

# Mental Hospital Development Board (Formation)

## Order, 2059 (2002)

Date of Publication in the Nepal Gazette

2059.10.27 (10 Feb., 2003)

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 "Mental Hospital Development Board (Formation) Order, 2059 (2002)".

(2) This Order shall come into force immediately.

2. **Definition:** Unless the subject or the context otherwise requires, in this Order,-

(a) "Hospital" means the Mental Hospital.

(b) "Board" means the Mental Hospital Development Board formed pursuant to Section 3.

(c) "Member" means the member of the Board, and this term also includes the chairperson of the Board.

3. **Formation of the Board:** (1) A Board to be named as the Mental Hospital Development Board is, hereby, formed.

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

(a) A person nominated by the Government  
of Nepal -Chairperson

(b) A person nominated by the Government -Member

of Nepal from amongst imminent social workers

- (c) Representative (Gazetted First class),  
Ministry of Health -Member
  - (d) Chief District Officer or officer  
employee designated by him or her,  
District Administration Office, Lalitpur -Member
  - (e) Representative, District Development  
Committee, Lalitpur -Member
  - (f) Two persons nominated by the  
Government of Nepal on the  
recommendation of the Board, from  
amongst the consultant doctors -Member
  - (g) Chairperson, Lalitpur Chamber of  
Commerce and Industry -Member
  - (h) Chairperson, Nepal Red Cross Society,  
District Branch, Lalitpur -Member
  - (i) Matron of the Hospital -Member
  - (j) Director of the Hospital -Member
- Secretary

(3) The tenure of office of the members nominated pursuant to clauses (a), (b) and (f) of Sub-section (2) shall be two years.

(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.

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

- (a) To operate and manage the Hospital.
- (b) To formulate or cause to formulate the long term and short term plans for the management of the Hospital.
- (c) To arrange the means and resources for the operation and management of the Hospital.
- (d) To approve the budget of the Hospital.
- (e) To determine the service fees of the Hospital.
- (f) To protect and maintain the physical property of the Hospital.
- (g) To submit annual report of the Hospital to the Government of Nepal.
- (h) To carry out other necessary functions for the implementation of the aforesaid functions.

5. **Meetings and decisions of the Board:** (1) A meeting of the Board shall be held as specified by the chairperson.

(2) The member secretary of the Board shall, by giving information to the chairperson of the Board, call a meeting if one-third members of the Board make a submission in writing for the meeting.

(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.

(4) 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.

(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.

(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.

(7) The decisions of the Board shall be authenticated by the member-secretary of the Board.

(8) The Board shall meet at least once in each four months.

(9) The Board may, if it considers so necessary, may invite any expert of the Government of Nepal expert to attend its meeting as an observer.

(10) Other rules of procedures to be adopted at the meeting of the Board shall be as determined by the Board itself.

**6. Fund of the Board:** (1) The Board shall have a separate fund of its own.

(2) The following amounts shall be credited to the fund of the Board:

- (a) Grants received from the Government of Nepal;
- (b) Amounts received from services provided by the Hospital;
- (c) Amounts received from any foreign country or donor agency;
- (d) Amounts received from other sources.

(3) All the expenses of the Board shall be borne from the fund as referred to in Sub-section (1).

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

(5) The fund of the Board shall be operated by joint signature of the director and accounts chief of the Hospital.

(6) Prior to obtaining amount pursuant to clause (c) of Sub-section (2), the Board shall obtain approval of the Government of Nepal; and such amount shall be spent for the same program for which the amount has been received.

**7. Accounts and Audit:** (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.

(2) Other provisions relating to the financial administration of the Board shall be as prescribed by the rules framed by the Board.

(3) The audit of the Board shall be performed in accordance with the prevailing laws.

(4) The Government of Nepal may, if it so desires, inspect, or cause to inspect the accounts of the Board, at any time.

**8. Provisions relating to employees:** The Board may, as required, appoint employees, and the facilities and conditions of service of the employees shall be as prescribed by the Rules framed by the Board.

**9. Delegation of powers:** The Board may, as per necessity, delegate any or all of the powers conferred on it to any member or member-secretary of the Board.

**10. Powers to frame Rules:** The Board may frame necessary Rules for the operation of its activities, and such Rules shall come into force upon being approved by the Government of Nepal,

11. **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.
12. **Liaison with the Government of Nepal:** The Board shall liaise with the Government of Nepal through the Ministry of Health.

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