

Kathmandu University Act, 2048 (1991)

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Amendment

Republic Strengthening and Some Nepal Laws 2066/10/7

Amendment Act, 2066 (Jan. 21, 2010)

Act Number 34 of the Year 2048 (1991)

An Act made for the establishment of Kathmandu University

Preamble: Whereas, it is expedient to establish and manage a University in the non-governmental sector to operate higher level educational institutions for the study, teaching and research on Arts, Science, Management, Technology and other miscellaneous subjects ;

Now, therefore, be it enacted by the Parliament on the Twentieth reign of His Majesty Birendra Bir Bikram Shah Dev.

1. **Short Title and Commencement:** (1) This Act may be called as the "Kathmandu University Act, 2048 (1991)".

(2) This Act shall come into force on such date as appointed by the Government of Nepal by a Notification in the Nepal Gazettee.

2. **Definitions:** Unless the subject or the context otherwise requires, in this Act: –

- (a) "University" means the Kathamndu University established pursuant to this Act.
- (b) "Senate" means Senate of the University as referred to in Section 4.
- (c) "Executive Council" means the Executive Council as referred to in Section 6.
- (d) "Academic Council" means the Academic Council as referred to in Section 8.
- (e) "Dean" means the chief of the different faculties established under the University.
- (f) "School" means the institutions where the programmes are to be operated of each faculty of the University.
- (g) "College" means the educational institution affiliated to the University.
- (g) "Professor (*Pracharya*)" means the professor of college.
- (h) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Rules framed under this Act.

3. **Establishment of the University:** (1) The Kathmandu University shall be established to operate higher level educational institution on Arts, Science, Law, Management, Education, Technical and other Vocational subjects.

(2) The University shall be an autonomous corporate body with perpetual succession.

(3) The University shall have a separate seal.

(4) The University may, like an individual, acquire, use, sell, mortgage or otherwise dispose of movable and immovable property.

(5) The University may, like an individual, sue and may be sued in the same name.

(6) The Central Office of the University shall be located at *Dhulikhel*.

4. **Constitution of the Senate:** (1) There shall be a Senate consisting following members: -

- | | | |
|-----|---------------------------|---------------|
| (a) | Chancellor | - Chairperson |
| (b) | Pro-Chancellor | - Member |
| (c) | Vice-Chancellor | - Member |
| (d) | Registrar | - Member |
| (e) | Member, National Planning | |

- Commission (looking after Education sector) - Member
- (f) Secretary, Ministry of Education and Culture - Member
- (g) Secretary, Ministry of Finance - Member
- (h) Deans - Member
- (i) One person from amongst the Professors - Member
- (j) Mayor, Banepa Municipality - Member
- (k) Mayor, Dulikhel Municipality -Member
- (l) ×
- (m) Five persons from amongst the highly renowned learned persons - Member
- (n) One person from amongst the Industrialists -Member
- (o) One person from amongst the Teachers - Member

× Omitted by the Republic Strengthening and Some Nepal Laws Amendment Act, 2066

(p) One person from amongst the Students - Member

(q) Chief librarian of the University – Member

(2) The members pursuant to Clause (i), (m), (n), (o), (p) and (q) shall be nominated by the Senate on the recommendation of Executive Council and the members pursuant to Clause (l) shall be nominated by the Chancellor on the recommendation of Pro-chancellor.

(3) The tenure of office of the nominated members shall be Three years.

(4) Senate shall be the supreme and authorised body of the University.

5. **Functions, Duties and Powers of the Senate:** The functions, duties and powers of the Senate shall be as follows:

- (a) To operate and arrange the programmes of the concerned subject,
- (b) To make necessary arrangements about educational affiliation of college,
- (c) To determine and award the degrees,
- (d) To approve annual programme and budget,
- (e) To approve Bye-laws relating to the University,
- (f) To give direction and guide the schools of the University and the

affiliated colleges,

- (g) To discuss on annual reports of the University and bodies thereunder and to evaluate their programmes,
- (h) To discuss and approve the audit report of the University,
- (i) To approve the post of necessary teachers and employees for the educational and administrative function of various bodies of the University.
- (j) To provide approval for the operation of new programmes.
- (k) To constitute a committee to recommend for the appointment of Vice-chancellor to the Chancellor,
- (j) To constitute various committees as per necessity,
- (k) To perform other functions as prescribed.

6. **Constitution of Executive Council:** (1) There shall be an Executive Council consisting the following members:

- (a) Vice-Chancellor - Chairperson
- (b) Registrar - Member
- (c) Two persons from amongst the Deans - Member
- (d) One representative nominated by the
Senate from the Teachers - Member

(2) The members pursuant to Clause (c) of Sub-section (1) shall be member according to chronological order from time to time.

(3) The tenure of office of the nominated members shall be Three years.

7. **Functions, Duties and Powers of the Executive Council:** The functions, duties and powers of the Executive Council shall be as follows:

- (a) To execute or cause to execute the decisions and directives of the Senate,
- (b) To follow the policy and direction determined by Government of Nepal,
- (c) To prepare annual programmes, budget, progress report, audit report and other resolutions,
- (d) To accept grant, donation to the University,
- (e) To protect the fund and movable or immovable property of the University and sell such property subject to the policy and guidelines of the Senate as per necessity,
- (f) To coordinate, look after and supervise the programmes conducted by the University and to submit report thereof to the Senate,
- (g) To draft Rules relating to the University and submit them to the

Senate for approval,

- (h) To appoint teachers and employees necessary for the University,
- (i) To determine the terms and conditions of service of the employees and to submit report thereof to the Senate.

8. **Constitution of Academic Council:** (1) There shall be an Academic Council, as a main body in the educational and academic field, consisting as follows:

- (a) Vice-Chancellor - Chairperson
- (b) Registrar - Member
- (c) Deans - Member
- (d) Five persons from amongst the
Chairperson of the Subject Committees - Member
- (e) Two persons from amongst the
affiliated Campus -Member

(2) The members other than the *ex-officio* members shall be nominated by the Senate.

(3) The tenure of office of the nominated members shall be Three years.

9. **Functions, Duties and Powers of the Academic Council:** The functions, duties and powers of the Academic Council shall be as follows:-

- (a) To function as a main body in the educational and academic field of the University,
- (b) To determine the standard of study and teaching, curriculum, standard of the examination and their types, modes of evaluation, educational materials, numbers of the student to be admitted and qualification thereof in the University,
- (c) To formulate the policy relating to research and approve research programmes,
- (d) To evaluate the educational programmes of the students.
- (e) To determine the standard of teaching and research,
- (f) To arrange for honorary degrees,
- (g) To determine the minimum qualification of the teacher of all different levels.

10. **Organisation of the University:** (1) The collective form of Chancellor, Vice-chancellor, Deans, Registrar and affiliated colleges shall be the structure of the University.

(2) There shall be prescribed schools on prescribed subjects for higher education.

(3) Functions, duties and powers of the schools shall be as prescribed.

(4) The provision relating to colleges shall be as prescribed.

11. **Responsibility and Delegation of Powers:** (1) Subject to this Act and Rules made thereunder all the powers of the University shall be vested on the Senate.

(2) The Senate may delegate any or all of the powers conferred on it under this Act or the Rules framed thereunder to the Executive Council, Academic Council or any officials or Committees formed as prescribed as per necessity.

12. **Officials:** The University shall have the following officials:

- (a) Chancellor,
- (b) Pro-Chancellor,
- (c) Vice-Chancellor,
- (d) Registrar,
- (e) Deans,
- (f) Other officials.

13. **Chancellor:** (1) The Prime Minister shall be the Chancellor of the University.

(2) The Minister for Education shall be the Pro-Chancellor of the University.

(3) The Chancellor shall be the chief of the University and chairperson of the Senate.

(4) The Chancellor shall have power to inspect or inquire or cause to inspect or inquire any subject or matter relating to the University.

(5) The Chancellor may revoke any act done against this Act and Rules made thereunder.

(6) Others powers of the Chancellor shall be as prescribed.

(7) The functions to be performed by the Chancellor may be caused to be performed by the Pro-chancellor.

14. **Vice-Chancellor:** (1) The Vice-Chancellor shall be appointed by the Chancellor for Four years from the persons recommended by Three member committee constituted by the Senate.

(2) The Vice-chancellor shall be the chief administrative official of the University.

(3) The Vice-chancellor shall be the full-time working paid official. His/her remuneration and conditions of service shall be as prescribed.

(4) In absence of the Chancellor and Pro-Chancellor, the Vice-

Chancellor shall preside over of the Senate.

(5) The Vice-chancellor shall have the duty to abide by or cause to abide by this Act and Rules made thereunder and for this purpose he/she may carry out an appropriate and necessary function if in his/her opinion it is an emergency and it has to be done immediately and a notice thereof shall be provided as soon as possible to the concerned official or institution.

(6) The Vice-Chancellor shall execute the decision or order of the Senate.

(7) The Vice-Chancellor shall have general control over all the educational and academic functions of the University.

(8) All the proposals (matters) to be submitted to the Senate shall be submitted through the Vice-chancellor.

(9) The Vice-Chancellor shall implement all the functions of the University as per the direction of the Senate.

15. **Registrar:** (1) The Registrar of the University shall be appointed by the Chancellor for Four years on the recommendation of the Vice-Chancellor.

(2) The Registrar shall be the full-time working paid official.

(3) The Registrar shall authenticate the decision or order of the Senate.

(4) The Registrar shall have the power to accomplish or cause to accomplish the all kinds of administrative and academic functions of the University.

(5) The general administration, financial administration and academic functions shall be accomplished under the Registrar.

(6) Other Functions, Duties, Powers and Remuneration of the Registrar shall be as prescribed.

16. **Dean and other Officials:** (1) The Dean shall be appointed for Three years.

(2) The Dean shall be the chief of the faculty and he/she shall be a full time working official.

(3) The Dean shall be appointed by the Executive Council.

(4) Functions, Duties and Powers of the Dean and other officials shall be as prescribed.

17. **School:** The main educational programmes of the University shall be conducted in the schools. The schools shall be established for the faculty of Arts, Science, Management, Technology etc.

18. **Education council and Subject Committee:** (1) In order for operation of educational and academic programmes there shall be an Education Council in each school.

(2) There shall be various subject committees under the Education

Council to determine the curriculum of various educational and academic programmes to be operated in each school.

(3) Constitution, functions, duties and powers of the Education Council and Subject Committee shall be as prescribed.

19. **Auditing**: The audit of the University shall be carried out by the Auditor appointed by the Senate.
20. **Qualification Required for Admission to the University**: The qualification required for admission to the University is to pass the prescribed examination.
21. **Provisions relating to Dissolution**: In the event of dissolution of the University, all of its property shall devolve on Government of Nepal.
22. **Power to Frame Rules**: The University may frame necessary Rules for the implementation of the objectives of this Act.