

The Act Relating to Compulsory and Free Education, 2075 (2018)

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Act No. 16 of the year 2075 (2018)

An Act Made to Provide for Compulsory and Free Education

Preamble:

Whereas, it is expedient to make legal provisions relating to compulsory and free education, in order to ensure easy and equal access and continuity of all to education, and to make education universal, useful for life, competitive and qualitative, while focusing education on the building of nation, being committed to socialism based on democratic values and norms, by implementing, on the ground, the basic human rights of every person to acquire education and the fundamental right conferred by the Constitution;

Now, therefore, be it enacted by the Federal Parliament.

Chapter-1

Preliminary

1. **Short title and commencement:** (1) This Act may be cited as the “Act Relating to Compulsory and Free Education, 2075 (2018).”
(2) This Act shall commence at once.
2. **Definitions:** Unless the subject or context otherwise requires, in this Act,
 - (a) "Compulsory education" means a mandatory provision to regularly study and complete basic level of study by the children of the age prescribed by the Government of Nepal, upon getting admitted to schools or other alternative educational institutions.
 - (b) "Guardian" means the father, mother of a child or the person whose name is registered at the school as the guardian, and this term also includes his or her guardian or curator.
 - (c) "Economically destitute" means the condition of having annual income that is less than the prescribed limit.
 - (d) "Basic education" means the school education from grade one to grade eight.

- (e) "Prescribed" or "as prescribed" means prescribed or as prescribed in the rules framed under this Act.
- (f) "School with private investment" means a school that is established or operated with private investment, and this terms also includes any institutional school existing at the time of the commencement of this Act.
- (g) "Free education" means education to be provided by the school or educational institution without receiving any fee under any heading from the student or guardian.
- (h) "Head teacher" means the executive chief of a school who fulfils managerial and administrative responsibilities by taking up leadership of the school, and this also includes the principal or other person who exercises the executive authority, who has major responsibility of the management of the school or teaching institute.
- (i) "Early childhood development and education" means childhood development and education of the period of one year focusing on overall development of the children, which is provided for the children who have completed the age of four years before stepping into grade one.
- (j) "Secondary education" means education from grade nine to grade twelve or equivalent thereto.
- (k) "Mother tongue education" means education provided through any mother tongue of the Nepali community, which is spoken in Nepal, and this terms also includes to multi-lingual education based on mother tongue.
- (l) "School" means a school with public or private investment, that is operated upon being established pursuant to the prevailing law, and this term also refers to any community or institutional school existing under the prevailing law at the time of the commencement of this Act.
- (m) "Student" means a student studying at the school upon being admitted, and this term also includes a person acquiring education from the programs, including non-formal, open, alternative education programs.
- (n) "Special education" means education provided in special way and with certain means for the children who have visual impairment, are deaf, have autism, intellectual disability, hard of hearing or extreme physical disability or who are in other condition of similar nature, by placing them at separate groups.

- (o) "Teacher" means any teacher of a school, and this term also includes the head teacher.
- (p) "Teaching institute" means a school or institute that provides higher education, and this term also includes an institute that provides non-formal, alternative or open education.
- (q) "Public school" means a school operated with the investment or grant of the Government of Nepal, Provincial Government or Local Level, and this term also includes a school operated as a community school pursuant to the prevailing law.
- (r) "Public educational trust school" means a welfare school established or operated under the public educational trust, with non-profit motive.

Chapter-2

Access of Citizens to Education and Liability of the State

- 3. Right to get education:** (1) Every citizen shall have the right of equal access to quality education. No one shall be discriminated on any ground to get education.
- (2) Every Nepali community residing in Nepal shall have the right to acquire education in the mother tongue.
- (3) For the purposes of sub-section (1), every citizen shall have the right to become literate, to get early childhood development and education, basic education, secondary education and higher education, pursuant to this Act or the prevailing law.
- (4) Every citizen who has acquired education shall have the right to enter into, study, research, participate in examinations in and acquire educational certificate from any school or teaching institute, pursuant to this Act or the prevailing law.
- (5) Every illiterate citizen shall have the right to become literate as prescribed.
- (6) Every citizen shall have the right to get higher education according to his or her qualification, capacity and interest, upon fulfilling the conditions and standards referred to in the prevailing law.
- (7) A citizen with disability shall also have the right to get education by means of special education.

