

Kushudebu Public Health Mission Nepal Financial Regulation, 2069

Preamble

Whereas, it is expedient to make financial transaction of Kushudebu Public Health Mission Nepal well managed, transparent and simplified, now, therefore, executive committee of the Kushudebu has framed “ Financial Regulation, 2012” remaining with the power granted by the Constitution of the Kushudebu Public Health Mission. The regulation shall be applicable from the date of enacted.

Chapter 1 Preliminary

1. Short title and commencement

- a. The Regulation shall be called as “ Financial Regulation, 2012”
- b. This Rule shall come into force immediately.
- c. The financial transaction of the Kushudebu Health Mission Nepal shall be inconsistency with the constitution of the organization.

2. Definition

Unless the subject or the context otherwise requires, in these Rules,-

- a. “Constitution” means Constitution of Kushudebu Health Mission Nepal, 20...
- b. “Organization” means Kushudebu Health Mission Nepal.
- c. “Official” means Chairperson, Vice-chairperson, Secretary, Treasurer and Members of the organization.
- d. “Staff” means staffs working at the central office and branch offices of the organization.
- e. “Accountant” means any staff appointed for maintaining the financial transaction of the organization.

Chapter 2 Provision relating to finance

- (a) The financial transaction of the Kushudebu Public Health Nepal shall be in responsibility of the Treasurer and chief Accountant of the organization.
- (b) Any amount received in the name of the organization shall be deposited in its own bank account and shall be used accordingly.

Chapter 3 Use of the account and payment

3. Use of Account:

- a. The Kushudebu Public Health Mission’s bank account shall only be operative by at least joint signature of a Treasurer and a Chairperson or a Secretary.
- b. The signature holder in the cheque shall make an attestation of signature in the receipt of the cheque.

- c. If any irregularity is observed in the financial record, the chief accountant needs to submit the information in the meeting of the organization by informing the officials and members of the organization.

4. Payment

- a) If any payment is required to be made, to any person, through the bank account of the organization, than it shall be done only through the voucher of expenses.
- b) If amount is to be withdrawn for the purpose of any work of the organization than the amount shall be withdrawn or make expenses only by describing the work and approval of the prescribed official.
- c) Small Cash Fund of NRP 15,000/- shall be arranged for the daily work.

Chapter 4

Payment and clearing the payment

5. Payment

- a) If any payment is required to make for the official, staff or to pay other expenses for any work of the organization than the payment amount shall be given with description, reason for giving payment including estimated period of accomplishment of the work.
- b) If it is to give payment to any person for any purpose from the bank account of the organization then any one from the chairperson, vice chairperson, secretary or treasurer, should approve application. However, one cannot approve the payment received oneself or drawn in the name of oneself.
- c) If payment is withdrawn for any work than it's expenses shall be made in the same work for what purpose it was withdrawn, however, if the work is stopped or unable to happen by any reason than the advanced payment amount should be cleared.
- d) Any advance payment received for any work shall be compulsorily cleared within 15 days of completing the work. Except in especial case, re-payment cannot be made in the name that does not do the payment of advance amount.
- e) Except for certain work or purpose, there shall be no leading or borrowing more than NRP 10,000 (thousand) rupees at once, in the name of any official, member of staff.
However, the regulation is not application, in relation to the payment of health & medicine, monthly remuneration and travel.

Chapter 5

Purchase of goods and their use

6. Purchase of goods

- a. If it is necessary to purchase any physical goods costing more than NRP 1, 50,000/- (One hundred thousand) then minimum valued physical goods shall be purchased from the received quotations from the public notice.

- b. If it is necessary to purchase any goods, the storekeeper by filing the form of necessary goods should purchase the goods only after obtaining approval from either chairperson or secretary of the organization.
- c. The storekeeper by preparing the list of goods including the price of the purchase goods shall have responsibility of maintaining record of such purchase goods.
- d. If it is necessary to use the goods remaining in the store than the goods shall be available only by filing the form and obtaining permission either from the chairperson or secretary.
- e. Entire description of the property of the organization shall be maintained as it is and at the end of the every fiscal year the organization shall do auditing of income & expenditure and property through recognized auditor.

