

Legislative Procedures of the National Assembly

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Democracy Resource Center Nepal (DRCN)

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1. Background

Nepal adopted a federal system and state power was devolved to the federal, provincial and local levels through a new Constitution. In each of these three levels of government, the federal parliament, the provincial assemblies, and the municipal assemblies create legislations. The federal parliament comprises two houses—the House of Representatives, and the National Assembly. The federal parliament is responsible for implementing the federal system and transforming the state’s governance mechanism in accordance with the vision of the Constitution. It has to create the basis and standards for the division of authority among three levels of government. The federal parliament is responsible for creating legislation on the formation of administrative structures and the management of human resources for provincial and local governments. Apart from this, it has to regularly create legislation necessary to ensure the implementation of special and emergent constitutional and fundamental rights of citizens. The federal parliament is also responsible for the operation of the federal government.

Apart from the Constitution of Nepal, 1962, and the Interim Constitution of Nepal, 2007, all other constitutions provided for a bicameral parliament. These two chambers are often referred to as the National Assembly or the Upper House, and the House of Representatives or the Lower House. With the adoption of a federal system of governance, the role of the two chambers has changed from that of a unitary system. The Upper House or the National Assembly is a permanent assembly. The National Assembly was envisioned to have the responsibility of checking the federal government if it tried to mobilize the Lower House to consolidate power

against the spirit of federalism.¹ Since this chamber also envisages to include representatives who are experts, if a certain legislation contains errors or arises from political compulsions in the House of Representatives, this chamber has the ability to provide recommendations to amend such legislation. Therefore, the role of the National Assembly includes ensuring the rights of provincial and local governments during the legislation of federal statutes, to minutely examine legislation passed by the House of Representatives under pressure from the Executive, and to amend them and provide recommendations as necessary.²

Legislative functions of the National Assembly include the creation of new legislation, necessary amendments to prevalent laws, cancelling unnecessary legislations, and policy monitoring through studies on the status of legislative implementation. Its legislative functions can be divided into three stages—pre-legislative, legislative, and post-legislative. The pre-legislative stage comprises policy identification, topical analysis, structure formation, draft-writing, etc.³ Since this stage pertains to various ministries and the Council of Ministers, this stage has not been included in this study. Instead, this study is focused upon legislative and post-legislative procedures of the National Assembly.

¹ Committee for Determining the Form of the Legislative Body in Constituent Assembly. 2009. *Committee for Determining the Form of the Legislative Body in Constituent Assembly: Preliminary Draft Report 2009*. Kathmandu: Constituent Assembly Secretariat. (in Nepali).

² Federal Parliament Secretariat. 2018. *National Assembly Introduction Booklet*. Kathmandu: Federal Parliament Secretariat. (in Nepali).

³ Gurung, Parashuram Meghi. 2020. *Social Audit of Law in Nepal (Post-legislative Audit)*. Kathmandu: Legislative Management Committee. (in Nepali).

2. Methodology

This study is focused on the legislative work carried out from the first to the sixth session of the National Assembly. The Legislative Management Committee, and the Delegated Legislation and Government Assurances Committee in the National Assembly are primarily concerned with legislative functions. There are four thematic committees in the National Assembly and two joint-committees comprising members of the House of Representatives and the National Assembly.⁴ This study utilizes amendment proposals tabled by National Assembly members on legislation registered with the National Assembly, legislation forwarded to the National Assembly with remarks by the House of Representatives, and reports prepared by the Legislative Management Committee regarding various legislations. Current and former members and officials in various committees of the National Assembly were interviewed.⁵ Published materials pertaining to the National Assembly was also used for the study. Laws pertaining to the implementation of federalism were also reviewed with a view to assessing the role of the National Assembly in passing these laws. The following laws were reviewed: *Federal, Provincial and Local Level (Coordination and Interrelationship) Act, 2020*; *Provincial Civil Service Commission (Basis and Standards Determination) Act, 2018*; *Police Integration Act,*

⁴ Thematic Committees are: Legislation Management Committee; Designated Management and Government Assurance Committee; Sustainable Development and Governance Committee; and National Interest and Coordination Committee. Joint committees are: Parliamentary Hearings Special Committee; and the Committee to Implement, Monitor and Evaluate the State's Directive Principles, Policies and Duties.

⁵ The names of individuals interviewed for this study have not been revealed wherever they have been quoted in the study. However, if their opinions have been collected from the parliamentary records or other public media, their names have been mentioned.

2019; and Nepal Police and Provincial Police (Operation, Coordination and Supervision) Act, 2019.

The next section of the report discusses constitutional provisions regarding the structure of the National Assembly and procedures for federal management. Section Four is on fundamental practices of the legislative process and discusses the methods for debates and amendments that take place at the Legislation Management Committee. Section Five discusses the participation of members of the National Assembly in legislation amendment. It analyzes their overall participation, participation on the basis of gender, and participation along political party affiliations. Section Six analyzes legislations pertaining to the implementation of federalism and assesses the role played by the National Assembly in the creation of these laws. It also includes the National Assembly's amendments on registered legislations pertaining to new constitutional and legal provisions and state operation. Section Seven is about the only non-government legislation to have been registered with the National Assembly. Section Eight focuses on post-legislation roles of the National Assembly and discusses its functions regarding the assessment of legislative implementation and delegation of legislative management. Section Nine discusses current challenges faced by the National Assembly in fulfilling its legislative functions. The final section of this report presents the conclusion that can be drawn from this study.

3. Constitutional provisions

The Constitution of Nepal envisions a National Assembly composed of 59 members, including 22 women. An Electoral College comprising members of the provincial assembly, rural municipality chairpersons and deputy chairpersons, and municipality mayors and deputy mayors in each of seven provinces elects eight persons consisting of at least three women, one Dalit person, and one person either with a disability or representing a minority from its own province. However, the votes of members of provincial assemblies are weighted differently in comparison to the votes of rural municipality chairpersons and deputy-chairpersons, and municipality mayors and deputy mayors.⁶ A total of 56 members are elected by the seven provincial Electoral Colleges. The remaining three members are nominated by the President of Nepal, including at least one woman. Members thus elected have a term of six years. However, at the first election of the National Assembly, a lottery was carried out to fix the terms of one third of the members to two years; of another third to four years; and of the remaining third to six years. Thereafter, a third of the members of the National Assembly are elected every two years.

According to Article 57 of the Constitution, the federal parliament may exercise its legislative powers as mentioned in Schedule 5 (List of Federal Powers), Schedule 7 (List of Concurrent Powers of Federation and State) and Schedule 9 (List of Concurrent Power of Federation, State and Local level).

⁶ According to the *National Assembly Election Act, 2018*, the vote of a provincial assembly member has a weightage of 48 while the vote of a mayor/deputy mayor and chairperson/deputy chairperson has a weightage of 18.

Fiscal Legislation can only be presented in the House of Representatives. Any other legislation may be presented at any of the chambers of the federal parliament. Fiscal and defense legislations can only be presented as government legislations. Upon receiving fiscal legislation from the House of Representatives, the National Assembly must return it to the House of Representatives within 15 days including any suggestions it may have. Otherwise, the House of Representatives has the right to present the legislation without alteration before the President for promulgation.

Other than fiscal legislations, when the National Assembly receives a legislation passed by the House of Representatives, the legislation must be returned to the House of Representatives—either by passing it as it is, or with recommended changes—within two months of receiving the legislation. Otherwise, the House of Representatives may present it through a majority vote of its members before the President for promulgation. If the National Assembly accepts and passes the legislation sent to it by the House of Representatives and returns it, it is presented before the President for promulgation. If the National Assembly rejects or returns the legislation to the House of Representatives with amendments, a majority of the House of Representatives can present it before the President for promulgation either in the original form of the legislation as it had sent to the National Assembly, or, a version incorporating amendments made by the National Assembly.

If the House of Representatives passes a legislation sent to it registered in the National Assembly and returns it to the National Assembly in its original form, the chairperson of the National Assembly forwards it to the President for promulgation. If the legislation is returned with amendments by the House of Representatives, it is tabled once more before the National Assembly. If a majority of the body passes the amended legislation, it is forwarded to the President for promulgation.

If the National Assembly passes a legislation but the House of Representatives rejects it, or if the House of Representatives returns it with amendments upon which the National Assembly cannot arrive at an agreement, such legislation is presented before a joint-meeting of the two chambers. The legislation is then forwarded to the President for promulgation in whatever form the joint-meeting passes it.

4. Practice of legislative process

The legislative process is ‘a managed process from the moment when a legislation is presented before the parliament until it is passed. This process moves serially forward on the basis of procedures designated and determined according to existing rules.’⁷ The *House of Representatives Regulation, 2018* and *National Assembly Regulations, 2018* have set out detailed procedures to manage this process. In the parliamentary parlance, the processes from the registration of a legislation to passing it are called the First Reading, the Second Reading, and the Third Reading. These stages are also followed in the parliament of Nepal.⁸ This section analyzes the stages of the practice occurring within the National Assembly.

4.1 Theoretical discussion upon legislation at the full House

Once a legislation is registered at the National Assembly or is presented before the National Assembly, after originating in the House of Representatives, in a subsequent sitting, the member presenting the legislation proposes before the Assembly to deliberate upon the legislation, or to communicate it to the people of Nepal in order to solicit their reactions on it. According to the officials at the Legislation Management Department, since the establishment of the National Assembly, there has not been a

⁷ Rai, Adhiraj. 2018. Law-making Process in the Federal Parliament and Differences between Two Houses. *Federal Parliament Service Souvenir* 7(6): 166–172. (in Nepali).