(8) Citizen who are economically destitute, with disabilities and are Dalit shall have the right to get free higher education.

(9) The children of the martyrs, who have sacrificed their lives in the process of popular movement, armed struggle, revolution, of the disappeared persons, of conflict victims, of the wounded, of the persons with disabilities shall have the right to get special opportunity as prescribed.

(10) Every child shall have the right to get quality education from the qualified teacher as provided in the prevailing law.

4. Liability of State to provide education: (1) The Government of Nepal, Provincial Government and Local Level shall have the liability to provide every citizen with education up to the basic level, and the responsibility to make necessary arrangements in this respect.

(2) The State shall have the liability to provide every citizen with education up to the secondary level.

(3) The Government of Nepal shall make necessary coordination and leadership, for the purposes of sub-sections (1) and (2).

5. Duty of the citizens: (1) Every citizen shall have the duty to get education of the basic level.

(2) Every citizen shall have the duty to send his or her children, who are of the age group of acquiring the basic education, to school regularly.

Chapter-3

Compulsory and Free Education

6. To provide compulsory education: (1) After the commencement of this Act, the State shall make provisions to provide compulsory education up to the basic level to every child who has completed four years but not completed thirteen years of age, through every Local Level.

(2) In addition to the education mentioned in sub-section (1), at least one year's early childhood development and education shall be provided after the completion of the age of four years.

(3) The Local Level shall make provision to provide education up to the basic level safely for the children affected due to other reasons, including a natural disaster, accident, unexpected incident.

- 7. To get children to be admitted:** (1) After the commencement of this Act, the guardian concerned shall get every child admitted in the class appropriate to his or her age, at the school which is convenient to him or her.

Explanation: For the purposes of this Chapter, the expression "school which is convenient" means the school which is located at a distance of up to two kilometers generally from the place of residence where the guardian of the concerned child resides.

(2) Notwithstanding anything contained in sub-section (1), nothing shall bar the opening of a school at a distance generally within two kilometers, having regard, inter alia, to the geographical condition, density of population and the number of children of school age.

(3) The guardian shall not separate a child who has been admitted to a school pursuant to sub-section (1) from the school or prevent him or her from going to school, with the object to deprive him or her of reading and learning, without completing education up to the basic level.

(4) If the children cannot go to school due to economic, geographical or physical, mental condition or any other adversity, provisions may be made for their study at any boarding school as prescribed.

(5) The guardian who does not get the children of school age admitted to school or who separates the children from school even after getting admission, without completing the education of the basic level, may be deprived of receiving any facility to be provided from the Local Level.

(6) Before making deprivation of the facility pursuant to sub-section (5), provision shall be made to encourage the guardian concerned to send the children to school, in making necessary consultation with such a guardian.

- 8. To acquire education from convenient school:** (1) Every child shall have the right to acquire education up to the basic level or secondary level from the school which is convenient from the place of residence of his or her guardian.

(2) If no school is available pursuant to sub-section (1) in the case of any children of the age of acquiring education of the basic level, the Local Level concerned shall establish school at such place or make alternative provision for such children to acquire education up to the basic level within three years from the commencement of this Act.

(3) Nothing contained in this Section shall prevent the guardian concerned from getting his or her children admitted to the school of his or her choice or from acquiring education by the children concerned upon getting admission to other school chosen by him or her.

9. Not to refuse to get admission: (1) If the guardian requests to get his or her child admitted to the school which is convenient to him or her or any other school to acquire education up to the basic level, the head teacher of such school shall not refuse to admit, except in the following circumstances:

- (a) If such a number of children have been already admitted as determined for any grade for teaching,
- (b) If he or she has not completed the minimum standard of the grade in which he or she desires to get admission,
- (c) If additional students cannot be admitted due to physical condition of the school.

(2) Notwithstanding anything contained in clauses (a), (b) and (c) of sub-section (1), the children with disabilities or who are economically indigent shall be admitted by the school which is convenient to them.

(3) If any child is to be refused to get admission pursuant to sub-section (1), the head teacher concerned shall make recommendation for the admission of such a child to other appropriate school, if any, situated nearby such a school.

(4) If any child cannot be admitted pursuant to sub-section (3), information of the reason therefor in writing shall be given to the guardian and be given to the Ward Office concerned, and such Ward Office shall facilitate in the admission of such a child at the school situated within the Ward concerned or elsewhere.

(5) If a child cannot be admitted due to the circumstance referred to in clause (b) of sub-section (1), his or her guardian, if he or she so desires, shall get him or her admitted at the same grade of the basic level at the same school, the level of which he or she can complete.

(6) Except for the circumstance set down in this Section, the refusal to admit the children shall be punishable.

10. Not to expel from school: (1) A child acquiring education of the basic level upon being admitted to any school may not be expelled from the school.

(2) A child admitted to a school may not be prevented from or deprived of acquiring basic education or taking examination for the reason that the child has

done any undisciplined act or has bad conduct. The school shall provide such a child with the facility of counselling service.

(3) If any improvement of any child acquiring education of the basic level has to be made in the matters including discipline, conduct and study, the head teacher of the school concerned, upon holding discussion or consultation with the guardian concerned, shall adopt psycho-social counselling or other necessary alternatives to create the environment for such a child to acquire education of up to the basic level.

- 11. To readmit:** (1) If any child who has completed the age of five years but not completed the age of twelve years has not completed the study of up to the basic level for the reason of not being able to get admission to a school or has quit the school without completing the education of the basic level, the school shall readmit him or her according to his or her age or level, subject to Section 9.

(2) If it is necessary to get the child admitted pursuant to sub-section (1) up to the level of other children of the grade to which he or she has been admitted, the school concerned shall make arrangement for an alternative measure.

- 12. To transfer:** (1) If the school to which any children have been admitted has not obtained approval to impart teaching up to the basic level or such a school has been merged with another school or the school has to be closed for any reason, the Local Level concerned shall make provision to transfer the children who have not completed education of the basic level from such school to another school which is convenient to them.

(2) The children transferred pursuant to sub-section (1) shall not be readmitted to such a school.

(3) Notwithstanding anything contained elsewhere in this Section, this Section shall not prevent the students referred to in sub-section (1) or their guardians from getting admission to any other school of their respective choice.

- 13. To provide transfer certificate:** (1) If any child who has not completed education up to the basic level or his or her guardian makes a request for the transfer certificate, showing some reason, in order to get admission to any other school, quitting the school where he or she is studying, to acquire such education, the head teacher concerned shall immediately provide the transfer certificate, setting out the details of the study he or she has completed.

(2) After submission of the transfer certificate referred to in sub-section (1), the school which the child has desired to get admission to shall immediately admit him or her, subject to Section 9.

- 14. To make provision of alternative education:** (1) The children who cannot acquire education of the basic level upon studying full time after getting admission to a school due to unavailability of the school which is convenient to them or any other reason shall have the right to get alternative education up to such level.

(2) Other provisions relating to alternative education up to the basic level shall be as prescribed.

- 15. To provide non-formal and open education:** (1) The children who cannot regularly study upon getting admission to a school may be provided with education of the secondary level from any non-formal or open school.

(2) The Government of Nepal shall make provisions to establish and operate non-formal and open schools on the basis of necessity for the sake of providing secondary education through Local Level.

(3) Other provisions relating to non-formal and open school shall be as prescribed.

- 16. To provide traditional education:** (1) In order to preserve and protect the values, norms, culture, custom and practice related to education since ancient time and to continue them by improving them to the tune of the time, children may be provided with education by operating institutes such as *Gurukul, Gumba, Madarsa*.

(2) The *Gurukul, Gumba or Madarsa* to be operated for providing education referred to in sub-section (1) shall be registered in the Local Level concerned.

(3) While providing education to the children, the *Gurukul, Gumba or Madarsa* to be operated upon being registered pursuant to sub-section (2) shall abide by such other conditions and standards as determined by the Local Level in accordance with law and as prescribed.

(4) In addition to the education provided by educational institutes such as *Gurukul, Gumba and Madarsa* operated upon being registered pursuant to sub-section (2), education shall be provided according to the curriculum determined by the Government of Nepal.

(5) Other provisions relating to providing traditional education shall be as prescribed.

17. Provisions relating to technical education: (1) Every citizen who completes the basic level shall have the right to acquire secondary education or technical education equivalent to it pursuant to the prevailing law.

(2) Other provisions than that set forth in this Section relating to technical education to be provided after the basic level shall be pursuant to the prevailing law.

18. Education of children whose guardians are not identified: (1) If there are children whose guardians are not identified or traced within the territorial jurisdiction of any Local Level, the Local Level concerned shall have the responsibility for providing such children with education up to the basic level, making provisions for their study and other matters.

(2) The concerned Ward Committee of the Local Level shall be responsible for making arrangements for providing education pursuant to sub-section (1).

(3) Notwithstanding anything contained in sub-section (1), if the guardian of the child concerned is identified or traced, the guardian himself or herself shall take the responsibility.

(4) Other provisions relating to the studies of the children whose guardians are not identified shall be as prescribed.

19. To be disqualified: Notwithstanding anything contained in the prevailing law, for the purpose of creating environment for compulsorily acquiring basic education by all the citizens, the person who has not acquired the basic education shall be deemed to be disqualified to obtain any of the following opportunities after 1 Baishakh 2085 (14 April 2028):

(a) To enter into the service of the Government of Nepal, Provincial Government, any governmental service of the Local Level or any institution that is under the full or partial ownership, grant or control of the Government of Nepal, Provincial Government or Local Level, or to be elected, appointed or nominated to any post of any institution established in the governmental, non-governmental or private sector,

(b) To incorporate any company, firm, cooperative organization or non-governmental organization or to become promotor shareholder, director or member or any office bearer of such a company, firm or organization.

(2) Notwithstanding anything contained in sub-section (1), nothing contained in that sub-section shall affect any person who has already completed the

age of twelve years or held any post, been elected, nominated or appointed to any post or has been already in service in such post or the facility already obtained or enjoyed prior to the commencement of the provision of sub-section (1).

(3) Notwithstanding anything contained in sub-section (1), this sub-section shall not be applicable to any person who is unable to acquire education because of weak health, multiple disability or similar other complex situation.

20. Education up to secondary level to be free: (1) Every citizen shall have the right to acquire free education up to the secondary level from the State.

(2) While acquiring free education, every citizen shall abide by this Act and the conditions referred to in the other prevailing laws.

(3) Other provisions relating to free education shall be as prescribed.

21. To provide textbooks: (1) The Government of Nepal shall provide the Local Level with the amount as prescribed for the textbooks to the children of every public school who acquire education of the basic level or secondary level.

(2) After receiving the amount pursuant to sub-section (1), the Local Level shall provide the school concerned with the amount for the purchase of the textbooks before the commencement of an academic session.

(3) After receiving the amount pursuant to sub-section (2), the school shall purchase the textbooks, and provide them to the students at the time of admission.

22. To provide educational materials: (1) The Local Level may provide educational materials, including copies, pens to the children who are economically destitute and admitted to the public school to acquire education up to the basic level.

(2) The Local Level shall make provisions for necessary lab, materials for extra-curricular activities, sports materials, sports infrastructures, computers and the access to information technology, as prescribed, for the sake of the public schools providing education up to the basic level.

(3) Other provisions relating to providing educational materials shall be as prescribed.

23. To provide scholarship: (1) In order to provide education up to the basic level, the Local Level concerned may provide monthly scholarship as prescribed to the children belonging to the prescribed communities of the more backward regions than the indicators prescribed in the perspective of human development index or economically destitute or the family of the citizen having disability.

(2) The scholarship received pursuant to sub-section (1) shall be spent for the management of educational materials or any other materials that can support in the learning of the students.

- 24. To make arrangement for treatment:** (1) The Local Level may make arrangements relating to health counselling for and treatment of the students studying at the public schools upon coordinating with the health institutions operated pursuant to the prevailing law.

(2) The responsibility to manage free health treatment in the schools of private investment and public educational trust as prescribed shall be vested in the schools concerned.

- 25. Provision relating to day breakfast:** The Government of Nepal may provide day breakfast or the expenses of day breakfast through local government for the sake of continuity in teaching and learning of the children of the prescribed community of the more backward region than the prescribed indicators in the perspective of human development index or economically destitute or the citizen having disability.

- 26. Language of instruction:** (1) The medium of instruction to be provided by the schools shall be the Nepali language, English language or both the languages or mother tongue of the Nepali community concerned.

(2) Notwithstanding anything contained in sub-section (1), if a foreigner has to study compulsory Nepali subject while studying in Nepal, he or she may study any other language subject instead of this, if he or she so wishes.

- 27. School with private investment to be service-oriented:** (1) Any school with private investment shall operate early childhood development and education and the basic education to make it service-oriented and public welfare.

(2) The detailed provisions to make the schools with private investment service-oriented and public welfare shall be as determined by the Government of Nepal.

(3) Notwithstanding anything contained in the prevailing law, every school with private investment and school operated under the public educational trust shall make reservation of the seats to provide free education for the students, as follows, of total number of students from early childhood development and education up to grade twelve, on the basis of the number of students of such a school:

- (a) At least ten percent by the school which has students up to five hundred,

- (b) At least twelve percent by the school which has students from five hundred to eight hundred,
- (c) At least fifteen percent by the school which has students more than eight hundred.

(4) Notwithstanding anything contained in sub-section (2), the scholarship which is being provided by any school at the time of the commencement of this Act must not be reduced.

(5) Qualified and capable children shall be admitted to the seats reserved pursuant to sub-section (2) on the ground of competition among the groups prescribed, in accordance with the selection procedures as adopted.

(6) The facilities to be provided by the schools with private investment for the children admitted upon being selected for the reserved seats pursuant to sub-section (1) shall be as prescribed.

(7) The students who study free of charge upon being selected pursuant to sub-section (2) to the reserved seats referred to in sub-section (1) shall be allowed to apply for the sake of free study or for acquiring scholarship pursuant to the prevailing law for the grade or level higher than the grade he or she has acquired free education.

Chapter-4

Education to be Provided in Mother Tongue and Operation of Schools

- 28. Provisions relating to mother tongue education:** (1) Any citizen of every Nepali community residing in Nepal shall have the right to acquire education up to the basic level or secondary level in his or her own mother tongue.

Provided that such education shall be pursuant to the curriculum prescribed pursuant to the prevailing law.

(2) In the case of the education up to secondary level, such community may establish and operate separate school or teaching institute in order to provide education referred to in sub-section (1).

(3) The Government of Nepal may make arrangement to establish and operate schools or teaching institutes for the sake of providing mother tongue education.

(4) Notwithstanding anything contained in sub-section (2), Nepali citizens may be provided mother tongue education on any particular subject according to their demands in the educational institutes or public schools operated or granted by the Government of Nepal, Provincial Government or Local Level.

- 29. To operate school or teaching institute:** (1) The school or teaching institute referred to in sub-section (2) of Section 28 shall be operated and managed by the same community which has established it.

(2) Notwithstanding anything contained in sub-section (2), in order to operate such a teaching institute or school that provides mother tongue education, the Government of Nepal, Provincial Government and Local Level may provide a certain amount of money every year as grant pursuant to the request of such community.

(3) Provincial Government and Local Level may make additional arrangement with respect to the provision of mother tongue education according to local characteristics and necessity.

Chapter-5

Appropriation of Budget and Grant for Education

- 30. Appropriation of budget and grant:** (1) The Government of Nepal shall appropriate grant amount for the purpose of basic and secondary education every

year, out of its budget, to every Local Level on the basis of the number of schools and students and the results achieved by the students.

(2) Provincial Government shall appropriate a certain amount of money as grant every year to every Local Level, out of its budget, for the purpose of education up to secondary level pursuant to the provincial law.

(3) The Government of Nepal or Provincial Government shall appropriate necessary grant amount pursuant to the Federal law or Provincial law for the teaching institutes operated by the Government of Nepal and Provincial Government themselves or to which they have provided grant.

(4) The Local Level shall appropriate necessary budget, out of its annual budget, for the purpose of providing education of the basic level and secondary level.

(5) While appropriating budget pursuant to sub-section (4), it shall be made so that public schools providing education of the basic level or secondary level and every school operated by the Local Level may receive the budget.

31. To support by other person or institution: (1) Notwithstanding anything contained elsewhere in this Chapter, in addition to the Government of Nepal, Provincial Government and Local Level, any other person, organization, institution may also provide any kind of financial support, assistance or grant for a public school, public educational trust that provides education of the basic level or secondary level or to the school established and operated for non-profit motive.

(2) The support, assistance or amount of money referred to in sub-section (1) shall be provided through the Local Level or upon obtaining approval of the Local Level.

(3) The procedures and modes for providing support, assistance or amount pursuant to sub-section (2) shall be pursuant to the law.

Provided that, before receiving any support, assistance or amount from a foreign person, institution or government, except a non-Nepali resident, prior consent of the Ministry of Finance, the Government of Nepal, shall be obtained.

Chapter-6

Offence and Fine

32. Offence and fine: (1) If a person does any of the following acts, he or she shall be deemed to have committed the offence under this Act:

- (a) To refuse to admit a child pursuant to sub-section (1) of Section 9 or not to provide written information pursuant to sub-section (4) of Section 9,
- (b) To expel a child pursuant to sub-section (1) of Section 10 or to prevent or deprive a child from acquiring or of the basic education or from taking examination pursuant to sub-section (2) of Section 10,
- (c) To refuse to make readmission pursuant to Section 11 or to refuse to give the transfer certificate pursuant to Section 13,
- (d) To do any act contrary to Section 16,
- (e) To do any act contrary to Section 27.

(2) If a person commits the offence referred to in sub-section (1), the guardian of the child concerned may make a petition to the Judicial Committee of the Local Level concerned within fifteen days from the commission of such offence.

Explanation: For the purposes of this Section, "Judicial Committee" means the Judicial Committee referred to in Article 217 of the Constitution of Nepal.

(3) If the offence referred to in sub-section (1) is committed, the Judicial Committee may fine the head teacher concerned as follows:

- (a) Up to five thousand rupees for the person who commits the offence referred to in clauses (a) and (c),
- (b) Up to three thousand rupees for the person who commits the offence referred to in clauses (b) and (d),
- (c) The amount equal to the claimed amount or fifty thousand rupees, whichever is the lesser for the person who commits the offence referred to in clause (e).

