

Decorations Act, 2064 (2007)

Date of Authentication and Publication

2064.4.32(17 Aug. 2007)

Amendment:

Decorations (First) Amendment Act,

2065(2008)

2065.5.8 (24 Aug. 2008)

Act Number 9 of the year 2064(2007) enacted by the Legislature-Parliament

An Act made to make legal provisions in relation to decorations

Preamble: Whereas, it is expedient to make timely provisions on the provisions of conferring decoration such as honours and titles, decorations and medals on behalf of the country in recognition and honor of personalities who render outstanding contribution to various walks of national life;

Now, therefore, be it enacted by the Legislature-Parliament.

Chapter-1

Preliminary

1. **Short title and commencement:** (1) This Act may be called as the "Decorations Act, 2064 (2007)."

(2) This Act shall come into force immediately.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Act,-

(a) "Decorations" means honours and titles, decorations and medals to be conferred pursuant to this Act.

- (b) "Committee" means the Decorations Committee as referred to in Section 4.
- (c) "Titles and honours" means the titles and honours as referred to in Section 8.
- (d) "*Alankar*" means the *Alankars* as referred to in Section 12.
- (e) "Medals" means the medals as referred to in Section 16.
- (f) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Rules framed under this Act.

Chapter-2

Procedure for Conferring Decorations

3. **Power to confer decorations:** (1) The Government of Nepal may, on the recommendation of the Committee, confer decoration, pursuant to this Act, on any citizen of Nepal who has rendered special contribution to the political, economic, social, cultural and research walk of national life as well as other walks or international sector.

(2) Notwithstanding anything contained in Sub-section (1), the Government of Nepal may, in honor, confer decoration on any foreign citizen who is renowned in any area internationally or has rendered special contribution to the interest of Nepal.

(3) Decorations to be conferred pursuant to Sub-section (1) or (2) shall be conferred on any national day as specified by the Government of Nepal.

(4) In conferring decorations pursuant to Sub-sections (1) and (2), the Government of Nepal shall issue a public notice for the information of the people generally, also setting out the names of persons receiving decorations and types of such decorations and contribution rendered by

them to the national life, and such a notice shall also be published in the Nepal Gazette.

4. Decoration Committee: (1) There shall be a Decoration Committee as follows to make recommendation to the Council of Ministers in relation to decorations to be conferred pursuant to this Act:

- (a) Senior Deputy Prime Minister or in the case where he or she is not appointed, the Senior Minister of the Council of Ministers -Chairperson
- (b) Minister for Home Affairs -Member
- (c) Six persons including woman as designated by the Council of Ministers on the basis of principle of inclusion from amongst the persons who have rendered outstanding contribution to the national life -Member
- (d) Home Secretary -Member secretary

(2) The meetings of the Committee shall be held at such time and venue as specified by the chairperson.

(3) The Rules of procedures of meetings of the Committee shall be as determined by the Committee itself.

5. Procedure for recommending decorations: (1) If the following office-bearers, employees or personalities have contributed to the nation by doing excellent work in their respective fields, the following bodies or authorities shall make a recommendation, along with the description of contributions

rendered by such office-bearers, employees or personalities, in the format set forth in the Schedule, to the Committee within the specified time:

- (a) The Foreign Minister, in the case of heads of state, heads of government, ministers or equivalent official or office-bearers there above and other citizens of foreign countries;
- (b) The Committee, in the case of office-bearers of constitutional bodies, and the chief of the concerned constitutional bodies, in the case of employees;
- (c) The Secretary General, in the case of the employees of the Secretariat of the Legislative-Parliament;
- (d) The concerned Minister, in the case of the employees concerned with any Minister or any persons who are related with that Ministry but are not in the government service;
- (e) The Minister for Home Affairs, in the case of persons other than those set forth in Clauses (a) to (d).

(2) Upon receipt of a recommendation from the concerned body or office-bearer for decorations pursuant to Sub-section (1), the Committee shall make necessary examination and make a recommendation to the Council of Ministers for conferring decorations, along with a list of names of such office-bearers, employees and personalities who have been found appropriate for conferring decorations on them pursuant to this Act and the rules framed under this Act and setting out the types of decorations conferrable on them.

(3) In recommending for honours and titles on citizens of foreign countries, such a recommendation shall be made also taking into consideration of the practices of such countries.

6. Grounds for recommendation of decorations: Recommendations to the Committee for decorations shall be made on the following grounds:

- (a) Having rendered special contribution to works of enhancing the glory of the nation;
- (b) Having done excellent job in his or her field and rendered contribution to the nation;
- (c) In the case of persons associated with the government service, having performed the works entrusted to him or her admirably;
- (d) In the case of foreign citizens, having rendered special contribution to the prosperity of Nepal and to the enhancing of the honour of Nepal at the international level;
- (e) Having rendered special contribution to the public interest by performing any courageous or intellectual work;
- (f) Having met other grounds as prescribed.