⁸ Gautam, Bharatraj. 2018. Parliamentary Procedure for Legislation: First, Second and Third Readings. *Federal Parliament Service Souvenir* 7(6): 8–14. (in Nepali).

single proposal to communicate a legislation to the people of Nepal in order to solicit their reactions because ‘the proposer of legislation has not deemed it necessary’ to do so. When discussions occur upon a legislation in the full House of the National Assembly, only theoretical aspects of the legislation are discussed. A theoretical discussion of a legislation does not include a clause-by-clause discussion of the legislation. A member of the National Assembly said that theoretical discussions upon legislation are very formal and that members are provided very little time to speak on a legislation. Generally, a member is allocated only 3 minutes during the theoretical discussion. Members said that it was difficult to even begin discussing the context in such a short time. Since not a lot of members participate in these discussions, 2 more minutes were added to increase the total time to 5 minutes through a request to the chairperson of the National Assembly.

After concluding the theoretical discussion, the presenter of the legislation proposes either to hold a clause-by-clause discussion in the full House of the National Assembly, or to send it to the Legislation Management Committee for a clause-by-clause discussion. If the legislation requires revisions in only a few of the clauses, or if the legislation requires to be passed expediently, the clause-by-clause discussion takes place in the full house of the National Assembly and the affair is concluded. However, if many clauses of the legislation require revisions, it is sent to the Legislation Management Committee for a clause-by-clause discussion. Even in cases where the legislation does not require extensive revisions, depending upon the significance and seriousness of the legislation, there is a practice of sending it to the Legislation Management Committee for a second reading.

4.2 Proposal for legislation amendment

Once the theoretical discussion process concludes, legislators may propose amendments to the legislation. Regulations allow a period of 72 hours for this. This period is adequate for smaller legislations, and brought under normal circumstances. However, in many instances, legislations are lengthy, and theoretical discussions may take place upon various legislations on the same day. In such situations, the 72-hour period is inadequate and impractical for registering amendment proposals for all the legislations under consideration. A member of the National Assembly said, “Sometimes two or three legislations are proposed simultaneously. We feel pressured at such times. We have to study the legislations, review previous Acts that are relevant, check the legislations against the Constitution. Sometimes we lack knowledge relevant to the legislation, and we need to identify and consult experts. Therefore, the time allocated presently by the law is inadequate if we have to go through an amendment process for multiple legislations.”

The *National Assembly Regulations, 2018* provides that legislation amendments may be proposed only under the following conditions:

- a) Must be related to the theme of the legislation
- b) Must not contradict the principle inherent in the legislation
- c) Must not be meaningless or unclear
- d) Must be related to the theme of the clause which it seeks to amend
- e) Must not be contradictory to the decisions and principles previously accepted by the Assembly

- f) Must clearly specify which phrase or provision under which clause of the legislation it seeks to replace with which phrase or provision

Members of the National Assembly register amendment proposals individually or collectively as a group. Members of the same or different political parties may register amendment proposals individually or collectively. However, the practice of teaming up with members of different political parties to register amendment proposals was not found. Instead, members of the same political party were found to be registering similar amendment proposals on the same clause, either individually or as a collective. Even if the amendment is proposed as a collective, only a few members prepare the draft. It was reported that not every member of a group is as active, and that only certain members actively engage in discussions. Since certain skills are necessary to prepare amendment proposals, only a few members prepare the draft and the names of other members are attached to it as amenders. A member of the National Assembly said, “Some members who occupy senior positions and have made greater political contributions lack thematic knowledge. Such members request us to include their names on amendment proposals that we prepare.” Members of the National Assembly who were interviewed for this study said that amendment proposals registered collectively are more effective, and that group proposals mitigate pressures put on them by various interest groups. “I do not table amendment proposals as an individual for two reasons. I am a junior politician in the hierarchy of my party. I may make mistakes while registering amendment proposals. Such mistakes may end my political career. If there are errors in a proposal tabled collectively, it is possible to show that they were not intentional. The second reason is to protect myself from interest groups. Laws have interests attached to them. Because of which interest groups may try to entice or intimidate amenders. If there is an individual amender, they will

think it is enough to entice just the individual. But if the proposal has been tabled collectively, the interest groups will not know whose amendment it actually is. I usually propose amendments collectively in order to save myself from their threats and their enticements.”

From each province, members of the Provincial Assembly, and the mayors/ deputy mayors and chairpersons/deputy chairpersons of the municipal units within the province, elect members of the National Assembly. Therefore, there is a sense among members of the National Assembly that the National Assembly must also represent their province and local levels at the federal level. Members of the National Assembly have experienced the federal government registering legislations at the parliament which infringe upon the rights afforded to provincial and local governments by the Constitution of Nepal. Legislations on education, forests, sports, and land, which infringed upon the rights of local and provincial governments and which gave more power to the federal government are examples of such legislations. Members of the National Assembly claimed that more amendments to these legislations, which contradicted the spirit of the Constitution, were registered at the National Assembly than at the House of Representatives in order to amend them in accordance with the Constitution.

Relatively fewer amendment proposals are tabled on legislations that have arrived with notes from the House of Representatives than on legislations first registered at the National Assembly. In principle, the Upper House can address errors arising in legislative processes in the Lower House by stopping a legislation or reexamining it on the basis of expertise.⁹ However, as provided in the Constitution, amendments made by the

⁹ Federal Parliament Secretariat. 2018. *National Assembly Introduction Booklet*. Kathmandu: Federal Parliament Secretariat. (in Nepali).

National Assembly may be rejected by the House of Representatives. “If the National Assembly passes a legislation but it is rejected by the House of Representatives, or if the House of Representatives sends a legislation to the National Assembly with amendments incorporated but the National Assembly cannot reach a consensus regarding the amendments, such a legislation may be presented before a joint sitting of the two chambers of parliament. If the legislation is passed by such a joint sitting, it is forwarded to the President for promulgation by the chamber in which the legislation originated.”¹⁰ Votes may become divided if a legislation is passed as it is, or with amendments. In such a situation, there is the provision for the legislation to be passed by a majority vote of the joint sitting of the two chambers. However, this process does not have to be adopted so far. When legislations are brought to a joint sitting of the parliament, members of the House of Representatives make up two-thirds of the participants, which means that members of the House of Representatives enjoy control of such joint sittings.¹¹ This restricts the revisionary role of the National Assembly. Owing to this constitutional provision, the National Assembly does not carry out too many amendments to legislations originating in the House of Representatives. The chairperson of the Legislation Management Committee reasons, “Even if the National Assembly carries out amendments, if the House of Representatives cannot be convinced, the legislation goes before a joint sitting of the parliament. The House of Representatives has a majority there. One chamber also has to respect the dignity of the other chamber. With that in mind, legislations originating in the House of Representatives are not amended too many.” Another member

¹⁰ Government of Nepal. 2015. *The Constitution of Nepal*. Kathmandu: Government of Nepal. (in Nepali).

¹¹ Rai, Adhiraj. 2018. Law-making Process in the Federal Parliament and Differences between Two Houses. *Federal Parliament Service Souvenir* 7(6): 166–172. (in Nepali).

of the National Assembly said that amendments to legislation focus mainly on three issues. According to the member, the first issue is if a legislation is introduced so as to nullify an existing law. Second, if the intention and theme from which the legislation originates has changed, the National Assembly amends it. The third reason for amendments is to address linguistic and consequential shortcomings that may exist. The member added, “We specify in the legislation the number of members for structures or institutions to be formed in accordance with the Constitution. The House of Representatives will change that number – but the reason behind such changes is not apparent. The changes do not have any substantive effect upon the legislation. Such changes, made without any clear basis, create unnecessary friction between the two houses. The National Assembly does not make such changes.”

The National Assembly had amended the Legislation for Management of Administrative Court, a legislation originating in the National Assembly, and sent it to the House of Representatives. Officials at the Legislation Management Committee said that the House of Representatives had rejected most of the amendments made to it by the National Assembly. However, the National Assembly accepted the changes made by the House of Representatives, and passed the legislation.

4.3 Discussion on legislation at the Legislation Management Committee

The Legislation Management Committee may receive two or more legislations simultaneously. If the committee receives two or more legislations, the legislation arriving first receives priority. However, sometimes, as an exception, if an issue needs to be addressed immediately,

such legislations receive priority. Once a legislation arrives at the Legislation Management Committee, the legislation is mostly deliberated upon over four stages.

4.3.1 Theoretical discussion

In the committee, the first round of deliberations upon a legislation is theoretical. All members of the Legislation Management Committee participate in this discussion. Additionally, members of the National Assembly who have proposed amendments, the minister, the secretary and officials who hold significant responsibilities at the ministry relevant to the legislation are also invited. If they can make the time for it, the minister and the secretary at the Ministry of Law, Justice and Parliamentary Affairs also join the discussion. The ministry proposing the legislation briefs the committee about the legislation. Officials from the Ministry of Law, Justice and Parliamentary Affairs offer their thoughts with a focus on the fundamental values of creating new laws. Members who have proposed amendments present theoretical aspects addressed by their amendments. If an amendment has been registered collectively, one member of the group is permitted to speak. Members who participate in theoretical discussions deliberate upon issues like theoretical standards, provisions in the Constitution, explanations by courts, provisions in international treaties and charters, other legislations complimentary to the proposed legislation, issues missing in the legislation, and international experiences around the legislation.

Members are allocated a very short time during theoretical discussions at the full House of the National Assembly. There, members may not reiterate their opinions. However, when members hold thematically

focused theoretical discussions in the committee, there is no time limit for them to speak. Regarding the importance of theoretical discussions on legislation taking place in the committee, a member said, “Theoretical discussions create the environment to carry forward intense discussions on the legislation. Ministers and officials also get to see that members are serious about the amendments, that they have not proposed the amendments without any thoughts. This also forces ministers and officials to come to legislation discussions adequately prepared.”

4.3.2 Discussions with thematic experts and stakeholders

Before clause-by-clause discussions take place in the Legislation Management Committee, deliberations are held with the minister and the secretary who have proposed the legislation, and representatives of the Ministry of Law, Justice and Parliamentary Affairs. They discuss the impetus, intention, and conceptual aspects behind the proposed legislation. Following this, theoretical and practical aspects of the legislation are discussed with thematic experts, legal scholars, stakeholders, and officials who will implement the law.¹² Only members of the Legislation Management Committee participate in discussions with thematic experts and stakeholders. Members of the committee from which a member has proposed amendments are not invited to these discussions. Final decisions regarding amendments to the legislation are made by members of the Legislation Management Committee.

