
Date of Royal Assent and Publication

2039.6.11(27-09-1982)

Amending Act:

Date of Authentication and Publication


Act Number 4 of the year 2039 (1982)

…………………..

An Act Made to Provide for Nepal Administrative Staff College

Preamble:

Whereas, it is expedient to make legal provisions for the establishment and operation of a Nepal Administrative Staff College to arrange for trainings in a planned manner for the human resources of governmental bodies and corporations with a view to enhancing the administrative and managerial competency of such bodies and corporations;

Now, therefore, His Majesty King Birendra Bir Bikram Shah Dev has, on the advice and with the consent of the National Panchayat, made this Act.

1 This Act came into force on 15 Jesta 2065.

2 Deleted by Republic Strengthening and Some Nepal Laws Amendment Act, 2066.
Chapter-1

Preliminary

1. **Short title and commencement:** (1) This Act may be called as the “Nepal Administrative Staff College Act, 2039 (…..)”.
   
   (2) It shall come into force at once.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Act:
   
   (a) "College" means the Nepal administrative staff college as referred to in Section 3.
   
   (b) "Council" means the governing council as referred to in Section 7.
   
   (c) "Committee" means the executive committee as referred to in Section 9.
   
   (d) "Executive Director" means the executive director appointed pursuant to sub-section (2) of Section 11.
   
   (e) "Corporation" includes a body corporate owned or controlled by the Government of Nepal or other body owned or controlled by such a body corporate.
   
   (f) “As prescribed” or “as prescribed” means prescribed or as prescribed in the regulation framed under this Act.
Chapter-2

Establishment, Objectives and Policies of Nepal Administrative Staff College

3. Establishment of Nepal Administrative Staff College: (1) The Nepal Administrative Staff College train has been established to provide for high-level trainings on subjects relating to administration and management in Nepal.

(2) The College shall be called as the “Nepal Administrative Staff College” in English.

(3) The Nepal Administrative Staff College established prior to the commencement of this Act shall be deemed to have been established pursuant to this Act.

4. College to be autonomous body: (1) The College shall be an autonomous body corporate with perpetual succession.

(2) The College shall have a separate seal of its own.

(3) The College may, like an individual, acquire, use, sell and dispose of or otherwise deal with any movable and immovable property.

(4) The College may, like an individual, sue by its name and be also sued by the same name.

(5) Notwithstanding anything contained in the prevailing laws, the modus operandi provided by this Act and the rules or bye-laws framed under this Act shall govern the matters relating to the operation of business and management of the College.
5. **Objectives of College:** The objectives of the College shall be as follows:

(a) To arrange for trainings as may be required for the employees of the Government of Nepal and corporations.

(b) To identify measures to make competent the administration of the Government of Nepal and the management of corporations.

(c) To carry out problem-based research, consultancy services and information service related problems in order to make trainings more useful and prepare training materials.

6. **Policies relating to trainings:** The policies relating to trainings to be operated by the College shall be as follows:

(a) To link training programs as an integral part of personnel administration.

(b) To link training programs with the development programs of the Government of Nepal and corporations.

(c) To enhance the development-oriented knowledge and skills of the employees of the Government of Nepal and corporations and link trainings with the career development.

**Chapter-3**

**Formation, Functions, Duties and Powers of Governing Council and Executive Committee**

7. **Formation of Governing Council:** (1) The Governing Council composed of the following members shall be formed as the supreme organ of the College:
(a) | Honorable Minister or Minister of State for General Administration | -Chairperson |
---|---|---|
(b) | Honorable Vice-chairperson, National Planning Commission | -Member |
(c) | Chairperson, Public Service Commission | -Member |
(d) | Vice-chancellor, Tribhuvan University | -Member |
(e) | Chief Secretary, Cabinet Secretariat | -Member |
(f) | Secretary, Ministry of General Administration | -Member |
(g) | Secretary, Ministry of Finance | -Member |
(h) | Executive Director of the College | -Member Secretary |

(2) The Council shall meet at least twice a year.

(3) The rules of procedures of the Council shall be as prescribed.

8. **Functions, duties and powers of Council:** The functions, duties and powers of the Council shall, in addition to the functions mentioned elsewhere in this Act, be as follows:

   (a) To determine policies relating to training and research programs to be operated by the College.

   (b) To frame rules and approve bye-laws of the College.

   (c) To approve the long-term plans of the College.

   (d) To make appraisal and evaluation of progress of annual programs of the College and approve budget.

   (e) To give necessary direction to the Committee.
9. **Formation of Executive Committee:** (1) The Executive Committee composed of the following members shall be formed to operate, or cause to be operated, in a well-planned manner the training and research programs in consonance with the objectives and policies of the College:

<table>
<thead>
<tr>
<th>(a)</th>
<th>Executive Director of the College</th>
<th>-Chairperson</th>
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<tbody>
<tr>
<td>(b)</td>
<td>Secretary, Ministry of General Administration</td>
<td>-Member</td>
</tr>
<tr>
<td>(c)</td>
<td>Secretary, Ministry of Law and Justice</td>
<td>-Member</td>
</tr>
<tr>
<td>(d)</td>
<td>Secretary, Ministry of Finance</td>
<td>-Member</td>
</tr>
<tr>
<td>(e)</td>
<td>Secretary, Public Service Commission</td>
<td>-Member</td>
</tr>
<tr>
<td>(f)</td>
<td>Secretary, National Planning Commission</td>
<td>-Member</td>
</tr>
<tr>
<td>(g)</td>
<td>Three persons nominated by the Government of Nepal</td>
<td>-Member</td>
</tr>
<tr>
<td>(h)</td>
<td>Deputy Executive Director of the College designated by the Council</td>
<td>-Member Secretary</td>
</tr>
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</table>

(2) The Committee may, if it considers necessary, invite an expert to take part, as an observer, in a meeting of the Committee.

