

Mid-western Regional Hospital Development Board (Formation) Order, 2062 (2005)

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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 "Mid-western Regional Hospital Development Board (Formation) Order, 2062 (2005)".

(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 Mid-western Regional Hospital.

(b) "Board" means Mid-western Regional Hospital Development Board formed pursuant to Section 3.

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

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

- (a) Regional Administrator -Chairperson
- (b) Director, Mid-western Regional Health Service Directorate -Vice-chairperson
- (c) President, District Development Committee, Surkhet -Member

- (d) Chief District Officer, District Administration Office, Surkhet -Member
- (e) Mayor, Birendranagar Municipality, Surkhet -Member
- (f) Chairperson, Chamber of Commerce and Industry, Surkhet -Member
- (g) Three person nominated by the Government of Nepal -Member
- (h) Matron, Mid-western Regional Hospital -Member
- (i) Medical Superintendent, Mid-western Regional Hospital -Member Secretary

(3) The tenure of office of the members as referred to in Clauses (a), (g) and (h) of Sub- section (1) 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.

(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: (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.

(2) For the performance of the duty set forth in Sub-section (1), the Board may carry out the following functions:

- (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 obtain assistance from international organizations, with the approval of the Government of Nepal.
- (h) To formulate necessary policies on the provision of free treatment service to poor and helpless patients.
- (i) To request 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.
- (j) To submit annual report of the Hospital to the Government of Nepal.
- (k) 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 of the Board.

(2) If one-third members of the Board make a submission in writing for the meeting the member secretary of the Board shall call a meeting informing the chairperson thereof.

(3) In the case of the office of chairperson being vacant or the chairperson being absent, the vice-chairperson of the Board may, as required, call the meeting of the Board.

(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) The meeting of the Board shall be presided over by the chairperson of the Board and by the vice-chairperson in the absence of the chairperson. If the vice-person is also absence, the person selected by the members from amongst themselves shall chair the meeting.

(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 Three month.

(9) Other rules of procedures relating to the meeting of the Board shall be as determined by the Board itself.

6. Fund of the Board: (1) There shall be a separate fund of the Board.

(2) The fund shall consist following amounts:

- (a) Amounts received from the Government of Nepal for salary and allowances or grants for the operation of the Hospital.
- (b) Amounts received from services provided by the Hospital.
- (c) Amounts received from other donor agency or donors.

- (d) Amounts received from international organization.
- (e) Amounts received from other sources.

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

(4) Prior to obtaining amount from any foreign government or international organization, the Board shall obtain approval of the Government of Nepal.

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

(6) The fund of the Board shall be operated in accordance with the Rules framed by the Board.

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

(3) 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 employee may be appointed as per required in the Board and terms and conditions of service of such employees shall be determined by the Board.

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.

10. Liaison with the Government of Nepal: The Board shall liaise with the Government of Nepal through the Ministry of Health.

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. **Powers to frame Rules:** The Board may, with the approval of the Government of Nepal, frame Rules for the operation of its activities.
13. **Repeal and Saving:** (1) Surkhet Hospital Development Board (Formation) Order, 2059 (2002) is, hereby, repealed.

(2) All functions and proceedings performed as per Surkhet Hospital Development Board (Formation) Order, 2059 (2002) shall be deemed to have been performed under this Order.

NEPAL LAW COMMISSION