7. Decoration ceremony: (1) The Prime Minister shall grant the decoration, insignia group and miniature thereof to the person receiving the decoration on the decoration ceremony.

(2) Notwithstanding anything contained in Sub-section (1), the Council of Ministers may arrange for decoration conferring ceremony at any time for conferring decorations on the heads of state or heads of government or dignitaries of foreign countries pursuant to this Act.

(3) If a person receiving a decoration is not able to appear on the day of decoration ceremony for any reason, he or she shall received the logo group and miniature of the decoration for the Ministry of Home Affairs.

(4) If a decoration is conferred on a person after his or her death or a person receiving a decoration dies prior to the performance of decoration conferring ceremony, his or her wife or husband or failing such wife or husband, his or her eldest offspring, or failing any offspring, his or her near heir shall receive the group of logo, decoration/title or honor and miniature.

(5) A person receiving a decoration shall not put on the group of logo thereof prior to the holding of the decoration conferring ceremony.

Chapter-3

Titles and Honours

8. **Types and order of honor of titles and honours:** (1) The titles and honours to be conferred pursuant to this Act shall be of the following types:

- (a) *Nepal Ratna.*
- (b) *Rastra Gaurab.*
- (c) *Rastra Deep.*
- (d) *Janasewa Shree.*

(2) The order of honor of titles and honours shall be maintained according to the order set forth in Sub-section (1).

9. **Method of putting on titles and honours:** The method of putting on titles and honours shall be as prescribed.

10. **Putting on titles and honours of foreign countries:** (1) In putting on titles and honours on a formal ceremony of any foreign country or foreign embassy, where any minister of the foreign country or office-bearer holding

higher office than that, only the titles and honours of own country and of that country may be put on.

(2) A person who has received titles and honours of own country and of a foreign country shall not be entitled to put on only the titles and honours of a foreign country without putting on the titles and honours of own country.

- 11. Miniature of titles and honours:** (1) A miniature as prescribed by the Committee shall be granted to a person receiving a title and honor.

Chapter-4

Alankar

- 12. Alankar:** (1) The *Alankars* to be conferred on any person pursuant to this Act shall be as follows:

- (a) *Rastra Yeshovardak.*
- (b) *Nepal Sewa Prawin.*
- (c) *Samaj Sewa Ratna.*

(2) The *Alankars* to be conferred on the Nepal Army only pursuant to this Act shall be as follows:

- (a) *Param Paurakh Bhaskar.*
- (b) *Ati Paurakh Bhaskar.*
- (c) *Maha Paurakh Bhaskar.*

(3) The *Alankars* to be conferred on the Nepal Police only pursuant to this Act shall be as follows:

- (a) *Nepal Pratap Subhusan.*
- (b) *Nepal Pratap Aabhusan.*

(c) *Nepal Pratap Bhusan.*

13. Order of honor: (1) The order of *Alankars* shall be as follows:

- (a) *Rastra Yeshovardak.*
- (b) *Param Paurakh Bhaskar*
- (c) *Nepal Pratap Subhusan.*
- (d) *Nepal Sewa Prawin.*
- (e) *Ati Paurakh Bhaskar.*
- (f) *Nepal Pratap Aabhusan.*
- (g) *Samaj Sewa Ratna.*
- (h) *Maha Paurakh Bhaskar.*
- (i) *Nepal Pratap Bhusan.*

(2) In setting the order of honor of titles and honours and *Alankars*, the order of honor of titles and honours shall be higher than that of *Alankars*.

14. Order of putting on Alankars: (1) In putting on *Alankars* by a person who has received more than one *Alankar*, the person shall put on them from the right hand side according to the order of honor.

(2) In putting on together the *Alankar* of own country or *Swalpakar* or *Pattika* thereof and the decoration received from a foreign country or *Swalpakar* or *Pattika* thereof, the *Alankar* of own country or *Swalpakar* or *Pattika* thereof shall be put on the right hand side of the decoration received from a foreign country or *Swalpakar* or *Pattika* thereof.

(3) In putting on more than one *Alankar* received from a foreign country, they shall be put as per the order according to the date of confer.

15. **Addition of Khukuri in case of repetition of Alankar:** If a person who has received any *Alankar* again receives the same *Alankar* another time, the *Pattika* of the *Alankar* that he or she has received earlier shall keep on containing one *Khukuri* made of the metal of that *Alankari* for each time.