(3) The term of office of the nominated members of the Committee shall be two years. The remuneration and other facilities receivable by such nominated members shall be as prescribed.

(4) The Committee shall meet as required.

(5) The quorum for and rules of procedures of the meeting of the Committee shall be as prescribed.

10. **Functions, duties and powers of Committee:** The functions, duties and powers of the Committee shall be as follows:
(a) To launch appropriate training programs for the employees of the Government of Nepal and corporations.

(b) To organize, from time to time, assemblies, symposia and conferences about administrative problems and the measures for their resolution.

(c) To launch research, consultancy service and information service related programs.

(d) To make contact with training institutions of other countries and international institutions and contribute to its training activities.

(e) To give, through the Council, advice and suggestion to the Government of Nepal to formulate training policies at the national level.

(f) To formulate policies relating to training and research programs of the College.

(g) To give, through the Council, necessary advice and suggestion to the Government of Nepal to forge coordination between the training programs related with various sectors of the Government of Nepal and corporations.

(h) To formulate the long-term plans of the College.

(i) To prepare annual program and budget of the College.

(j) To create positions of employees required for the College and appoint them.
(k) To make evaluation, or cause to be made evaluation, of the training programs.

(l) To act as a liaison between the Government of Nepal and international institutions in the field of training.

(m) To arrange for the periodic exchange of services of experienced persons in various fields in order to make trainings action-oriented and practical.

(n) To obtain approval of the Council to sell and dispose of properties of the College in excess of the prescribed amount. formulate training policies at the national level.

(o) To perform other necessary functions relating to training, subject to the Act, rules or bye-laws.

Chapter-4

Provisions Relating to Employees of the College and Terms and Conditions of Their Service

11. Provisions relating to employee of the College: (1) The College shall have the following types of employees:

(a) Administrative,

(b) Teaching and research.

(2) There shall be one Executive Director as the chief of the College. He or she shall be appointed by the Government of Nepal. His or her term of office shall be five years. The Government of Nepal may, if it so wishes, add his or her term of office for a maximum of five years.
(3) The College shall have a required number of other employees.

(4) The remuneration, terms and conditions of service and facilities of the employees of the College shall be as prescribed.

12. Functions, duties and powers of Executive Director and other employees: (1) The functions, duties and powers of the Executive Director shall be as follows:

(a) To implement, or cause to be implemented, the decisions and directions of the Council and Committee.

(b) To submit the long-term plans and annual programs and budget to the Council, through the Committee.

(c) To implement the long-term plans and annual programs of the College as approved by the Council.

(d) To present, or cause to be presented, from time to time the progress details of the College before the Committee.

(e) To make, or cause to be made, internal evaluation of the training programs of the College.

(f) To hold necessary discussions with the concerned parties about the programs agreed with national and international institutions and other assistance and submit, or cause to be submitted, the same to the Committee for approval.

(g) To perform, or cause to be performed, other functions relating to the College.
(2) The functions, duties and powers of the other employees, except the Executive Director, shall be as prescribed.

Chapter-5

Fund, Accounts and Audit

13. Fund of the College: (1) The College shall have fund of its own.

(2) The following amounts shall be credited to the fund of the College:

(a) Grant received from the Government of Nepal.

(b) Amount received from any foreign government and international institution.

(c) Amount received in consideration for consultancy service and research work.

(d) Amount received from any other source.

(2) All amounts of the fund shall be deposited with any commercial bank.

(3) Amounts of expenses required to carry out activities in consonance with the objectives of the College shall be chargeable on the fund as referred to in sub-section (1).

14. Method of maintaining accounts: The accounts of incomes and expenses of the College shall be maintained in such form and manner as approved by the Council.

15. Audit: (1) The accounts of the College shall be audited by an auditor appointed by the Council.
(2) Other matters relating to the audit of the College shall be as prescribed.

Chapter-6

Training Method, Training Materials and Curricula

16. To identify training: (1) The College may, from time to time, make surveys for the identification of trainings required in the field of administration of the Government of Nepal and management of corporations.

(2) The training curricula and programs shall be determined on the basis of the report of survey made pursuant to sub-section (1).

17. Evaluation of other training programs: The College may, from time to time, evaluate other training programs being operated in the field of administration of the Government of Nepal and management of corporations.

(2) Based on the evaluation made pursuant to sub-section (1), the College may, as required, make amendment or change in its training programs, and in the case of other training programs, it may give suggestion, through the Council, to the Government of Nepal for making such amendment or change.

18. Training method: Useful as well as effective modern training methods shall be used in training programs in view of the group of trainees and nature of subject.

19. Training materials: Such training materials as are in harmony with the economic, political and cultural context of Nepal and useful from
theoretical standpoint shall be provided for training programs of the College.

20. **Curricula:** The curricula shall focus on both theoretical and practical aspects in order to make training programs more fruitful and effective.

**Chapter-7**

**Miscellaneous**

21. **Report to be published:** The College shall each year publicly publish a report on the activities of the College.

22. **Delegation of powers:** The Committee may delegate any or all of the powers conferred to it pursuant to this Act to the Executive Director or any other employee of the College. The Executive Director may delegate any or all of the powers conferred to him or her pursuant to this Act to the Deputy Executive Director or other employee of the College.

23. **Contact with the Government of Nepal:** In making contact with the Government of Nepal, the College shall make so through the Ministry of General Administration.

24. **Power to frame rules and byelaws:** (1) The Council may frame necessary rules to implement the objectives of this Act.

   (2) Subject to the rules framed pursuant to sub-section (1), the Committee may frame necessary bye-laws for the other necessary activities of the College, and such bye-laws shall come into force after being approved by the Council.