Chapter 6 Miscellaneous

7. Sanction and Punishment.

- a. If financial irregularity is observed than a 3 (three) members investigation committee consisting 2 (two) from the members and 1 (one) from the staffs shall be organized, however, those involved in the irregularity shall not be included in the committee.
- b. The committee shall be granted power, to collect necessary evidence and take statement from the official, members or staffs of the organization and the there responsibility is to provide necessary support to the committee.
- c. Accused person shall not be deprived from giving clarification or defense.
- d. The investigating committee shall present its report in the office of the organization within the prescribed time/period.
- e. If irregularity is proved from the investigation following action/punishment shall be imposed to the official, member or staff involved in the irregularity.
 - 1. Order to deposit the irregularity amount.
 - 2. The irregularity amount shall be recovered by deducting from the salary, bonus or from other amount of the person.
 - 3. If it is proved mala fide irregularity, amount shall be recovered equivalent to the valuation of loss or damages caused to the organization by such act.
 - 4. To give warning/reprimand or impose reasonable punishment according to regulations and constitution of the organization.

8. Amendment

If it is necessary to amend or null the regulation or any rules or sub-rules of the regulation, the majority of the meeting may considers the amendment of the regulation, only after ratification.

9. Repeal and Saving

- a. In a matter, provided except in the regulation, shall be according to the decision of the officials.

- b. If any provision of the regulation is in consistence with provisions of the constitution of the organization, shall be void to that extent.

Service and conditions of staffs and workers of Kushudebu Public Health Mission Nepal Regulation, 2069

Preamble

Whereas, it is expedient to well manage the appointment, services and benefit/facilities of the workers and staffs of Kushudebu Public Health Mission Nepal. Now, therefore, this regulation is framed and applied by using the power granted by the constitution of the Kushudebu Public Health Mission Nepal.

Part-1 Preliminary

1. Short title and commencement

- A. **Name of regulation:** This regulation may be called as “Service and conditions relation to staffs and worker of Kusudhebu Public Health Mission regulation, 2069.”
- B. This rules come into force immediately after the approval from the general meeting of Kusudhebu Public Health Mission Nepal.
- C. This rule shall be applicable to the employee/staff or worker within the office or the organization or a place where they are employed for performing the work of the organization

2. **Definition:** Unless the subject or context otherwise requires, in these Rules.

- a) “Organization” means Kusudhebu Public Health Mission Nepal.
- b) “Executive Committee” means the executive committee of the Kusudhebu Public Health Mission Nepal.
- c) “ Regulation ” means Service and conditions of worker and staffs of Kushudhebu Public Health Mission Nepal Regulation, 2069.
- f. “Official” means Chairperson, vice chairperson, secretary, treasure and members of executive committee of Kusudebu Public Health Mission Nepal.
- g. “Staff” means the person appointed permanently in Kusudebu Public Health Mission Nepal and providing services to the organization.
- h. “Worker” means the person except the employees/ staffs of the Kusudebu Public Health Mission Nepal. This word even includes the driver, security guard or office assistant of the organization.
- i. “Remuneration” means monthly remuneration to be received by the employee of the organization.
- j. “ Fiscal Year” means 15 of July to the end of October A.D.
- k. “ Allowances” means the amount given to the employee of the organization except the monthly remuneration/salary. The rate of the allowances shall be as prescribed by the executive committee of the organization.
- l. “Prescribed” means as prescribed in the rules.

3. If any difficulties arises during functioning of the rules or caused difficulties to the employee or worker or other person from the interpretation done thereupon, than, it can be submitted or filed complained to the executive committee. The interpretation done by executive committee remaining within the objective of this regulation and consistence with the Nepal Law Interpretation Act, 2010, shall be final.

Part 2
Scheduled numbers of staff, appointment and retirement

4. Scheduled number of staff/employee

There shall be chief of office including other staffs in the organization. The scheduled number of the staff shall be as prescribed by the executive committee.