¹² Legislation Management Committee. 2020. *Legislation Management Committee: Annual Report, 2019/2020*. Kathmandu: Legislation Management Committee. (in Nepali).

After a legislation reaches the Legislation Management Committee, discussions may be held at the local level and with stakeholders as deemed necessary. Stakeholders, as individuals or representatives of organizations, highlight their experiences and the effect the law will have upon its implementation. If it is legislation related to the land, representatives of organizations who work on issues related to the land attend. On legislation related to the forests, organizations like the Federation of Community Forestry User Groups Nepal (FECOFUN) are invited to discussions at the committee. Such discussions help address the concerns of stakeholders and enriches the legislation, ensuring it is widely accepted. For the *Nepal Media Council Legislation 2018*, interaction programs were held with civil society representatives, representatives of media organizations, journalists, etc., across all seven provinces. This legislation, which was very controversial when registered, was passed by the National Assembly without opposition following many amendments. Similarly, discussions were held with stakeholders across all seven provinces for the *Federal, Provincial and Local Levels (Coordination and Interrelationship) Act, 2020*. This legislation, originally registered with the National Assembly, went through extensive amendments following intense discussions. This legislation will prove very important in managing the interrelationship between the three levels of government during the preliminary stage of implementing federalism.

4.3.3 Clause-by-clause discussion

During this stage, individual clauses in a legislation are discussed. If the entirety of a legislation is opened for discussion, starting with the preamble, every single clause of the legislation is discussed. For a

legislation to be discussed in its entirety, the presenter of the legislation must agree to it. Otherwise, only those clauses upon which members have proposed amendments get debated. If a clause has no amendment proposed to it, it is considered to have been accepted and therefore, do not get discussed. Usually, legislations originating in the National Assembly are generally opened for comprehensive discussions in their entirety, while for legislations originating in the House of Representatives, the National Assembly conducts discussions only on clauses which have received amendment proposals.

4.3.4 Report preparation and approval

The secretariat of the Legislation Management Committee prepares a draft report based on the clause-by-clause discussions. All members of the Legislation Management Committee are given the secretariat's report to study. Members of the committee examine whether or not the report adheres to decisions made by the committee. Thereafter, the committee approves and passes the report.

4.4 Number of meetings required to pass a legislation

In comparison to legislation originating in the House of Representatives, the National Assembly holds more frequent discussions on legislation originating with itself (See Annex 3). Regardless of which chamber a legislation originates in, it usually takes more time in the chamber of origin because initial errors included in the legislation need to be corrected, thematic experts and stakeholders are consulted, and discussions are held

with the federal government during the legislation amendment process. In Fiscal Year 2019/2020, the Legislation Management Committee sat for an average of 12 meetings to discuss a legislation registered with the National Assembly. While the committee took, on average, three meetings to conclude its clause-by-clause discussion on legislation originating in the House of Representatives.¹³ In the same Fiscal Year 2019/2020, the *National Sports Legislation, 2018* saw the highest number of meetings take place to discuss it (21 meetings). Among legislation returned to the National Assembly with notes, the *Land Legislation (Eighth Amendment), 2018* saw the most number of meetings (eight meetings) take place to discuss it (See Annex 3).

Meetings of an informal group comprising members from various political parties play a very important role in strengthening legislation and building consensus around it. This group was formed under the initiative of the chairperson of the Legislation Management Committee. Issues that could not be proposed during formal meetings get discussed here. Regarding the importance of the informal group, the chairperson of the committee said, “It is not feasible to repeatedly call formal meetings of the committee to address minor errors in the legislation. They are discussed in informal meetings and the legislation is refined, after which it is passed through a single sitting of the formal meeting.” Many members who have an interest in the legislation also send their opinions to the informal group through party members present in these informal meetings. According to officials at the committee, up to three informal meetings may take place to discuss a legislation.

¹³ A total of 142 meetings had taken place to discuss 11 legislations registered with the National Assembly. A total of 31 meetings of the Legislation Management Committee had taken place to discuss 12 legislations originating in the House of Representatives. The average number of meetings required per legislation has been calculated using these figures.

As much as possible, the general practice is to pass legislation unanimously. However, several legislations have passed on the basis of majority and minority. Specifically, members of the National Assembly shared, legislation introduced by the federal government to benefit an interest group, and sometimes legislations introduced to restrict the rights of provincial and local levels were passed on the basis of a majority vote. They alleged that legislations related to education and forests passed even though they contradicted the spirit of the Constitution. Similarly, a National Assembly member representing the erstwhile Nepal Communist Party (NCP) said that legislation related to land was introduced to benefit an interest group and that political leaders from their party had put intense pressure on members to refrain from proposing amendments to clauses that benefitted that interest group.

5. Participation of National Assembly members in legislation amendment

This section discusses the participation of National Assembly members who presented amendment proposals upon legislation registered with the National Assembly, and legislation sent to the National Assembly by the House of Representatives. In the National Assembly, which was formed in 2017, a total of 41 legislations had been registered by August 22, 2021. Of these, 16 were promulgated by the President. The Guthi Act was rescinded by the government after it proved controversial. The remaining legislations are undergoing various processes (See Annex 4). Since details on the amenders of only 25 legislations could be obtained during this study, these details have been used to discuss participation.¹⁴ Between the first session to the sixth – which ended on July 2, 2021 – the total number of members eligible to register amendment proposals on legislation was 72 (See Annex 2).¹⁵ Their participation has been analyzed in terms of their overall participation, gender, and party affiliation.

¹⁴ Of this number, details regarding members who proposed amendments to 20 legislations were received from the Legislation Management Committee. Details regarding members who proposed amendments to 20 legislations were taken from the Annual Report of the Legislation Management Committee, 2019/2020. Details regarding members who had proposed amendments to other legislation could not be obtained from the Legislation Management Committee despite repeated requests. Of the 25 legislations for which such details could be availed, 17 legislations originated in the National Assembly while eight originated in the House of Representatives (See Annex 1).

¹⁵ The number of members of the National Assembly is 59. However, while studying legislative activities between the First and the Sixth Session of the Assembly, the members who completed their initial two-year tenure have also been counted. However, the chairperson and deputy chairperson of the National Assembly, the chairperson of the Legislation Management

5.1 Overall participation

Overall, only 41 out of the 72 members, or 56.94 %, participated in legislation amendment. Of these, four members, or 5.55 %, were the most active, with between 21 and 24 amendment proposals each. 17 members, or 23.61%, were the least frequent participants, with between one and five amendment proposals. 31 members, or 43.05 %, never tabled an amendment proposal (See Figure 1). This indicates that only a few members of the National Assembly were involved in legislation. There are certain reasons behind this.

First, many members of the National Assembly lack the initiative and thematic expertise. The fact that there is no provision for experts to counsel members has also resulted in lowered participation among members in the legislation amendment process. Regarding this context, a member of the National Assembly said, “There is only a handful of us among the members who can table amendment proposals on our own capability. We carry out research on our own initiative for legislation amendment, meet with thematic experts. But, other members are required to be pushed to do it.” In this regard, the chairperson of the Delegated Legislation and Government Assurances Committee said that, “Due to the lack of a roster of experts and their availability, it has not been possible to register amendment proposals on themes outside the members’ expertise.”

Political parties do not appear to be providing the necessary support to their members of parliament in the legislative process. Each political

Committee, and members who have been appointed to cabinet positions from the National Assembly are barred from proposing amendments. Along with their number, members who died during their tenures, and those elected after the Sixth Session of the Assembly have also not been counted (See Annex 2).

party has its own thematic departments or committees. However, these departments and committees have not provided the necessary assistance to their elected representatives. Constitutions of political parties include provisions for thematic groups. Although party-affiliated members of the parliament expected assistance from such structures, they did not receive any. A member of the National Assembly said, “There are various thematic departments or committees in the party. Such departments and committees are formed with the participation of thematic experts. When we were elected as members of the parliament, we had expected that such departments and committees would assist us. The party should have provided us with trainings on its policies and manifesto, global values, the status and needs of the nation, etc. We could have played a more effective role in the legislative process on the basis of such trainings. But political parties never did any of that.” The member further added that although there are provisions for creating thematic groups within parliamentary parties, it had not been practiced, “Such thematic groups were not established within parliamentary parties either. Not every member of the parliament has knowledge on all subjects. If thematic groups had been formed, members would have joined groups according to their interests, learned new things and taught others what they know.”

The second reason behind the low rate of participation in legislation amendment are members considered to be ‘senior’ among the parties represented in the National Assembly. These members do not appear to be interested in legislation. “Leaders considered ‘senior’ are often absent from meetings and committee discussions. They participate sometimes in matters that affect national politics. But if decisions hinge upon one vote, they will be present,” an official at the Legislation Management Committee said. The chairperson of the Legislation Management Committee added

that such political leaders are not interested in registering amendments because they lack knowledge pertaining to the legislative exercise.

