

## **Establishment of Prison Reforms Committee, 2059 (2002)**

### **Preamble:**

Government of Nepal, with the authority vested upon it by the Development Committee Act, 2013 (3), has established the Prisons Reform Committee on Saun 3, 2059 (2002). The Committee has been established for the maintenance, construction, renovation and reform in the prisons of Nepal. The constitution of the Committee shall be as follows:

a) Hon. Home Minister or State Minister for Home Affairs	Chairperson
b) One person appointed by HMG	Vice-Chairperson
c) Two persons appointed by HMG Members d) Representative (Gazetted First Class Officer), Ministry of Land Reform and Management	Member
e) Representative (Gazetted First Class Officer), Ministry of Finance	Member
f) Representative (Gazetted First Class Officer), Ministry of Physical Planning and Works	Member
g) Representative (Gazetted First Class Officer), Ministry of Law, Justice and Parliamentary Affairs	Member
h) Representative (Gazetted First Class Officer), Ministry of Home Affairs	Member
i) Deputy Inspector general of Police, Police Headquarters	Member
j) Director, Prisons Management Department	Executive Secretary

Committee members will hold office for a term of two years and may be re-appointed. The number of members may be reduced or increased as and when necessary.

### **Description of Responsibilities and Authority of the Committee**

- a. Prepare and implement policies regarding logistics, prison facilities, offices, security offices, residential buildings, prison hospitals, prison industries, construction of physical infrastructure, renovation and maintenance, development and management;
- b. Advise the government to replace prisons from densely populated city areas to other suitable areas;
- c. Estimate total assets of prison facilities that are no longer financially feasible and find out means to make prison facilities a source of long term income, or to sell such facilities, or make alternate uses of such facilities and present plans on such measures to the government;
- d. Implement all projects aimed at prison reform with the resources received form HMG, foreign governments or national and international organizations;
- e. Conduct studies on the historical background of the prisons, penal reform, prison facilities' reform and develop a information system with publications and exhibition of books, articles etc.;

- f. Develop various vocational training programs for development of skills and earning capabilities of the prisoners for their rehabilitation in the society;
- g. Prepare and approve the annual budget of the Committee;
- h. Advise the government on timely improvements and revisions of the Prisons Act and Law;
- i. Involve members of the civil society in various activities of the Committee;
- j. Take necessary steps to develop the prisons into a productive institution;
- k. Other activities to fulfill the objectives of the Committee.

The Committee shall meet at least six times every year. The Committee Chairperson shall fix the date, time and venue for each meeting and inform the members of the Committee about such a meeting about 15 days beforehand. Meetings will be held if fifty percent of the members are present thereby satisfying the quorum required for holding a meeting. Decisions will be made on a majority basis and in the case of divided votes, the Chairperson shall place the deciding vote. The Executive Secretary of the Committee shall attest the decisions of the Committee. The Chairperson shall chair the Committee; in his/her absence, the Vice-Chairperson will chair the Committee and if the Vice-Chairperson is absent as well, then the members shall select one among the members to Chair the meetings. If necessary, the Committee can also invite any official from HMG or any specialist as an observer in the meetings.

The Executive Secretary shall be responsible for the Committee's daily administration, official and financial administration under the direction of the Committee Chairperson. He/she will also be responsible for the implementation of the decisions made by the Committee as well as the protection of the Committee's assets. The Committee will have its own separate budget, which will be made up of resources acquired from HMG, foreign governments and international organizations, donations/ assistance from individuals or any institutions and resources from other means. The Auditor General's Office shall conduct regular auditing of the Committee's resources and expenditure.

If necessary, the Committee may also form sub-committees or working groups for carrying out the Committee's activities. The Committee shall contact HMG via the Home Ministry. The Committee office will be in Kathmandu Valley.

HMG can provide necessary directions regarding the Committee's activities and it is the responsibility of the Committee to comply and follow such directions. The Committee can make rules when required and such rules shall be come into effect only after the HMG's permission.

(For more information, see Nepal Gazette, part 52, Kathmandu, Saun 3, 2059, Additional Issue 34 (A))