5. Appointment

- i) In case where it is required to appoint any staff in pursuant to rule 4, the appointment shall be published through notice in the national newspaper by prescribing the nature of work and necessary qualification and the appointed person shall be employed in the work according to the contract prescribing the designation, remuneration and facilities to the candidate selected through written, verbal and experimental or all kind of examination. The model of the contract shall be as referred to the annex 1 of the regulation.
- ii) The executive committee shall appoint the staff of the organization by fulfilling the procedures.
- iii) While appointing the staff, the chairperson of the organization is required to give appointment letter with attestation.
- iv) The appointed staff shall be for the duration of probation period unless he/she completes the continuous service period of one year and based on his/her efficiency, sincerity discipline, diligence towards works, punctuality, etc. shall be appointed permanently. If it is observed unsatisfactory than he/she shall be removed from the job.

6. Emergency appointment

In case of requirement of additional staffs/employee due to increase of work load of the organization or incase of requirement of expert services other than the permanent nature of work, than, the chairperson of the organization shall appoint necessary staffs on the contract basis, by prescribing the nature of work, time period, remuneration and other facilities.

7. Responsibility of work of vacant position or absentees

Incase of non-appointment in the vacant position of staff or incase of unable to work being present in the office, than, the chairperson shall prescribe substitute staff from any amongst the existing staff in the vacant or absentees position. The employee working as a substitute in the position shall not receive allowance incase working less than 1 (one) month period. Incase, it is necessary to work more than 1 (one) month, than, he/she receives the remuneration or allowances for the period he/she has worked.

8. Function, duties and power of the staffs/employees

Staffs/employees shall function the work as prescribed in the appointment contract, received according to the constitution, regulation, policy and directive of Kusudebu Public Health Mission Nepal.

9. Qualification of the staff/employee

The persons proven in criminal accusation, acted against the human rights, lost mental capacity, unable to perform physical work as prescribed or not qualified in the qualification prescribed by the executive committee of the Kusudebu Public Health Mission Nepal, shall be disqualified in any designation or to remain in the position of the Kusudebu Public Health Mission Nepal.

Part 3
Remuneration and other facilities

10. Salary

- a) The salary of the staffs of the organization shall be as prescribed, by the executive committee of the organization, based on designation and level of the staffs.
- b) Every permanent staffs of the organization shall receive festival expenses/bonus equivalent to 1-month salary.

11. Leaves

- a) The staffs/employees of the Kusudebu Public Health Mission Nepal, shall be entitled to public holidays for thirty days in every year, sick leave 12 days and accidental leave 6 days. Except the accidental leave, if there is unused of leave than such payment shall be paid in the annual year, based on salary.
- b) In case any staff/employee is required to observe obsequies personally in accordance with his/her family custom he/she shall be entitled to paid obsequies leave for a maximum period of 15 (fifteen) days except the transportation time.
- c) A pregnant female employee shall be entitled to maternity leave with full pay for a period of 60 (sixty) days for pre and post delivery. In case of male employee shall be entitled to 15 (fifteen) days for paternity. Such maternity leave shall be granted only Twice during the entire period of service.
- d) Any permanent worker worked for 5 (five) years who had worked during the public holidays shall be entitled to 12 days (one day in a month) in a year on any other days.
- e) It is entitled to take half-day leave in case of accidental leave.
- f) Chairperson shall approve the staff and officials leave.
- g) Leave is not a matter of right; it is only a privilege. No employee shall remain absent him/herself from the organization except special circumstances. The authority to sanction leave may, in keeping of view the work of the organization, refuse to sanction leave, postpone utilization thereof, make deduction or cancel any sanctioned leave. No staffs/employee can claim leave from other officials after denied by the authority to sanctioned leave.

Part 4
Provision relating to Insurance

12. **Insurance: (1)** The organization shall do insurance of official and staffs of the organization for the welfare and protection of the staffs and officials.
- (2) Insurance according to sub-rule (1) shall be done through any well-known insurance company.
- (3) Insurance done according to sub-rule (2), shall provide the insurance amount incase of occurrence of following incidence:
- a) Incase of death,
 - b) Incase of deformities,
 - c) Incase of permanent disability or damages of the eyes due to which unable to see and infected incurable or damages of the hearing capacity absolutely,
 - d) Incase of temporary incapability absolutely
- (4) Insurance fee shall be paid by the organization for insurance as prescribed in sub-rule (2).