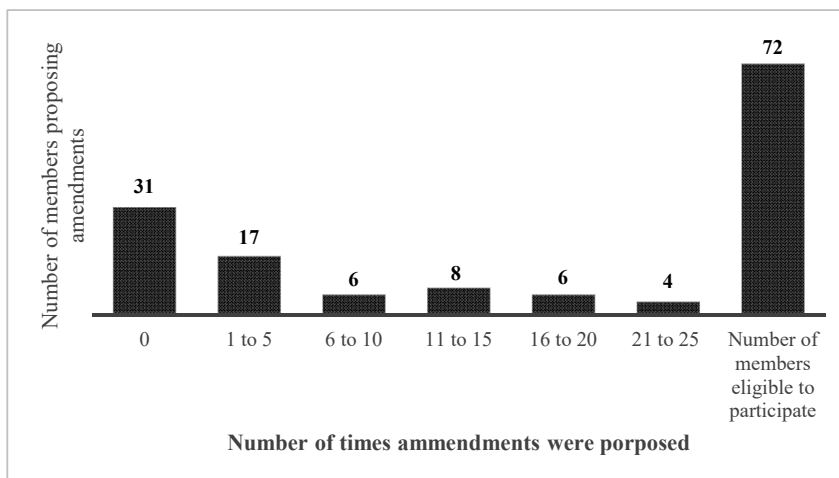
The participation of members of the Legislation Management Committee is higher than members of other committees as clause-wise discussions take place only in the Legislation Management Committee. Consequently, most of the members of the committee have registered the most number of amendment proposals—12 out of the 15 members of the committee have tabled amendments upon legislations which were made available by the secretariat of the Legislation Management Committee during this study (See Annex 2).¹⁶ The chairperson of the committee has not been included in the number of members tabling legislation amendments. Members of the Legislation Management Committee asserted that members of other committees did not show as much interest in amending legislations because they believed that only the members of the Legislation Management Committee could participate in the legislation drafting process. Members of other committees also accepted this fact. A member who has never tabled an amendment on any legislation said, “I am not in the Legislation Management Committee. Amendments to legislations are limited to the Legislation Management Committee. Therefore, my interest in legislation amendment is low.”

Although amendments to legislations are made only in the Legislation Management Committee, legal provisions exist to allow members of other committees to participate in the amendment process. However, such provisions were not being exercised. Regarding this, the chairperson of the

¹⁶ The 15 members of the Legislation Management Committee in August of 2020: Parshuram Meghi Gurung, Khim Kumar Bishwakarma, Jitendra Narayan Dev, Jivan Budha, Thagendra Prasad Puri, Prakash Pantha, Pramila Kumari, Bhairav Sundar Shrestha, Bimala Rai Paudyal, Mrigendra Kumar Singh Yadav, Veduram Bhushal, Taraman Swanr, Devendra Dahal, Radheshyam Paswan, and Bhagvati Nyaupane.

National Interest and Coordination Committee said, “Since legislations are created only in the Legislation Management Committee, there is no mandatory provision for the members of other three committees to table amendments on legislation. That may be the reason why members of other committees are not aware of the legislative process even as they come to the end of their tenures.” This is a pitiable situation, where members of parliament are excluded from the legislative process. Recognizing this, informal discussions have started regarding the amendment of the Rules of Procedures of the National Assembly. Emphasizing the need for reform on this issue, the chairperson of the National Interest and Coordination Committee said, “Even if most of the legislations get to be discussed in the Legislation Management Committee, legislation which is more pertinent to a particular committee must be discussed in the relevant committee, this will encourage members of each committee to participate in the legislative process.” Although the argument that legislation should be discussed in each of the thematic committees has begun, there are also positive aspects to legislation being discussed in only one committee. Members of the National Assembly—especially the members of the Legislation Management Committee—asserted that it is more effective when a single committee discusses a particular legislation. One such member said, “The legislative process in the National Assembly’s Legislation Management Committee is not only quick and efficient, it is also easier in terms of coordination. But in the House of Representatives legislation is debated in 10 different thematic committees. So many themes in a legislation are inter-connected. When one committee focuses on just one theme of a legislation while another committee focuses on another theme, the work becomes fragmented. A lack of coordination between different committees becomes apparent. This lengthens the legislative process.”

Figure 1: Participation of National Assembly members in legislation amendment

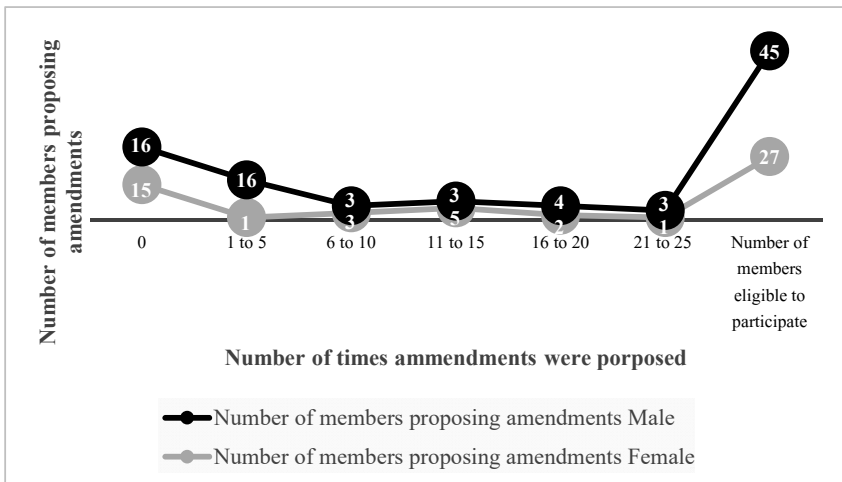


5.2 Participation on the basis of gender

The Constitution provides for at least 22 of the 59 members of the National Assembly to be women. As previously mentioned, the total number of members of the National Assembly eligible to table amendment to legislation was 72. Of these, 27 were women and 45 were men. Of the women, 12 (44.4% of women) were found to have participated in the process, while 29 men (64.4% of men) participated. This indicates low rates of participation by women in the legislation amendment process. The number of women who never tabled an amendment was 15 (55.5% of women), and that of men was 16 (35.5% of men). Of members who frequently tabled amendments, between 21 and 25 times, there was only one woman (3.7% of women) while there were three men (6.6% of men). Similarly, among members who most infrequently tabled amendments, between one to five times, there was one woman (3.7% of women)

while there were 16 men (35.5% of men). Male members made up larger fractions of both those who most frequently and infrequently participated in proposing amendments (See Figure 2). Men and women members of the National Assembly have equal opportunities to propose amendments to legislation. However, statistics show a lower rate of participation by women. A woman member of the National Assembly said, “There is no gender-based discrimination in the process of proposing amendments. But legal knowledge is necessary while working on legislation. The lack of knowledge and understanding of the relevant themes has resulted in ineffective participation in the legislative process.” Although the lack of legal expertise and thematic knowledge was mentioned as the reason behind a lower rate of participation by women, the issue applies equally to men members.

Figure 2: Participation of National Assembly members in legislation amendment on the basis of gender



5.3 Participation on the basis of political parties¹⁷

Four political parties represented in the National Assembly. The erstwhile Nepal Communist Party (NCP) had 50 members; Nepali Congress (NC) had 13 members; Rashtriya Janata Party (RJP) had four members; Sanghiya Samajwadi Forum (SSF) Nepal had two members; and an additional three nominated members made up the 72 members.

From the erstwhile NCP, which had the largest presence with 50 members, a total of 24 members or 48% participated in proposing amendments to legislation. From the SSF, which had the smallest presence with two members, both members participated in proposing amendments to legislations. The two members of SSF each had tabled amendments between 11 and 15 times. Similarly, the RJP has four members. Only two out of the four had proposed amendments. They had proposed amendments between six and 10 times (See Table 1).

Of the 13 members from NC, 11 or 84.6% had proposed amendments. This shows that the opposition party (NC) participated more frequently in the legislation process than the ruling party (the erstwhile NCP). However, the four members who most frequently proposed amendments—between 21 and 24—were all from the ruling party. A total of 26 members of the erstwhile ruling party NCP or 52% and two members from the opposition

¹⁷ Since the Nepal Communist Party (United Marxist and Leninist) and Nepal Communist Party (Maoist Center) had not come into their separate existences by the time of the Sixth Session, this study designates the erstwhile united political party as Nepal Communist Party (NCP). Contrariwise, since the Rashtriya Janata Party Nepal and Sanghiya Samajwadi Forum Nepal existed as separate entities in the National Assembly, their names and number of members have been recorded accordingly.

party NC or 15.3% were among the members who never proposed any amendment to legislation (See Table 1).

The participation in the legislative process by the leadership section of the political parties represented in the National Assembly is miniscule. A member of the National Assembly speculated that the leadership section may have refrained from proposing amendments either because they lack thematic knowledge, or because they consider themselves superior to other members. In this context, the chairperson of the Legislation Management Committee said, “In the parliamentary process, the main function of a member of parliament is to create legislation. However, members of the parliament have not embraced their roles. Participation in the legislation process has also been minimal because many members lack knowledge of the legislative exercise. This also applies to the senior leadership.”

Table 1: Number of members proposing amendments on the basis of political affiliation

Number of times amendments were proposed	Number of members proposing amendments				
	NCP	NC	RJP	SSF	Nominated
0	26	2	2	0	1
1 to 5	12	3	1	1	0
6 to 10	2	3	1	0	0
11 to 15	5	2	0	1	0
16 to 20	1	3	0	0	2
21 to 25	4	0	0	0	0
Total	50	13	4	2	3

6. Legislation in the federal context

6.1 Laws regarding implementation of federalism

A few of the laws essential to the implementation of federalism have been passed by the parliament and promulgated. Some of these laws include—*Federal, Provincial and Local Level (Coordination and Interrelationship) Act, 2020*; *Provincial Civil Service Commission (Basis and Standards Determination) Act, 2018*; *Police Integration Act, 2019*; *Nepal Police and Provincial Police (Operation, Coordination and Supervision) Act, 2019*; and *Employees Adjustment Act, 2017*. Among these, the first two legislations underwent extensive changes following intense discussions in the National Assembly. Debates carried out in the National Assembly were important achievements in the legislative processes related to these laws as they were important for the implementation of the federal system as envisioned in the Constitution.

When the *Federal, Provincial and Local Levels (Coordination and Interrelationship) Act, 2020* was registered at the National Assembly, it was full of contradictions vis-a-vis the Constitution. It contained many provisions which were antithetical to the essence of federalism. The legislation was of vital importance to ensure coordination between the three levels of government in accordance with Article 235 (1) of the Constitution. It proved challenging to correct the flaws inherent in it through detailed discussions and then pass it in a form acceptable to all three levels of government.

