

**The Statute  
Of  
Association of District Development Committees of Nepal  
(ADDCN)  
2052(1996)**

**First Amendment  
2058(2002)**

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of  
Association of District Development Committees of Nepal  
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**Preamble:**

This Statute has been framed to establish and operate the Association of District Development Committees of Nepal (ADDCN) so as to get the local people formally involved in self-governance of each district through decentralization in consonance with the spirit of the historic public movement of 2046(1990), to bring the fruits of democracy to the doorsteps of people by operating the overall development activities of the districts under leadership of District Development Committees, and exchange experience and assistance by enhancing the coordinative relationship between all District Development Committees of the country.

**Chapter-1  
Preliminary**

**1. Short title and commencement:**

1. This Statute may be cited as the statute of the Association of District Development Committees of Nepal (ADDCN)-2052(1996).
2. This Statute shall come into force from the date on which the Council adopts it.
3. It shall be the duty of all members- District Development Committees- to observe this Statute.
4. All activities of the Association shall be carried out as mentioned in this Statute.

## **2. Definitions:**

1. Unless the subject or the context otherwise requires, in this statute:
  - a. "Statute" means the Statute of the District Development Committee Association Nepal, 2052(1996).
  - b. "Association" means the Association of District Development Committees of Nepal (ADDCN) established under this Statute.
  - c. "Executive Committee" means the Executive Committee of the Association.
  - d. "Council" means the Council formed pursuant to Article 8 of this Statute.
  - e. "Secretariat" means the Secretariat of the Association.
  - f. "District Development Committee Member" means the District Development Committee having received membership of the Association by paying the fees pursuant tot clause (3) of Article 4 of this Statute.
  - g. "District Development Committee" means the District Development Committee formed pursuant to Section 6 of the District Development Committee Act, 2048(1992).
  - h. "Chairperson" means the Chairperson of the Association.
  - i. "Vice-Chairperson" means the Vice-Chairperson of the Association.
  - j. "Executive Committee Member" means any Member of the Executive Committee of the Association, and this term includes the Chairperson and Vice-Chairperson of the Association.

- k. "Council Member" means the Member referred to in clause (2) of Article 8, who is entitled to take part in the Council meeting.
- l. "Executive Secretary General" means the Executive Secretary General appointed pursuant to Article 21.
- m. "Regulation" means the rules adopted and enforced by the Council.
- n. "Prescribed" or "as prescribed" means prescribed or as prescribed in the Regulation framed under this Statute or by the Council or Executive Committee.

## **Chapter-2**

### **Objectives and Formation of Association**

#### **3. Objectives of Association:**

- a. To assist in forwarding the concept of self-governance in the proper and real sense by getting the people to have actively participated in the local development through decentralization in consonance with the spirit and essence of the multi party democracy,
- b. To give information on the District development and activities of the District Development Committees to His Majesty's Government and Parliament,
- c. To render assistance in sustainable development of the Districts through the people's participation,
- d. To render information and consultancy service to the District Development Committee Members-,
- e. To establish a development fund with a view to consolidating the District Development Committee Members,

- f. To enhance cordial relations with international organizations in consonance with the objectives and spirit of the Association, by well informing the international sector about the decentralization system of Nepal.

**4. Formation of Association:**

1. The Association of District Development Committees of Nepal (ADDCN) is a collective form of the District Development Committees, which, having accepted this Statute, have fulfilled the terms and conditions required to be fulfilled to join the Association.
2. The District Development Committee Member, which has accepted this Statute and fulfilled the terms and conditions required to be fulfilled to join the Association, and the Council Members participating in the first meeting of the Council to be held under this Statute, shall be the founder members of the Council.
3. Any District Development Committee that accepts this Statute and pays the fees prescribed for each fiscal year shall be the member of the Association.
4. There shall be one Executive Committee as mentioned in Article 10 to carry out day-to-day activities of the Association.
5. There shall be a Council of the Association to formulate policies, programs and plans of the Association and give necessary directions to the Executive Committee.
6. The Executive Committee shall carry out the day-to-day activities of the Association, in the name of the Association, subject to this Statute and directions and decisions of the Council.

**5. Association to be autonomous body:**

1. The Association shall be an autonomous body corporate with perpetual succession.
2. The Association shall have a logo and seal. The logo and seal of the Association shall be as prescribed by the Executive Committee.
3. The Association may, like an individual, sue and be also sued.
4. The Association may, like an individual, purchase, sell and use any movable and immovable property. Provided, however, that it shall not be entitled to sell any immovable property obtained from His Majesty's Government without approval of His Majesty's Government.
5. The Association shall have a Secretariat of its own, and the Secretariat shall be seated in such place as specified by the Executive Committee.

**6. Cessation of membership:**

1. The membership of Association of the District Development Committee Members shall cease to exist in any of the following circumstances:
  - a. In the event of non-payment of the membership fees required to be paid to the Association,
  - b. In the event of abandonment of membership of the Association.
2. The Executive Secretary General shall, as per decision of the Executive Committee, give a notice of cessation of membership pursuant to clause (1).

3. If the District Development Committee, whose membership ceases to exist pursuant to clause (1), intends to become Member again, by paying all the due and payable fees under this Statute, membership of that District Development Committee may exist again.
4. If any District Development Committee ceases to be Member of the Association pursuant to clause (1), the membership of the person representing that District Development Committee to the Council or the Executive Committee shall be considered *ipso facto* terminated.

**7. Abandonment of membership:**

1. If any District Development Committee Member wishes to abandon the membership of the Association, it has to so send a notice, accompanied by the decision of the District Development Committee, that the notice reaches the Secretariat in advance of at least two months.
2. The Executive Committee shall consider the decision of the concerned District Development Committee, received under clause (1), and take decision on it.
3. The Executive Secretary General shall give information of the decision referred to in clause (2) to the concerned District Development Committee.

**Chapter-3**

**Council**

**8. Formation of Council:**

1. There shall be a Council as the supreme organ of the Association, which shall be cited as the Council of the

Association of District Development Committees of Nepal (ADDCN).

2. The Council shall consist of the following Members:
  - (a) The President and Vice-President of each District Development Committee Member- *ex officio* Member,
  - (b) Two Members including one Woman Member elected by the District Development Committee Board from amongst the members of each District Development Committee Member,
  - (c) One former Chairman of the Association-*ex officio* Member.
3. If the office of any Council Member falls vacant under sub-clauses (a) and (b) of clause (2), the concerned District Development Committee Member shall fill the vacancy as previously.
4. Notwithstanding anything contained in clause (3), if the tenure of the District Development Committee remains less than one year, no vacant post of the Council Member shall be filled.

**9. Functions, duties and powers of Council:**

1. The functions, duties and powers of the Council shall be as follows:
  - a. To act for the institutional development of the local bodies by enhancing regular relationship and assistance between District Development Committee Members,
  - b. To make problems of the District Development Committee known to His Majesty's Government and Parliament,



- c. To identify common problems of all districts and present suggestions to His Majesty's Government for their resolution,
- d. To render assistance by giving advice to His Majesty's Government and District Development Committees on implementation with priority of proper programs for poverty alleviation by building infrastructures,
- e. To do necessary act to enhance assistance from His Majesty's Government and native and foreign organizations for district development,
- f. To explore necessary ways to have, or cause to be had, coordination among governmental, semi-governmental and non-governmental organizations established with objective of district development by pursuing the democratic process,
- g. To present proper policies and programs to make the role of local people's representation effective for speedy development of each district,
- h. To do, or cause to be done, research and study on various subjects relating to local development,
- i. To adopt policies, programs and budget of the Association,
- j. To pass and enforce, or cause to be enforced, necessary rules for the Association,
- k. To discuss and adopt the annual report and financial report presented by the Executive Committee and the audit report presented by the auditor,

- l. To fix positions, qualifications and terms and conditions of service of the employees under the Association,
- m. To make decisions on the facilities of the Chairperson, Vice-Chairperson and Members,
- n. To appoint the auditor,
- o. To carry out, or cause to be carried out, all other necessary acts for the fulfillment of the objectives of the Association.

#### **Chapter-4**

##### **Executive Committee**

#### **10. Formation of Executive Committee:**

1. The formation of the Executive Committee shall be as follows:
  - a. The Chairperson and Vice-Chairperson elected by majority of all the Members from amongst the members of the Council,
  - b. Fifteen Members elected by the members of the District Development Committee Member representing to the Council in each development region, from amongst themselves,
  - c. Five Members to be so nominated by the Chairperson, Vice-Chairperson and Members, elected pursuant to clauses (a) and (b), from amongst the members of the Council that various political parties are represented,
  - d. The outgoing Chairperson of the Association shall be member for one term,  
Provided, however, that the Executive Committee formed through election for the first time under

this Statute shall nominate any one Member from amongst the members of the ad hoc Committee having submitted that Statute to the Council as the Member of the Executive Committee for one term.

- e. The Executive Committee may appoint one spokesperson from amongst themselves.
2. If the office of incumbent Chairperson, Vice-Chairperson and Member falls vacant for any reason, the vacancy shall be filled through the previous process.

**11. Functions, duties and powers of Executive Committee:**

- 1. The functions, duties and powers of the Executive Committee shall be as follows:
  - a. To act in consonance with the policies, directions and decisions of the Council,
  - b. To submit the policies, programs and budget of the Association to the Council,
  - c. To submit to the Council the matters recommended as such by the District Development Committee Member, on the basis of propriety in contact and consultation with other District Development Committee Member,
  - d. To have the annual membership fees required to be paid by District Development Committee Members deposited into the fund of the Association,
  - e. To do or cause to be done study and research, as per necessity, on matters such as autonomy, modus operandi, plan, administrative structure, financial source, allocation of resources of the District Development Committee and other local bodies under the District, and submit reports to the Council,

- f. To seek appropriate modality for making the District-level programs effective,
  - g. To explore necessary ways to get the programs of the governmental, semi-governmental and non-governmental offices and organizations in a coordinative manner,
  - h. To do, or cause to be done, all other acts required to be done for the institutional development and consolidation of the Local Body, subject to this Statute,
  - i. To frame regulations of the Association and submit them to the Council,
  - j. To evaluate work performance of the Executive Secretary General,
  - k. To convene the meeting of the Council.
2. The Executive Committee may form an advisory panel from amongst decentralizations experts, economists, jurists, management experts and learned persons in the local body related matters.
3. The functions, duties and powers and terms and conditions of service and facilities of the advisory panel formed pursuant to clause 2 shall be as prescribed.

**12. Functions, duties and powers of Chairperson:**

The functions, duties and powers of the Chairperson shall be as follows:

- a. To have continuous contact and coordination with District Development Committee Members and play an active role for the consolidation of the Association and attainment of its objectives,

- b. To submit reports and proposals on the Association to the Council meetings,
- c. To prepare programs and budget of the Association and submit them to the Council on behalf of the Executive Committee,
- d. To supervise the employees of the Secretariat,
- e. To enforce, or cause to be enforced, the policies and programs adopted by the Council,
- f. To depute the Vice-Chairperson, other members of the Executive Committee and Executive Secretary General,
- g. To sanction leave of the Executive Secretary General, and to make necessary provision for having the functions of the Executive Secretary General done by any other person in his/her absence,
- h. To exercise the casting vote in the event of a tie,
- i. On behalf of the Association, to make contact with District Development Committee Members and do necessary acts,
- j. To protect, or cause to be protected, moneys and goods received in the name of the Association,
- k. To give information through the Executive Secretary General to the Vice-Chairperson to assume the functions of Chairperson in his/her absence,
- l. To make site visits of the District Development Committee Members,
- m. To do, or cause to be done, other functions as prescribed,
- n. To preside over the Council.

**13. Functions, duties and powers of Vice-Chairperson:**

The functions, duties and powers of the Vice-Chairperson shall be as follows:

- a. In the absence of the Chairperson, to carry out all of the functions carried out by the Chairperson,
- b. To carry out other functions as prescribed.

**14. Functions, duties and powers of Executive Committee Member:**

1. The functions, duties and powers of the Executive Committee Member shall be as follows:

- a. To take part in the Executive Committee and contribute to the attainment of the objectives of the Association,
- b. To perform the responsibilities assigned by the Council and the Executive Committee,
- c. To carry out other functions as prescribed.

2. If the office of the Chairperson or the Vice-Chairperson falls vacant for any reason, any Executive Committee Member selected from amongst the Executive Committee Members shall act as the Acting Chairperson of the Association.

**15. Functions, duties and powers of Executive Secretary General:**

1. The Executive Secretary General shall act under general supervision of the Chairperson.

2. The functions, duties and powers of Executive Secretary General shall be as follows:

- a. To implement the decisions adopted by the Council and the Executive Committee,
- b. To operate, or cause to be operated, the plans and programs, subject to the approved budget of the Association,
- d. To act as the chief of the Secretariat,

- e. To inspect the plans and programs of the Association and apprise, or cause to be apprised, the same and give a report thereon to the Executive Committee,
  - f. To accurately maintain, or cause to be accurately maintained, the accounts and records of the Association,
  - g. To do necessary investigations on the proposals, complaints and suggestions registered in the Secretariat and present the same at the meeting as per the order of the Chairperson,
  - h. To protect, or cause to be protected all movable and immovable properties of the Association,
  - i. To have the accounts of the Association audited and take action on settlement of irregularities, and submit a report to the Executive Committee on the irregularities that could not be settled.
3. The Executive Secretary General shall act as the secretary in the meetings of the Council and the Executive Committee.

## **Chapter-5**

### **Meeting and Modus Operandi**

#### **16. Meeting and Modus Operandi:**

1. Meeting of the Council shall be held at least once a year at such place, date and time as prescribed.
2. At the direction of the Chairperson, the Executive Committee shall, through the concerned Member-District Development Committee, give a notice, also accompanied by the agenda of the meeting, to the Council Members in advance of at least one month.

3. Meeting of the Executive Committee shall be held once in at least three months.
4. At the direction of the Chairperson, the Executive Secretary General shall give a notice indicating the venue, time and date of the meeting, also accompanied by the agenda of the meeting, to all Executive Committee Members in advance of at least fifteen days.
5. The notice of meeting received by the Office of Member-District Development Committee shall be deemed to have been received by the concerned Council or Executive Committee Member.
6. The quorum for the meeting shall be at least fifty percent of the total number of Members.
7. Except as otherwise mentioned in this Statute, decisions of the meeting shall be taken on the basis of majority.
8. The Chairperson shall preside over the meeting, and in his/her absence, the Vice-Chairperson shall, and in absence of the Vice-Chairperson, the senior most Member present at the Executive Committee shall preside over the meeting.
9. Presence of more than fifty percent Members out of all the Members of the Council shall be deemed to constitute a quorum for the meeting. If the meeting is not to be held on such day and at such time as prescribed owing to quorum, the meeting shall be held on the following day at the same time. Presence of even one-thirds Members at such a meeting shall be deemed to constitute a quorum for the meeting.
10. The person presiding over a meeting of the Council or Executive Committee shall be responsible for well conducting the meeting. All the concerned shall assist the presiding person in conducting the meeting.



11. If one-thirds Members of the Council make a submission, setting out reasons, for convening a meeting of the Council without delay, the Chairperson shall issue an order to so convene the meeting of the Council as it is held no later than one month.
12. If one-thirds Members of the Executive Committee make a submission in writing, the Chairperson shall issue an order to so convene the meeting of the Executive Committee as it is held no later than fifteen days.
13. Other modus operandi of the meeting shall be as fixed by the presiding person.

## **Chapter-6**

### **Financial Provisions**

#### **17. Fund of Association:**

1. The Association shall have a fund.
2. The following amounts shall be credited to the fund referred to in clause (1):
  - a. Amounts for the membership fees to be obtained from the District Development Committee Member,
  - b. Amounts obtained from His Majesty's Government, any organization or person or international body as donations, gifts and assistance,
  - c. Amounts collected from programs, etc. of the Association,
  - d. Amounts obtained from auction sale of the properties of the Association,
  - e. Amounts obtained from registration, fees, loans etc.,
  - f. Amounts obtained from other sources.

3. All amounts obtained in the name of the Association shall be deposited in an account opened with the bank prescribed by the Executive Committee.
4. The account opened pursuant to clause (3) shall be considered as the main account of the Association.
5. The main account of the fund of the Association shall be operated by the counter-signature of the Chairperson and the Executive Secretary General and by the seal; and other subsidiary accounts shall be operated by the counter-signature of the Executive Secretary General and the account chief, and by the seal, as decided by the Executive Committee.
6. The moneys deposited in the main account as decided by the Executive Committee may be transferred to any other account and spent, as per necessity.
7. The accounts of the Association shall be maintained in the book-keeping format of His Majesty's Government.

**18. Accounts and audit:**

1. The accounts of the Association shall be audited by the authorized auditor designated by the Council.
2. If any Member of the Council intends to inspect the accounts of the Association, such Member may inspect the same with the permission of the executive Secretary General.

**19. Transfer of money:**

1. The Executive Committee may, on request of the Executive Secretary General, transfer moneys not in excess of 20 percent of the budget sanctioned by the Council.
2. No money transfer referred to in clause (1) shall be made for casual and financial assistance.

**20. Allowances and other facilities:**

Meeting allowances and other facilities of the Chairperson, Vice-Chairperson and Members shall be as prescribed by the meeting of the Council.

**Chapter-7**

**Provisions relating to personnel administration**

**21. Appointment of Executive Secretary General:**

1. The Executive Secretary General shall be appointed as the chief of the Secretariat of the Association.
2. A Nepalese citizen, who has higher educational qualifications, clean character, outstanding administrative experience and capacity to act in consonance with the objectives and spirit of the Association, shall be appointed to the post of the Executive Secretary General.
3. The Executive Secretary General shall be appointed in accordance with the procedures fixed by the Executive Committee.
4. The qualifications, terms and conditions of service and facilities of the Executive Secretary General shall be as fixed by the Executive Committee.
5. All employees of the Secretariat shall be under supervision and control of the Executive Secretary General.
6. There shall be a post fulfillment committee as follows to appoint and promote other employees of the Association.
  - (a) Chairperson of the Association -Chairperson
  - (b) One member designated by the meeting from amongst Members of the Executive Committee -Member
  - (c) Executive Secretary General -Member

7. The Executive Secretary General shall appoint and promote employees on the basis of recommendation of the committee referred to in clause (6).

**22. Delegation of powers:**

1. The Council may, as per necessity, delegate any of the powers conferred to him/her to the Executive Committee.
2. The Executive Committee may delegate any of the powers conferred to it to any of the Chairperson, Vice-Chairperson, Member of the Executive Committee and Executive Secretary General.
3. The Chairperson may delegate any of the powers conferred to him/her to any of the Vice-Chairperson and Executive Secretary General.
4. The Executive Secretary General may delegate any of the powers conferred to him/her to any employee who is subordinate in one level to him/her.
5. The powers delegated pursuant to clauses (1), (2), (3) and (4) may be withdrawn at any time.

**Chapter-8**

**Miscellaneous**

**23. Rules:**

1. Provisions on qualifications, appointment, action and terms and conditions of service of the employees required for the fulfillment of the objectives of this Association shall be as prescribed.
2. Financial administration rules of the Association shall be the prevailing law until such rules are adopted and enforced by the Council.

3. An election panel as prescribed by the Council shall be formed to hold the election to the Executive Committee.
4. The election to the Executive Committee shall be held as per the rules adopted and enforced by the election council. Provided, however, that election to Chairperson, Vice-Chairperson and Member shall be held in accordance with the procedures fixed by the Executive Committee until such rules or procedures are adopted and enforced by that election council.
5. The Council may, as per necessity, frame and enforce other rules, for fulfillment of the objectives of this Statute.

**24. Committee, sub-committee or task force:**

1. The Council or Executive Committee may, as per necessity, form one or more committee, sub-committee or task force, for fulfillment of the objectives of the Association.
2. The functions, duties and term of the committee, sub-committee or task force formed pursuant to clause (1) shall be as prescribed by the Council or the Executive Committee.

**25. Amendment to Statute:**

1. This Statute may be amended by two-thirds majority of all the Members of the Council, and with approval of the body registering the Association, Nepal.
2. At least ten percent Members of the Council or the Executive Committee may propose an amendment to this Statute and submit it to the Council.
3. The proposal referred to in clause (2) has to be registered with the Secretariat in advance of seven days on which it is submitted to the Council.

**26. Removal of difficulty:**

If there arises any difficulty with implementation of this Statute, the meeting of the Executive Committee, may setting out the reasons, remove such difficulty. Provided, however, that the matter of which difficulty has been so removed shall be submitted to the immediately following meeting of the Council.

**27. Tenure:**

1. The tenure of the Council shall expire with the term of the District Development Committee Members.
2. Notwithstanding anything contained in clause (1), the term of the Executive Committee shall be two years five months. Provided, however, that where election to the Executive Committee cannot be held for any reason, the existing Executive Committee shall carry out day-to-day functions pending formation of the new Executive Committee.
3. Following declaration of the date for election to the District Development Committee, the Executive Committee shall not take any decision on policy matters.

**28. Saving:**

1. The Members and employees of the Executive Committee shall not be personally liable to any loss and damage resulted from any activity carried out by them in good faith for the fulfillment of the objectives of the Association.
2. The Executive Committee to be formed after this Statute has been enforced upon being adopted by the first meeting of the Council shall take legal action for legal recognition of the Association.
3. Notwithstanding anything contained in clause (2), the *ad hoc* committee, which has drafted this Statute and submitted it to

the Council and the activities carried out by that *ad hoc* committee, shall be deemed to have been carried out under this Statute.

4. After the Executive Committee has been elected by the Council and the new Executive Committee has taken up office, the ad hoc committee shall be deemed to have *ipso facto* been dissolved.

The following amendment/addition has been made to the Statute of Association of District Development Committees of Nepal (ADDCN) 2052(1996)

<b>Article</b>	<b>Previous provision</b>	<b>Amendment/addition</b>	<b>Rationale</b>
(b) of 8	One member elected by Area members of each District Development Committee Member from amongst themselves.	Two Members including one Woman Member elected by the District Development Board from amongst the members of each District Development Committee Member.	This provision has been inserted with a view to increasing representation of the women.
(e) of 10	Inserted	The Executive Committee may appoint one spokesperson from amongst themselves.	The post of spokesperson is a very important post for the Association. So, it is proper to mention this post in the Statute itself.

The following amendment/addition has been made to the Statute of Association of District Development Committees of Nepal (ADDCN) 2052(1996)

<b>Article</b>	<b>Previous provision</b>	<b>Amendment/addition</b>	<b>Rationale</b>
(5) of 17	The account of the fund of the Association shall be operated by the office-bearer and the employee prescribed by the Executive Committee.	The main account of the fund of the Association shall be operated by the counter-signature of the Chairperson and the Executive Secretary General and by the seal; and other subsidiary accounts shall be operated by the counter-signature of the Executive Secretary General and the account chief, and by the seal, as decided by the Executive Committee.	It is necessary to have this provision from practical point of view.
(6) of 21	A recommendation committee shall be formed as follows to appoint and promote other employees of the Association.	A post fulfillment committee shall be formed as follows to appoint and promote other employees of the Association.	As the Executive Committee is empowered, it will be better for not only recommendation but also fulfillment of vacancies by the committee formed by the Executive



			Committee.
(3) of 23	The Executive Secretary General shall be the ex officio election officer for election to the Executive Committee.	An election panel as prescribed by the Council shall be formed to hold the election to the Executive Committee.	It will not be disputable if the power to form an election panel is vested with the Council.