persons.

6.1.6 Amounts received from other sources.

6.2 Any amount received from the Government of Nepal, any foreign government or international organization shall be spent for the same programme or activity for which the amount has been received.

6.3 The fund of the Board shall be operated in accordance with the Rules framed by the Board.

**7. Audit:**

7.1 The accounts of the incomes and expenditures of the Board shall be maintained in accordance with the method followed by the Government of Nepal.

7.2 The audit of the Board shall be performed in accordance with the prevailing laws.

7.3 The Government of Nepal may, if it so desires, inspect, or cause to be inspected, the accounts of the Board, at any time.

**8. Special provisions relating to employees:**

8.1 The employees of the Government of Nepal who are serving in the positions of the Hospital shall serve at the direction of the Board, and they shall receive their salary, allowances and other facilities from the Board.

8.2 If the Government of Nepal is to depute or transfer elsewhere the employees of the Government of Nepal who are serving in the Hospital, it shall make such deputation or transfer by giving information thereof to the Board.

8.3 The transfer, promotion, salary, allowance and other facilities of, departmental action against, and punishment to, the employees of

the Government of Nepal who are serving in the Hospital shall be as per the Rules of the Government of Nepal.

- 8.4 The Board may provide special allowance to the employees of the Government of Nepal who are serving in the Hospital for any special service provided by them in the Hospital.
- 8.5 If it is necessary to transfer or send back any employee of the Government of Nepal who is serving in the Hospital or take departmental action against any such employee, the Board shall make a recommendation, accompanied by reasons for transferring or sending back, and the matters and grounds on which the allegation, if any, made against him or her, to the Government of Nepal.
- 8.6 The Board may sanction any leave which can be sanctioned as per the Rules, other than a study leave and extra-ordinary leave, to the employees of the Government of Nepal who are serving in the Hospital.
9. **Delegation of powers:** The Board may, as per necessity, delegate any or all of its powers to any member or member-secretary of the Board or to a sub-committee of members or to any officer.
10. **Powers to frame Rules:** The Board may, with the approval of the Government of Nepal, frame Rules for the operation of its activities.
11. **Liaison with the Government of Nepal:** The Board shall liaise with the Government of Nepal through the Ministry of Health, Western Region Regional Health Service Directorate.
12. **Power to give direction:** The Government of Nepal may give necessary direction to the Board, and it shall be the duty of the Board to abide by the direction so given.
13. **Office of the Board:** The headquarters of the Board shall be located at the Mahakali Zonal Hospital, Mahendranagar.