Although the jurisdictions of three levels of government were listed in various schedules in the Constitution, they were not clear. In the case of concurrent jurisdictions, there remained the possibility of differing explanations by each level of government. Therefore, it was imperative

to have objective measures and procedures to address conflicts that could arise when such jurisdictions were exercised. It was in this context that the Government of Nepal had registered the *Federal, Provincial and Local Levels (Coordination and Interrelationship) Act, 2020* with the National Assembly.

The purpose of this legislation is to further clarify the jurisdictions of three levels of government and to manage interrelationships between them. In fact, this is the most important aspect of the legislation. The legislation provides for the National Coordination Council and various other thematic committees to create a structural basis to manage and further strengthen interrelationships between the three levels of government. Such structures play a very important role as reliable forums for dialogue between the three levels of government.

When the legislation was registered with the National Assembly, it did not contain any concrete provisions regarding how the concurrent jurisdictions between the three levels of government would be implemented. Instead, it just presented a simple theoretical structure for it. Provisions for coordination included in the legislation were reiterations of contexts mentioned in the Constitution. However, the amendments made in the National Assembly have formed a clear basis for the implementation of concurrent jurisdictions. For instance, Article 6 of the legislation states that issues such as, ‘determination of offence and punishment; construction of infrastructure at the national level, or of national importance, or infrastructure spread across more than one province; and establishment and regulation of standards and measures implemented equally across all provinces’ shall be according to federal laws. This provision delineates limits to the rights of the federal government in the exercise of concurrent jurisdictions. This provision may become very important if provisions

regarding the exercise of concurrent jurisdictions are not clearly spelled out in the Constitution.

Regarding the exercise of concurrent jurisdictions, additional provisions arising from discussions in the National Assembly provide that, ‘construction and operation of infrastructure like province level roads, electricity, drinking water, and irrigation; awareness raising on issues like education, health and environment; employment promotion, entrepreneurship development, social security; province level service delivery; public health, consumer welfare, and quality of public service delivery shall be in accordance with provincial laws.’ Additionally, in the context of local governments exercising their concurrent jurisdictions as provided by the Constitution, the legislation provides for relevant local governments to create legislation regarding – service delivery at the local level, public health and consumer welfare, quality of public service delivery, awareness raising, and to regulate the state of these rights. Thus, the amendments have removed, to a great extent, ambiguities inherent in the original legislation with regard to the exercise of concurrent jurisdictions. These changes have reduced the possibility of conflict which could have arisen during the exercise of concurrent jurisdictions.

The legislation, originally registered with the National Assembly, had not succeeded in providing objective directives to the three levels of government to create new legislation. It had merely repeated theoretical matters contained in the Constitution. However, the amendment made in the National Assembly specifies measures to avoid detrimentally affecting the concurrent jurisdiction of other levels of government while creating new legislations at each of the three levels of government. For instance, it states, when creating federal legislation, the exclusive jurisdictions of provincial and local levels should not be infringed upon; and that when provincial and local levels implement programs, they will be mindful of

the cost, sustainability, and appropriateness of the program in terms of efficiency of service delivery and that the roles of the federal, provincial and local levels will be considered in order to avoid the duplication of implementation, etc. This helps to not only in bringing clarity to the exercise of concurrent jurisdictions, in keeping with the spirit of federalism, it also fosters coordination and cooperation between the three levels of government.

Another important set of amendments made to the *Federal, Provincial and Local Levels (Coordination and Interrelationships) Act, 2020* are in Article 14 and Article 15. Initially, Article 14 allowed for the federal government to provide directives to provincial governments, and for provincial governments to provide directives to local governments while functioning in accordance with the Constitution and prevailing laws. Similarly, Article 15 contained the provision for the federal government to alert provincial and local governments if legislation created by the latter two governments were not in accordance with the federal legislation. This could have created dissatisfaction at local and provincial levels because the provision had clearly resulted from the federal government desire to keep the two governments under its control. However, in the amendments passed by the National Assembly, Article 15 has been removed, and Article 14 has been amended to remove the provision for providing directives and instead include provisions for exchanging information, and for cooperation through discussions and mutual consultations.

The amended legislation became unambiguously clear and matched the spirit of federalism because of the importance given to it by the National Assembly and the expertise of members of the National Assembly. It is only because the National Assembly refined it into a universally acceptable and essential law that the legislation, pertaining to a subject as complex as

that of the distribution of rights between the federal, provincial and local levels, was promulgated without significant controversy or dissatisfaction.

Another important legislation which was registered with the National Assembly and subsequently promulgated is the Legislation to Determine the Standards and Basis for the Functions, Duties and Rights of Provincial Civil Service Commissions. After registration, the legislation underwent important amendments following discussions at the Legislation Management Committee before being passed by the National Assembly. Ultimately, the legislation was promulgated after being passed by the House of Representatives.

Article 244 (3) of the Constitution of Nepal provides for federal laws to determine the standards and basis for the formation of provincial civil service commissions. Therefore, a federal law containing clear standards was needed before provinces could form their respective civil service commissions. The Legislation to Determine the Standards and Basis for the Functions, Duties and Rights of Provincial Civil Service Commissions was registered with the National Assembly for this purpose. The National Assembly corrected ambiguities contained in the original legislation registered with it. For instance, when the legislation was registered, it contained provisions stating that provincial legislation on the civil service commission could not contravene the principles and standards adopted by the federal civil service commission. However, the Constitution only mentions that matters pertaining to the formation and standards of provincial civil service commissions shall be in accordance with federal laws. In this context, the provision that no provincial legislation could contradict the standards and principles of the federal civil service commission appears to constrict the right of provinces to create their own legislation. This could have proved controversial. Discussions in the National Assembly resulted

in the removal of such ambiguous and potentially controversial provisions to be replaced with clear provisions.

The legislation which was ultimately promulgated does not contain any mention about provincial legislation. It only mentions that the principles which must be adhered to by provincial civil service commissions must be in accordance with the standards and principles adopted by the federal civil service commission. It also requires for the principles and standards adopted by the federal civil service commission to be made public. This is aimed at enabling all provincial civil service commissions to transparently operate in accordance with the standards and principles adopted by the federal civil service commission. This amendment intends to ensure that the rights of provinces to legislate does not get infringed upon when provincial civil service commissions follow the directives of the federal civil service commission in accordance with the Constitution.

Important changes were made to a few other legislations which did not originate in the National Assembly, but arrived at the National Assembly after being passed by the House of Representatives. The *Police Integration Act, 2019*; *Nepal Police and Provincial Police (Operation, Coordination and Supervision) Act, 2019*; and *Employees Adjustment Act, 2017*, are examples of legislation which underwent important changes upon arriving at the National Assembly after being approved by the House of Representatives. Regarding the *Nepal Police and Provincial Police (Operation, Coordination and Supervision) Act, 2019*, potential uncertainties pertaining to the jurisdiction of provincial police and Nepal Police have been addressed in the legislation by specifying conditions under which Nepal Police may carry out criminal investigations, such as, ‘if the courts order Nepal Police to carry out investigations into specific crimes,’ and if a case is sensitive because of ‘the severity of the offence, and from a public welfare, public peace, and management perspective.’

Similarly, by adding the provision of holding the provincial government responsible for peace and security in a province, the National Assembly ensured that provincial governments had control over their respective provincial police forces. This provision also addresses the potential conflict between federal and provincial governments regarding their jurisdiction over provincial police. The amendments and changes made in the National Assembly were accepted by the House of Representatives upon being presented there for the second time, following which, the legislation was promulgated.

6.2 Laws regarding implementation of new constitutional provisions

The 2015 Constitution of Nepal made new changes in constitutional structures. These changes include some of the provisions related to the Head of State, new structures like the Constitutional Bench, the jurisdiction of various levels of courts under the judiciary, provisions for various additional constitutional commissions, etc. It is the responsibility of the federal parliament to create laws necessary for the establishment and operation of these new structures. It is also the responsibility of the federal parliament to create, within its first year of formation or three years from the promulgation of the Constitution, the laws related to the fundamental rights of citizens, as specified in the Constitution. As a part of this responsibility, various legislations registered with the National Assembly, like Legislation Related to Children; Legislation Related to Protection of Crime Victims; Legislation to Amend the Environment Act, 1996; and Legislation to Amend the Act Relating to Rights of Persons with Disabilities, 2017 were passed by the National Assembly and subsequently

promulgated. Significant revisions and discussions on these legislations were carried out by the National Assembly within a short period of time.

Among other legislations related to fundamental rights – which did not originate in the National Assembly but arrived there after being passed by the House of Representatives – was the Legislation to Amend the Land Act, 1964, which underwent amendment in the National Assembly. But it appears that the National Assembly passed many other legislations without any amendment. The following were legislations related to fundamental rights which arrived at the National Assembly after being passed by the House of Representatives and were passed by the National Assembly without any amendment:

- Revision and Unification of Environmental Protection Act Legislation
- Social Security Management Legislation
- Right to Employment Management Legislation
- Compulsory and Free Education Management Legislation
- Personal Confidentiality Management Legislation
- Right to Food and Food Sovereignty Management Legislation
- Right to Shelter Management Legislation
- Public Health Services Management Legislation
- Right to Safe Motherhood and Reproductive Health Management Legislation
- Revision and Consumer Protection Act Legislation

6.3 Laws regarding state operation

Apart from laws for implementing federalism and introducing new constitutional provisions, the federal parliament created laws essential for the operation of the state. In this context, the National Assembly passed the following legislations registered with it after deliberations in the Assembly, which were subsequently promulgated:

- Administrative Court Legislation, 2018
- Advertisement Regulation Management Legislation, 2018
- Certification Act 1974 Amendment Legislation, 2018
- Legislation to Amend a few Nepal Acts on Education, 2018
- Sports Development Management Legislation, 2018
- Legislation to Amend a few Nepal Acts on the Civil Code, 2018
- Control of International Trade of Endangered Flora and Fauna Legislation (First Amendment), 2018
- Legislation to Amend Civil Investment Fund (1991), 2018
- Legislation to Amend the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act, (2014), 2018
- Legislation to Amend the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act, (2014) (First Amendment), 2018

The following legislations were first registered with the House of Representatives and thereafter sent to the National Assembly. They were

returned by the National Assembly to the House of Representatives without any amendment or change.