Chapter-5

Medals

16. **Types and order of honor of medals:** The medals to be conferred on any persons pursuant to this Act and the order of honor thereof shall be as follows:

- (a) *Lok Shree Padak.*
- (b) *Rastra Sewa Padak.*
- (c) *Satkarya Padak.*
- (d) *Samaj Sewa Padak.*
- (e) *Sikcha Jyoti Padak.*
- (f) *Sagarmatha Padak.*
- (g) *Sukriti Padak.*
- (h) *Beerata Padak.*
- (i) *Shourya Padak.*
- (j) *Prakirtik Prokop Pidit Udder Padak.*
- (k) *Bikash Ratna Padak.*
- (l) *Shanti Padak.*
- (m) *Bigyan Prawin Padak.*

(n)¹ Election to Constituent Assembly Medal.

(2) In setting the order of honor of *Alankars* and medals, the order of honor of *Alankars* shall be higher than that of medals.

17. Sign to be added on receiving medal again: If a person who has once received a medal pursuant to this Act receives a medal again, one centimeter long *Khukuri* of bronze for the first time, that of copper for the second time and that of gold for the third time shall be added each time to the *Pattika* received originally.

18. Order of putting on medals: (1) In putting on medals by a person who has received more than one medal, the person shall put them on from the right side according to the order of honor.

(2) In putting on the same time the medals of own country or their miniatures or *Pattika* and decorations received from foreign countries or their miniatures or *Pattika*, the medals received from own country or their miniatures or *Pattika* shall be put on the right side of the decorations received from foreign countries or their miniatures or *Pattika*.

Chapter-6

Miscellaneous

19. Permission to be obtained to receive titles, honours or decorations of foreign countries: (1) Prior to receiving any titles, honours or decorations from any foreign country, any citizen of Nepal shall obtain permission of the Government of Nepal.

(2) The permission to be obtained pursuant to Sub-section (1) has to be obtained through the Committee.

¹ Amended by the First Amendment.

- 20. Appreciation of decorations to be set down:** (1) The appreciation as prescribed may be set down in front of the name of recipient of decoration according to the decoration received by him or her.
- (2) Notwithstanding anything contained in Sub-section (1), in writing the appreciation accordingly in front of the name of a person who receives more than one decoration, the appreciation shall be set down according to the order of honor of the decorations received by him or her.
- 21. Other provisions relating to decorations:** Other terms and conditions required for granting decorations pursuant to this Act and provisions relating to structure and type and model and group of insignia of decorations shall be as prescribed.
- 22. Provisions relating to *Swalpakar, Pattika* and *Tarika*:** A person who receives decoration may put on the *Swalpakar, Pattika* and *Tarika* as prescribed.
- 23. Power to purchase:** (1) If a person loses a decoration which he or she has received or the decoration is destroyed, the person may purchase the same from the Ministry of Home or the place designated by that Ministry.
- (2) The *Swalpakar* and *Tarika* may be purchased from the Ministry of Home or the place designated by that Ministry.
- 24. Restriction on bringing into use of decorations:** No institution or person shall award any decoration by making it similar to those to be granted by the Government of Nepal in respect of name, structure and appearance.
- 25. Power to alter or change decorations:** The Government of Nepal may, as required, alter or change the number, size, type and structure of decorations.

26. Power to revoke decorations: (1) The Government of Nepal may revoke any decoration granted to any citizen of Nepal or a foreign person pursuant to this Act in any of the following circumstances:

- (a) If he or she raises arms or attempts to raise arms against Nepal or assist an enemy state in any manner or spies against Nepal,
- (b) If, during a war in which Nepal is also involved, he or she takes part in the war from the side of the enemy state of Nepal,
- (c) If he or she sells or pledges the decoration received by him or her to another person,
- (d) If he or she uses the decoration received by him or her or allows it to be used by another person in a manner to be contrary to the honor of the decoration.

(2) If any decoration is revoked pursuant to Sub-section (1), the Government of Nepal shall issue a public notice setting out, *inter alia*, the name of recipient of the decoration and the revoked decoration, for information to the general public.

27. Decoration may be returned voluntarily: If any person desires to return a decoration received by him or her pursuant to this Act, he or she shall hand over the insignia group of such decoration to the Ministry of Home.

28. Power to frame Rules: The Government of Nepal may frame necessary Rules for the implementation of the objectives of this Act.

29. Repeal: (1) Decorations Rules, 2048 is, hereby, repealed.

(2) The provisions relating to the decorations granted pursuant to the Regulation as referred to in Sub-section (1) shall be as prescribed.

Schedule

(Relating to Sub-section (1) of Section 5)

Decoration recommendation form

Government of Nepal

....Ministry/Secretariat/Commission/Department

Name:

Designation: (if engaged in the government service)

Description of scope of work and work: (in the case of persons engaged in other sectors except the government service)

In the case of person engaged in the government service:

Designation of the first appointment and designation and age	Date of promotion to the present position and age	Total service period	If any decoration has already been received, the name of decoration, date	Remarks

The reasons/grounds for making recommendation for decoration and full description in support thereof:

Recommender's:

Signature:

Name:

Date: