

#### 4. Program Details

Ganesh Man Pradhan, Nepal Law Society since the time of establishment, has been imparting assistance on the legal sector, the election sector and the constitution making process while the objective of the present program is to inform about the Bill through the Town Hall Meeting and to impart information to the directly involved Honorable by taking the suggestions of the stakeholders. All present were welcomed to the program.

##### A. Paper Presentation by Senior Advocate Ramesh Lekhak

He coordinated on the Town Hall Program upon "Constitution Law and Policy related to Higher Education." After the coordination, all participants were divided into 4 groups and after the group discussion, the group leader had presented the suggestion prepared by their respective groups.



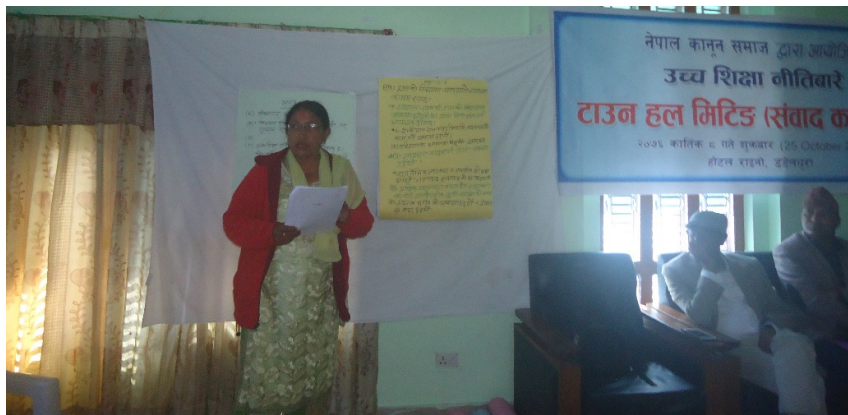
##### B. Group Discussion

After his presentation all participants were divided into four different groups among the participants. Four different chapters were given to the groups for the discussion. Group discussion went an hour and came up with their feedbacks as follows:

##### Group I

As there are three levels of government, all three levels of government should be given the power to frame laws.

- Power related to Education should be distributed at all three levels.
- Should be contemporary.
- While distribution power related to higher education as per the constitution, Acts and laws should be framed by the federation and the province.



- Power to operate higher education should be devolved upon the local level.
- Technical university should be opened at all provinces.
- All three levels should coordinate upon licensing, operation, budget and monitoring of higher education.
- Laws should be formulated and coordinate on the technical area. Laws should be formulated for operating the present universities as per the new constitution, new laws and structure.
- Policy should decide upon operating as per the international standard.
- Should be free from political intervention.
- While establishing the new ones, every province should have a university.
- There should be the policy of operating technical university at every province.
- Clear policy should be formulated regarding the deemed university.
- Reform for increasing the standard.
- Deemed university should be reevaluated as they are not on university level standard.

### **Group II**

- At least 25 percentage of the appropriated budget should be set aside for the education sector.
- Appropriation of budget should be arranged on the coordination of federation and province.
- Of the total budget appropriated on education, 70 percentage should be the responsibility of the federation and 30 of the provinces.
- A mechanism for providing education as per the national education policy of increasing the internal investment by reducing international loan should be developed.
- Private sector investment in higher education should be encouraged.
- Not to give priority to private investment would be contrary to the spirit of the constitution.
- For increasing the feeling of ownness, provision whereby there remains a certain percentage of state investment in the educational institutions established by the private sector should be decided upon.
- Along with keeping monitoring responsibility of the province within the umbrella Act for the university, mapping should also be considered while giving license to new institutions.
- The basis for priority should be prescribed by studying the sectoral feasibility. While doing the same, the sector currently discarded (geography, discipline and faulty) should be given special importance.
- Quality of the educational institutions operated from the governmental sector should be increased as these institutions could not produce the requisite qualitative manpower for the market.
- Nationalization should not be resorted to for displacing private investment in the present condition.

### **Group III**

- There should be the provision for appointing on the basis of seniority for maintaining the academic independence and the autonomy of university and other academic institutions.
- Officials should not be appointed on the basis of political quota.
- Law should be amended for enrolling highly capable manpower.
- The present provision related to autonomy is faulty. For reforming it, there should be arrangement for working freely by remaining within the constitution, Acts and laws.
- Appointment should be arranged on the basis of seniority.

- Political quota and intervention should be ended for maintaining autonomy. Nepotism and favoritism should be ended.
- Academic freedom has not been maintained. For freedom, interventionist appointment system should be ended.
- There should be arrangement for free selection. Capacity should be appreciated.

#### **Group IV**

- Alteration is not necessary in the present structure.
- It is necessary to form the Higher Education Council.
- The Council is necessary for certifying, after examining the technical capacity of student, that a capable, and qualitative manpower has been produced.
- The proposed Bill wherein the sons and daughters of persons serving the nation has to be educated in the community schools is positive. It is proper and in accordance with the spirit and philosophy of the constitution.

#### **Hon. Karna Malla : Member Far Western Provincial Assembly**

- Hon. Chairman is the representative from this district. I would like to extend my heartfelt thanks. Would also like to extend best wishes for Tihar.
- Both, the positive and negative aspects as per the Higher Education 2072 have been presented.
- Grave matters have been raised from this platform. Let the suggestions gain priority in the discussions of the Committee.
- The Acts made in the Panchayat era are still the same, there is no difference.
- Education Act should be promulgated as soon as possible.
- Reform will only happen when from now, the sons and daughters of candidates and government employees are educated in the government schools. There will be no schools for the rich and the poor.

#### **Hon. Laxmi Pariyar, Member Provincial Assembly Committee on the Implementation, Monitoring and Evaluation of the Directive Principles, Policy and Responsibilities of the State**

- In relation to how should the Education policy be formulated; the formulation has been done through the assistance of the experts. Today, the Law Society is assisting in the collection of suggestions upon this matter.
- We lag behind in matters of making laws. We are endeavoring to make laws based on your suggestions. We are discussion upon whether the education demanded by the nation could be imparted or not.
- Suggestion have been given by having important persons. We shall table before the government through the Committee.
- We still embrace the Education policy of the year 2028. Education should be imparted as per the needs of the time.
- More investment is needed in education.
- To imagine about qualitative education without investing in education is improper.
- Federation, province and the local level should have a joint fruitful education policy.
- The country will develop itself if the education is strong and the citizens, educated.

#### **Hon. Niru Devi Jairu, Member Provincial Assembly Committee on the Implementation, Monitoring and Evaluation of the Directive Principles, Policy and Responsibilities of the State**

- We are conducting discussions in a nation-wide manner on such issues.
- This Committee is the Committee of Honorable members of various parties.

- Education and health as connected with the citizenry is important. Hence, today we have conducted a discussion upon the education policy.
- We are conducting discussions on a nation-wide manner as the members of Nepali Congress had assisted in the lead up to the discussions.
- The Act of the Panchayat era also comes in the memory.
- Education is the substance which enlightens the life.
- It necessary to have discussion upon the laws and policy in between the federation, province and the local level.
- Relationship should be established between the units.
- I would like to inform that the Prime Minister will also sit and discuss upon this issue.
- I would like to confide that your precious suggestions will be bought in the discussions of the Committee.

#### **5. Key Achievements**

- ✓ Concerned stakeholders became aware on the higher education policy .
- ✓ Legislative parliament initiated and took ownership of the program and collected feedbacks from THM;
- ✓ A wider discussion on higher education policy conducted successfully and ownership from the stakeholders side increased remarkably;

#### **6. Lesson Learned**

- ✓ Constant touch with the parliamentary committees/the MPs and the public through the CICs helped the project to identify crucial policies and legislations that are of high public interest as well as of national importance.
- ✓ The presence of the MPs in the THMs persuaded the participants to eagerly participate in the program. There was also an increased trust that their feedbacks would be incorporated through amendments.
- ✓ The program has to be made flexible to adjust to the nature of participants and the availability of the program venue.

#### **7. Key Challenges**

- ✓ Ensuring participation of mayors/deputy mayors or chairperson/deputy chairperson of local governments has been challenging;
- ✓ Ensuring women participants to 40 % and proportional representation from each of the communities has been challenging due to unavailability of proportional representatives political representatives and officials

Annex I: Few Glimses of the Program