- Public-Private Partnership and Investment Management Legislation
- Auditing Management Legislation, 2018
- Legislation to Amend and Unify Foreign Investment and Technology Transfer Laws
- National Medical Education Legislation, 2018
- Legislation to Amend Special Economic Zone Act, 2016

Multiple legislations originating in the House of Representatives were returned by the National Assembly after amendments and changes. Most such amendments and changes were technical or linguistic. Legislations thus passed by the National Assembly were also passed by the House of Representatives. However, in many instances, the House of Representatives had rejected the amendments and changes made by the National Assembly while re-ratifying the legislation at the House of Representatives. For instance, while passing the Legislation to Amend and Unify the Forest Act, the House of Representatives had rejected most of the amendments and changes made to it by the National Assembly. The following legislations originating in the House of Representatives underwent amendments and changes after deliberation at the National Assembly:

- National Identity Card and Registration Legislation, 2018
- Legislation to Amend and Unify Prevailing Laws on Industrial Occupations
- Legislation to Amend and Unify Forest Act

- Fiscal Procedures and Fiduciary Responsibility Management Legislation, 2018
- Pesticides Management Legislation, 2018
- Land Use Management Legislation, 2018
- Safeguards, Anti-Dumping and Countervailing Management Act
- Atomic and Radioactive Materials Protection and Safe Use Management Legislation, 2018
- Pension Funds Management Legislation, 2018

7. Practice of non-government legislation

Normally, the government prepares a draft legislation, which is then presented before the parliament by its minister. However, members of the parliament may also present legislation in accordance with the Constitution and the rules and regulations of the House of Representatives and the National Assembly. Such legislation is termed non-government legislation. National Assembly member Prakash Pantha registered a non-government legislation related to social security at the National Assembly. This was the first non-government legislation in parliamentary practice since the new Constitution came into effect.

Pantha's legislation was tied to a fundamental right. The government was under constitutional pressure to pass legislation related to fundamental rights within a fixed deadline. Therefore, it rushed to register with the parliament many legislations related to fundamental rights. Recalling the situation in those days, Pantha says, "The government sent a barrage of legislations related to fundamental rights." However, he found an error in the Social Security Legislation. It had failed to include pensions being distributed to persons with 'B' category disabilities and to single women under 60 years of age. All pensions under social security were being distributed through Government of Nepal decisions before the Act was created. As soon as the legislation was passed in September, pensions distributed to persons with 'B' category disabilities and to single women under 60 years of age were suspended. Although Pantha had pointed out the error in parliament, the legislation passed with a majority vote. He registered a non-government legislation to correct this error. According to Pantha, his legislation has been languishing, without being put into due process. Instead, the government issued an ordinance to continue

distributing the pensions which had been left out. He says, “Either my legislation should be passed, or the ordinance should be passed. Just because they wanted to avoid giving credit to an opposition member of parliament, the non-government legislation that I proposed was not put into the process.” In Nepali legislative practice, non-government legislations are not accommodated much. Since 1991, only two such legislations have passed. Since the government enjoys a majority in the parliament, such legislation does not pass unless the government wants it to. Therefore, members of the parliament are not very eager to introduce such legislation.¹⁸

¹⁸ Adhikari, Radheshyam. 2020. Constitutional Expectations in the Federal Law-making Process. *Citizen Dialogue Bulletin* 5(6): 34–36. (in Nepali).

8. Post-legislation audit

The implementation of laws and the creation of subsidiary laws happens through the executive body. It is the parliament's function to monitor and evaluate the implementation of laws, and assess whether the intended aims of these laws are being achieved. This practice of the parliament is called the post-legislation audit. In accordance with the *National Assembly Regulation, 2018*, the Legislation Management Committee and the Delegated Legislation and Government Assurances Committee of the National Assembly carry out the post-legislation audit process.

8.1 Assessing implementation of Acts

Functions like creating new laws, revising or amending them, and invalidating irrelevant laws were carried out under previous systems as well. Decisions on the relevance of such laws, or whether they were right or wrong, were taken by the rulers.¹⁹ However, now, thematic committees at the National Assembly are appointed to amend or invalidate laws through elected representatives based upon social need. For the first time in Nepal's legislative practice, the *National Assembly Regulation, 2018*, provided for the Legislation Management Committee of the National Assembly to carry out functions related to assessing the implementation of Acts.

¹⁹ Gurung, Parashuram Meghi. 2020. *Social Audit of Law in Nepal (Post-legislative Audit)*. Kathmandu: Legislative Management Committee. (in Nepali).

8.1.1 Preparation to assess implementation of Acts

The Legislation Management Committee initiated its functions by preparing the *Act Implementation Measurement, Study and Research Procedures, 2018*. Similarly, in the initial stages four thematic sub-committees to assess, study and research Acts have been formed.²⁰ These sub-committees study Acts the Legislation Management Committee found significant and present their reports before the committee. Discussions are then held on these reports. The committee requests ministries/commissions and entities formed under the Act to provide relevant Acts and subsidiaries laws for it to assess, study and investigate implementation within 15 days. However, some of these entities did not provide the committee the necessary details. Laws are created in order to achieve the policy goals of the government. But Nepali government's ministries lacked an updated record on existing thematic laws pertaining to them. According to the chairperson of the Legislation Management Committee, the fact that ministries, entities, and commissions failed to provide the committee with comprehensive details on existing laws, it became difficult to begin the task of assessing the implementation of Acts.

8.1.2 Assessing implementation of Acts and facts gathered

The work of assessing the implementation of an Act begins with complaints or requests registered about a specific law or the need to analyze a particular law as indicated by the judiciary. Alternatively, this can also arise from

²⁰ These subcommittees were: Subcommittee to Study Laws Related to Transportation; Subcommittee to Study Laws Related to Land; Subcommittee to Study Laws Related to Health and Education; and Subcommittee to Study Laws Related to Consumer Rights Protection.

the need for legal analysis during the regular functioning of parliamentary committees, etc. After themes are chosen on this basis, the implementation of an Act is assessed through discussions and interactions with stakeholders. In many situations, methods like site visits and monitoring are also used to assess the implementation of an Act. The *Act Implementation Assessment, Study and Research Procedure, 2018* provides for all of these methods to be employed as necessary.²¹

The Legislation Management Committee identified various trends in the implementation of Acts based on assessments employing various methods and basis included in the aforementioned procedure. For instance, the committee found that many Acts were very old, while a few Acts had been created, but had not been implemented. The committee pointed out the *Interpretation of Laws of Nepal Act, 1954* and *Development Board Act, 1956* as being very old. Laws like *Nepali Language Publication Corporation Act, 1964* and *Judiciary Fund Act, 1986* contained the provision that they would ‘come into effect from the date specified’ after their publication in the National Gazette. However, these laws were never published in the National Gazette and were therefore, never implemented. Similarly, it was found that projects worth large sums had continuously been implemented on the basis of directives, procedures, and formation orders without creating necessary laws. Agricultural projects and the formation of the Development Board which are still in operation in Nepal are some such examples. The study conducted by the committee shows that projects worth Legislations of rupees have been implemented on the basis of directives because there is no Agriculture Act in place. There are 19 Development Boards which have been constituted under

²¹ Legislation Management Committee. 2019. *Legislation Management Committee: Annual Report, 2018/2019*. Kathmandu: Legislation Management Committee, Federal Parliament Secretariat. (in Nepali).

formation orders issued on the basis of the *Development Board Act 1956*. The National Planning Commission, an institution responsible for creating the policies and programs of the federal government, has been functioning through a formation order. Apart from this, development committees at other important institutions of the Government of Nepal like Radio Nepal, National Information Technology Center, and Civil Service Hospital, etc., have been operating on the basis of formation orders. The committee recommended carrying out the necessary amendments to the *Development Board Act, 1956* in order to end the trend of operating entities of a permanent nature for many years merely on the basis of a provision in the Act that, ‘a committee may be formed to implement any development program or development work.’²²

As a concrete step towards measuring the implementation of an Act, the Legislation Management Committee started working on the *Social Practices (Reform) Act, 1976*. Although this Act is related to the life of a person (birth, marriage and death), it was created a long time ago. It has become too complicated and impractical to manage social practices of citizens in the present. Therefore, the committee had made it a priority to analyze its implementation. Similarly, the *Infectious Diseases Act, 1964* was too brief, and was issued to address the realities of a Nepal 57 years ago. The committee pointed out that the Act was not practical in addressing the COVID-19 pandemic, and that a new Act is necessary. The committee reached the conclusion that it has been difficult to employ the full force of the law because of the scattered nature of legal provisions and duplications created by this situation. The committee pointed out the need for the long-term unification and revision of health-related laws and

²² Legislation Management Committee. 2019. *Legislation Management Committee: Annual Report, 2018/2019*. Kathmandu: Legislation Management Committee, Federal Parliament Secretariat. (in Nepali).

submitted recommendations to the government to invalidate the Infectious Disease Act currently in force and replace it with a unified umbrella Act related to infectious diseases.²³ The urgent need to create an umbrella law has arisen in the federal context because the coordination and cooperation between the three levels of government during the COVID-19 pandemic, especially lockdowns, mobilization of security apparatuses, enforcing social distancing, distribution of relief material, etc., had to be carried out without a clear legal foundation. But, contrary to the recommendations of the committee, the government gave preference to ordinances to address the crisis of infectious diseases.

At the present, in order to make the task of assessing the implementation of Acts a regular occurrence, the Act itself contains the provision for every new law passed by the National Assembly to undergo evaluation at five-year intervals, and submit reports to the Legislation Management Committee.

8.2 Delegated legislation monitoring

Delegated legislation is legislation created by entities other than legislative bodies. Since the parliament is required to pass many laws and this is a very time consuming process, the legislative often delegates authority to relevant entities or the government to create laws on procedural issues. No Act is capable of addressing situations unforeseen encountered during the implementation when it is being created. Further, since the size of

²³ Legislation Management Committee. 2020. *Legislation Management Committee: Annual Report, 2019/2020*. Kathmandu: Legislation Management Committee, Federal Parliament Secretariat. (in Nepali).

an Act would become over-inflated if all issues were to be included, a legislation only includes the essential issues, punitive provisions, and broad ideas regarding implementation. But these matters alone are not sufficient to ensure the proper functioning of the law. Therefore, the government or other entities create the necessary regulations, manuals, procedures, formation orders, etc., based on the Act. Such laws are known as subsidiary, secondary, or complimentary laws.

8.2.1 Delegated legislation monitoring and complaints

The very first provision regarding delegated management was created in the House of Representatives Regulations in 1959. After 1992, delegated legislation assessment was included in the jurisdictions of both the National Assembly and the House of Representatives. Committees within the Legislative Parliament of 2006, and the Constituent Assembly in existence between 2007 and 2015, were also given the task of delegated legislation management. However, their functioning was not very effective.²⁴ At present, too, the *National Assembly Regulation, 2018* appoints the Delegated Legislation and Government Assurances Committee of the National Assembly. The committee is responsible for delegated legislation management. Similarly, the *House of Representatives Regulation, 2018* has also tasked various thematic committees with this duty. When inquired about the differences that may arise when committees within the two chambers of the parliament carry out the same work, it appeared that

²⁴ Delegated Legislation Management and Government Assurance Committee. 2021. *Delegated Legislation Management and Government Assurance Committee: Second Annual Report, 2020/2021*. Kathmandu: Delegated Legislation Management and Government Assurance Committee, Federal Parliament Secretariat. (in Nepali).

committees in the House of Representatives were not very attentive to issues related to the delegated legislation management. In this context, the chairperson of the Delegated Legislation and Government Assurances Committee said, “I have no knowledge of any other committee looking into delegated legislation. But the House of Representatives should be responsible for it. The House of Representatives can utilize all the authorities of this committee, but it has not done it so far.”

Problems have arisen when the executive body delegated the responsibility to create subsidiary laws to the Constitution Commission and other entities. Delegating authority from the legislative body allows non-legislative entities to indulge their interests. It was found that when such entities created subsidiary laws, they contravened the principles, limits, values, and authority of delegated legislation. A member of the Delegated Legislation and Government Assurances Committee said, “The federal parliament has been given the responsibility of legislating at the federal level. However, by some estimate, the federal parliament creates only about 20 percent of the laws. The executive body, through delegated legislations, carries out the remaining 80 percent of the work. This trend has also been abused.” Agreeing with this sentiment, another member of the National Assembly mentioned that interference by the executive is not limited to delegated legislation alone, but also in the main Acts, through sophistry of language and terminology. According to the member, the phrase ‘prescribed or as prescribed’ is used widely in the Acts. Similarly, even when a legislation contains all the details necessary on an issue, the phrase ‘necessary documents’ is added. These tactics allow the executive body to interpret the laws to suit its needs and function according to its own interests.

The National Assembly’s Delegated Legislation and Government Assurances Committee has started its preliminary work. The committee had published a public notice inviting complaints if delegated laws issued

under an Act have been contradictory and therefore difficult to implement, or if they have been abused. The deputy chairperson of the committee said, “We have published notices in the *Gorkhapatra*, inviting complaints. There is no fixed process for registering complaints. If we receive complaints, we will initiate the necessary processes.” The committee has addressed three complaints it has received so far under this provision. The committee received a complaint that information was issued in contravention of the *Drugs Act, 1978*. Nepal Poultry Federation had registered a complaint stating that the *Animal Health and Livestock Services Act, 1999*; *Livestock Services Regulations, 2000*; and the Procedures of Examination of Products of Animal Origin Livestock Product Materials were mutually contradictory. The committee had discussed the complaints with stakeholders and directed relevant ministries to study these issues. Similarly, after stakeholder discussions on complaints received about compensation for Guthi Sansthan lands, the committee directed the government and the Guthi Sansthan to disburse monies owed as a share of the tenant’s compensations.²⁵

8.2.2 Study of existing delegated legislations and facts gathered

In 2018, the Delegated Legislation and Government Assurances Committee had asked for current delegated laws under all ministries of the Government of Nepal, constitutional bodies, the Supreme Court, independent and public organizations. The committee had issued directives to relevant entities based on a ‘cursory study from a theoretical perspective’ of the laws

²⁵ Delegated Legislation Management and Government Assurance Committee. 2021. *Delegated Legislation Management and Government Assurance Committee: Second Annual Report, 2020/2021*. Kathmandu: Delegated Legislation Management and Government Assurance Committee, Federal Parliament Secretariat. (in Nepali).

received. The study found that some delegated legislation contravened the main law or the Constitution; that laws had been issued beyond the jurisdiction of the delegated authority; and that delegated legislation included essential issues which should have been included in the main Act. In order to avoid such errors, the committee has issued a directive stating that delegated laws should be submitted to the committee within 15 days of being issued.

The committee formed sub-committees to study some delegated laws in sectors of public interest, like education, health, communications, electricity, transportation, land, labor, employment, social security, commerce and supplies, cooperatives, etc. The study found that, on one hand, some delegated laws failed to indicate which clause in which Act had delegated it the authority, whereas, on the other hand, irrelevant sources were cited as the origin of their authority. Some delegated laws based on the *Public Health Service Act, 2018* and *Public Health Service Regulations, 2020* may be taken as examples of this. Sub-Clause 3 of Clause 7 (To provide quality health service) of the *Public Health Service Act, 2018* provides that, ‘The Federation, Province and Local Level shall, in order to implement this Act, make arrangement for human resources, technology and equipment in such institutions on the basis of necessity after establishing health institutions that have fulfilled the prescribed standards.’ In this context, Sub-rule 2 of Rule 9 of the *Public Health Service Regulation, 2020* states, ‘The physical capacity and facilities, manpower, laboratory, blood circulation and other criteria of the health institutions as per Schedule 7 shall be as designated by the Ministry in a notice published in the Nepal Gazette’ appears to re-delegate the delegated authority. This is considered contradictory to the general principle of delegated legislation.

In principle, no additional delegation of authority is possible except that which is delegated by the parliament. Similarly, it is not clear upon

which law the *Covid-19 Patient Transport Team (PTT) Guideline, 2020*, is based—even though it should have been based upon the *Public Health Service Act, 2018*. The *Guideline for Management of Healthcare Workers and Other Officials Directly Involved in Covid-19 Patient Treatment, 2020*—which should have been formed under the *Public Health Service Act, 2018*—takes as its original law the *Interim Directive for Covid and Other Health Services Delivery in the Context of the Covid Pandemic, 2020*, which the committee has identified as an irrelevant law.²⁶

Programs that disburse grants amounting to millions of rupees have been carried out through directives. That too, not as an exception, but as a matter of regular functioning. The *Agricultural Infrastructure Development and Agricultural Mechanization Promotion Program Operation Procedure, 2018* can be taken as an example. This procedure is among delegated legislation created without mentioning in their preamble any legal source. According to Clause 10 (1) of the procedure, ‘A maximum budget of up to NPR 200 million will be available for grant recipients selected for new constructions under the Agricultural Market Infrastructure Development Program and grants thus provided shall not exceed 85% of the total cost of construction or more than NPR 20 million. For private organizations or companies, the grant amount provided shall not exceed 50% of the total cost.’ The committee has determined that the provision in the procedures to provide such large amounts as grants is contradictory to the general principles of delegated authority.²⁷ The Ministry of Agriculture does not

²⁶ Delegated Legislation Management and Government Assurance Committee. 2021. *Delegated Legislation Management and Government Assurance Committee: Second Annual Report, 2020/2021*. Kathmandu: Delegated Legislation Management and Government Assurance Committee, Federal Parliament Secretariat. (in Nepali).

²⁷ Delegated Legislation Management and Government Assurance Committee. 2021. *Delegated Legislation Management and Government Assurance Committee: Second Annual*

have accurate statistics about how many laws related to agriculture are in force at the moment. The committee had started working on delegated legislation related to agriculture because agriculture is relevant to the average citizen. However, no laws were found which addressed the issue of taking agriculture forward at the policy level. Regarding this context, a member of the Delegated Legislation and Government Assurances Committee said, “There are laws related to food, quarantine, plants, etc., connected to agriculture. But, there are no laws directly addressing agriculture. Fertilizers are related to agriculture—of which there is a perennial shortage. Therefore, it is an issue directly affecting the people. But, we could not find any legal basis for the import of fertilizers. The work has been carried out by creating directives.” The member said that such directives are based on irrelevant Acts, and added, “Such directives change nearly every year, with new ministers and ministry secretaries. Nobody knows how many directives and delegated legislations exist in the agricultural sector. The Ministry does not know it. Whichever new person arrives there creates new directives to suit their interests. When we inquired, some people said there are 150 such laws, while others said there are 200.”

There are examples where functions, duties, and rights of officials have been expanded in additional clauses inserted into amendment legislation even though their functions, duties, and rights have already been clearly defined in the main Act. This is against the principle of delegation. The legislation to amend the *Standard Measurement and Weight Act, 1968*, registered during the Sixth Session of the National Assembly can be taken as an example of this. Member of the National Assembly Devendra Dahal, while participating in the theoretical discussion on the legislation, said,

Report, 2020/2021. Kathmandu: Delegated Legislation Management and Government Assurance Committee, Federal Parliament Secretariat. (in Nepali).