Part 5
Misconduct, punishments and power to punish

13. Misconduct and Punishments

Following punishments shall be applicable to the staffs doing misconduct:

1. **To Reprimand:** Chairperson shall give reprimand to the staffs doing following misconduct:
 - a. In case intentionally violates directives issued pursuant to constitution or rules of Kusudebu Public Health Mission Nepal;
 - b. In case doing negligence in the stated responsibility or non-performing such responsibility or doing the contempt/disobeying of directions given by the concerned official;
 - c. In case remains absent from the work frequently without obtaining permission or comes late after the regular time;
 - d. In case misusing the property of the organization;
 - e. Misconducting/misbehaving with guest or co-staffs of the organization.
2. **To Suspend:** Concerned official shall suspend the staff doing following misconduct, for not extending more than 3 months:
 - a. In case coming office by consuming intoxicant substance causing difficulties to others;
 - b. In case intentionally destroys any property of the Organization, or causes damage thereon or takes and uses it outside the Organization or gives its use to unauthorized person without permission of the competent person;
 - c. In case breaching the privacy of the organization;
 - d. In case of involvement in campaigning of election of organization, in favor of parties.
3. **To dismiss for the service:**
 - a. In case intentionally embezzling the property of the organization;
 - b. In case steals the property of the organization;
 - c. In case doing vandalism within the premises of the organization or assaulting the co-worker or guest of the organization;
 - d. If absents in Organization more than a consecutive period of thirty days without notices. However, if it is urgent to take leave without approving the leave than this provision shall not be applicable;
 - e. In case punished on being convicted on a criminal offence involving moral turpitude;
 - f. In case acted against the constitution of the Kusudebu Public Health Mission Nepal;
 - g. Any workers or employee, who has been punished twice for any offence of misconduct, commits again the same offence;

Clarification: Provided that the punishment received for reprimand shall not be counted after the expiry of three years, however dismissal period shall be counted any time.

14. Suspension for the purpose of inquiry/investigation

If it is realized that any staffs/worker is not suspended immediately than he/she may conceal the evidence or may cause more loss to the Kusudebu Public Health Mission Nepal. The concerned authority may suspend him.

15. Salary or remuneration of the period of suspension:

1. In general, the person condemned in suspension shall not get salary or remuneration for the period of suspension. However, the person suspended for inquiry/investigation get free from the charge than he/she shall be provided the remuneration for the period of suspension.
2. Incase any one suspend for the purpose of inquiry/investigation than such suspension shall not be considered as punishment.

16. Procedures for punishment:

1. Before imposing punishments upon a permanent staff, a notice of at least seven days with setting forth in a obvious manner the fact of the misconduct and the punishment as may be imposed if such fact is proven, shall have to be given to such a staff to submit his/her clarification thereof. Provided that, after the expiry of two months from the date of such misbehavior, no action may be taken in this respect.
2. If the staff does not submit his/her clarification within the time limit as referred to in Sub-rule (1) or the clarification so submitted is not satisfactory, he/she may be punished for the misconduct.
3. If the notice send to the concerned worker or employee is not accepted by him/her referred to sub-rule (1) or, in case of his/her absence, if the notice is sent by post under registered post at his/her address and a copy of such notice is kept in the public notice board of the Organization, and the service document is prepared on the witness of at lease three person and if a copy of such notice is also provided to the concerned Office, the concerned staff or employee shall be deemed to have been duly provided of such notice.

16. Appeal

Any staff not satisfied with any punishment awarded in pursuant to this regulation may file an appeal within thirty-five days from the date of such punishment or receipt of order to the office of the organization.

Part 6
Miscellaneous

17. Amendment of regulation

1. In case after amending the regulation by Kusudebu Public Health Mission Nepal, is ratified by the general assembly than the amendment shall be according to decision of general assembly.

2. It shall be according to the decision of the executive committee of the organization incase of subjects not included in the regulation.

18. Repeal and Saving:

Any act done or activities preformed before the regulation shall be deemed to have been performed as per these Rules.