(4) If any amount has been recovered contrary to Section 27, such amount shall also be returned to the person concerned.

(5) Appeal may be made to the District Court concerned against a decision made by the Judicial Committee pursuant to sub-section (3) or (4).

Chapter-7

Miscellaneous Provisions

- 33. Special rights of citizens with disabilities and Dalit citizens:** (1) Citizens who are blind shall have the right to acquire free education through Braille script and who

are deaf and citizens with voice and speech impairments shall have the right to acquire free education through sign language as prescribed.

(2) The Dalit citizens who have disabilities and are indigent shall have additional special rights pursuant to the prevailing law, in addition to the rights set forth in this Act, with respect to acquiring education.

(3) Special provisions shall be made for the children who are Dalit, have disabilities and are indigent economically, and who are out of schools, in order to get them admitted to the schools and give continuity in their learning.

34. To operate model, specialized and mobile school with facilities: (1) The Government of Nepal, Provincial Government and Local Level may establish and operate a model school, specialized school or mobile school or similar other special kind of school.

(2) The school opened or operated pursuant to sub-section (1) shall be established with the permission of the Level where it has been opened.

(3) The school opened or operated pursuant to sub-section (1) shall fulfil the standards prescribed by the prevailing law.

35. Provisions of monitoring, and monitoring indicators: (1) In order to carry out monitoring for the sake of implementation of this Act, a mechanism shall be constituted as prescribed.

(2) The Ministry of the Government of Nepal that is responsible the matters relating to education shall prepare the monitoring indicators for the implementation of the right to education as provided for in this Act.

(3) The monitoring indicators referred to in sub-section (1) shall be published for information of the public.

(4) The mechanism referred to in sub-section (1) shall measure as to whether implementation has been made according to the monitoring indicators.

(5) Other provisions relating to monitoring mechanism and indicators shall be as prescribed.

36. To submit report: (1) Every Rural Municipal Executive or Municipal Executive shall submit a report every year to Rural Municipal Assembly or Municipal Assembly, along with the following details:

- (a) The number of public and private schools being operated in the Local Level concerned and the number of children studying at such schools,
- (b) The number of children admitted to schools up to the basic level,

- (c) The number of children who have completed education of the basic level upon being admitted,
- (d) The number of students who have left schools without completing education of the basic level in that year even upon being admitted,
- (e) The amount appropriated for education of the basic level and secondary level, and its source,
- (f) Other necessary matters.

(2) The report referred to in sub-section (1) shall be sent every year to the Ministry of the Government of Nepal that is responsible for the matter relating to education and the Ministry of the Provincial Government that is responsible for the matter relating to education.

37. To provide details: (1) For the purposes of this Act, every Local Level shall keep updated details of mother tongue users, Dalits, persons with disabilities and economically indigent persons residing in its territorial jurisdiction.

(2) The details referred to in sub-section (1) shall be provided to the Ministry of the Government of Nepal that is responsible for the matter relating to education and the Ministry of Provincial Government that is responsible for the matter relating to education and the schools concerned.

38. Partnership or collaboration to be made: (1) Necessary arrangement may be made so that partnership or cooperation among the schools and non-governmental organizations being operated pursuant to the prevailing law and the Local Level may be executed. For the sake of carrying out functions relating to the improvement in the school management, development of quality education and increasing learning achievement of the students,

(2) The implementation of the provisions relating to the partnership and cooperation pursuant to sub-section (1) shall be carried out pursuant to prevailing law.

39. This Act to govern: The schools and teaching institutes in operation at the time of the commencement of this Act shall be deemed to have been established and operated pursuant to this Act.

40. Power to frame Rules: The Government of Nepal may frame necessary Rules to implement this Act.

41. Power to make standards: (1) The Ministry of the Government of Nepal responsible for the matter relating to education may make necessary standards subject to this Act and the Rules framed under this Act.

(2) The standards made pursuant to sub-section (1) shall be made public.