“The Sub-Clause (9) had been inserted below Sub-Clause (8) of the main Act. The new clause mentions that functions, duties, and rights of the Inspector shall be as prescribed. Seven rights and duties have already been mentioned there. But this amendment says that there will be additional functions as prescribed.”

The Delegated Legislation and Government Assurances Committee carries out regular discussions and debates with various entities. This has helped in pointing out irregularities in delegated legislation management and in increasing the awareness of relevant officials. Additionally, there is greater emphasis during the theoretical discussions on the legislation process, and during the clause-by-clause discussion of delegated legislations to attentively clarify provisions related to delegated legislation in the main Act itself. The practice of avoiding abstract issues and including all essential issues into the main Act itself has been initiated.

9. Challenges to legislative process

The National Assembly lacks financial, physical, and human resources, which has a direct impact upon the legislative process. The Legislation Management Committee faces high pressure to create legislation while its available personnel and physical infrastructure is minimal.

Each committee has four to five parliamentary officials, but they are incapable of providing the necessary technical assistance to members of the National Assembly.²⁸ An official of the Legislation Management Committee said, “Had we got officials who were law experts in our committee, we could have provided more effective technical assistance to our members. Since there is no mention of expertise of work in requirement of official, we do not have any expert in the committee. We have faced difficulties since administrative officials should perform technical duties too.” The documentation process at the secretariat of the Legislation Management Committee has been ineffective because of the lack of human resources. Because of this, National Assembly members said that it has been difficult to obtain the facts and statistics necessary to study legislative issues, leaving them to make decisions at their own discretion. During this study, too, many documents requested could not be obtained. Similarly, since the responsibility of measuring the implementation of Acts has come to the Legislation Management Committee, the committee is in need of human resources to carry out necessary studies. But, at present, the committee does not have the necessary human resources. There is also a lack of experts to counsel members of the National Assembly on various

²⁸ Pradhan, Krishna Man. 2020. Law-making: Role of Parliamentary Committees. *The Himalayan Times*. Available at: <https://thehimalayantimes.com/opinion/law-making-role-of-parliamentary-committees>; accessed on 23 September 2021.

subjects. Therefore, members say that it is necessary for the Parliament Secretariat to create a roster of experts on various subjects and create an environment where members may consult the experts as necessary. At the moment, when members need information on subjects with which they are unfamiliar, the onus of finding thematic experts is upon the members themselves.

The federal parliament also faces a lack of physical infrastructure. Members said that there is a lack of physical infrastructure like computers, fast internet, and office spaces, which are necessary for each member to work efficiently. A member said that they were submitting handwritten amendments to legislation because of a lack of computers. The member complained that this wasted their personal time, along with the time of the committee. Similarly, it was stated that the lack of a budget made it difficult to create and implement their work itinerary.

10. Conclusion

The National Assembly has been active in its legislative capacity ever since its establishment in 2017. Its contributions have been especially significant in creating legislation essential to the implementation of federalism, implementing the new provisions included in the Constitution, and operating the state. Amendments and discussions held in the Legislation Management Committee upon legislation registered by the Government of Nepal have brought theoretical clarity to them and increased their quality. Apart from that, interactions and discussions carried out with various stakeholders, thematic experts, and legal scholars have helped to make legislation more widely acceptable, and created a sense of ownership over them.

Following extensive discussions in the National Assembly, positive and significant changes have been made to legislation registered with the National Assembly or legislation originating in the House of Representatives. This may prove crucial to the implementation of federalism. Specifically, laws like *Federal, Provincial and Local Levels (Coordination and Interrelationship) Act, 2020*; *Provincial Civil Service Commission (Basis and Standards Determination) Act, 2018*; *Police Integration Act, 2019*; *Nepal Police and Provincial Police (Operation, Coordination and Supervision) Act, 2019*, etc., will certainly assist in the implementation of federalism. The principles and structures created by these laws will have a sustainable effect upon constitutional development in Nepal.

However, the National Assembly does not appear to have carried out significant changes to or discussions upon legislation received after being passed by the House of Representatives. There is not an equal amount of

initiative shown by members of the National Assembly regarding other legislation required for state operation. Moreover, many legislations brought against the spirit of federalism to address interest groups have been passed by the National Assembly. This may lead to questions on the National Assembly's constitutional responsibility in carrying out a detailed assessment of legislation presented before it. There are other circumstances as well that may lead to such questions. Among them is the limited participation of National Assembly members in the legislative process. The main reasons behind this are –limited knowledge among members on the legislative practice, the lack of officials and experts to adequately assist in the study and discussion of legislation, the lack of interest among leadership in legislation, etc. The legal provision of carrying out discussions upon legislation only in the Legislation Management Committee of the National Assembly has contributed toward reducing the participation of members.

Along with its legislative responsibilities, the National Assembly also has a post-legislative function. The National Assembly has initiated a few programs aimed at measuring the implementation of laws. Since both the concept and experiment of measuring the implementation of laws is new to Nepal, it is challenging to implement and determine the standards for it. The steps taken by the National Assembly to analyze and review laws created through the use of delegated authority have been praiseworthy. However, it appears necessary to become more serious and bear greater responsibility in this regard. It is necessary for the National Assembly to become determined to stop the trend of creating laws which overstep the limits of delegated authority and which abuse state resources. Additional resources and separate legal structures seem necessary for these post-legislative functions. The Government of Nepal must make the necessary arrangements for it.

Annexes

Annex 1: List of legislations referred for this study, and National Assembly members who submitted amendment proposals

S.N.	Legislation	Legislation registered at	Amendment proposed by	Remarks
1	Industrial Enterprises Legislation, 2019	House of Representatives	Prakash Pantha, Anita Devkota	Collective
2	National Identity Card and Civil Registration Legislation, 2019	House of Representatives	Thagenda Prakash Puri, Udaya Sharma Paudel, Singha Bahadur Biswakarma, Nanda Chapai, Yootol Tamang, Meena Budha, Ramlakhan Chamar, Chakra Prasad Snehi, Hari Charan Shiwakoti, Khim Kumar Bishwakarma, Ramprit Paswan	Collective
			Ramprit Paswan	Individual
3	Safeguards, Anti-dumping and Countervailing Legislation, 2019	House of Representatives	Ram Narayan Bidari	Individual
			Pramila Kumari	Individual
			Thagenda Prakash Puri, Udaya Sharma Paudel, Sher Bahadur Kunwar, Singha Bahadur Bishwakarma, Meena Budha, Dil Kumari Rawal 'Parwati', Ramlakhan Chamar, Chakra Prasad Snehi, Khim Kumar Bishwakarma	Collective
			Jitendra Narayan Dev, Radheshyam Adhikari, Anita Devkota, Prakash Pantha	Collective

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
4	Commission for the Investigation of Abuse of Authority (Third Amendment) Legislation, 2020	National Assembly	Brikshesh Chandra Lal	Individual
			Pramila Kumari	Individual
			Radheshyam Adhikari, Sarita Prasai, Jitendra Narayan Dev, Prakash Pantha	Collective
			Thagendra Prakash Puri, Udaya Shamra Paudel, Sher Bahadur Kunwar, Nanda Chapai, Yootol Tamang, Hari Charan Shiwakoti	Collective
			Bimala Rai Paudyal	Individual
			Ram Narayan Bidari	Individual
5	Nepal Civil Aviation Authority Legislation, 2020	National Assembly	Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Taraman Swanr, Shinga Bahadur Bishwakarma, Nanda Chapai	Collective
			Radheshyam Adhakari, Prakash Pantha, Anita Devkota	Collective
			Devendra Dahal	Individual
			Ram Narayan Bidari	Individual
			Jitendra Narayan Dev	Individual
			Bimala Rai Paudyal	Individual

Legislative Procedures of the National Assembly

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
6	Nepal Air Services Authority Legislation, 2020	National Assembly	Radheshyam Adhikari, Prakash Pantha, Anita Devkota	Collective
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Taraman Swanr, Shinha Bahadur Bishwakarma	Collective
			Beduram Bhushal	Individual
			Devendra Dahal	Individual
			Ram Narayan Bidari	Individual
			Jitendra Narayan Dev	Individual
			Bimala Rai Paudyal	Individual
7	Nepal Special Service Legislation, 2020	National Assembly	Ram Narayan Bidari	Individual
			Pramila Kumari	Individual
			Radheshyam Adhikari, Sarita Prasai, Prakash Pantha, Dhankumari Khatiwada	Collective
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Bhairav Sundar Shrestha, Nanda Chapai, Meena Budha, Khim Kumar Bishwakarma, Dil Kumari Rawal 'Parwati', Yootol Tamang, Jivan Budha	Collective
			Bimala Rai Paudyal	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
8	Nuclear Legislation, 2019	House of Representatives	Ram Narayan Bidari	Individual
			Bimala Rai Paudyal, Thagendra Prakash Puri	Collective
			Radheshyam Adhikari, Anita Devkota, Prakash Pantha	Collective
9	Evidences (Second Amendment) Legislation, 2019	National Assembly	Brikshesh Chandra Lal, Ramesh Prasad Yadav	Collective
			Radheshyam Adhikari, Binda Devi Ale (Rana), Dhankumari Khatiwada, Sarita Prasai	Collective
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Ramlakhan Chamar	Collective
			Ram Narayan Bidari	Individual
10	Police Integration Legislation, 2019	House of Representatives	Sarita Prasai, Prakash Pantha, Jitendra Narayan Dev, Rameshjung Rayamajhi	Collective
			Thagendra Prakash Puri, Udaya Sharma Paudel, Sher Bahadur Kunwar, Dil Kumari Rawal 'Parwati', Jivan Budha, Singha Bahadur Bishwakarma, Chakra Prasad Snehi, Khim Kumar Bishwakarma, Haricharan Shiwakoti, Meena Budha, Nanda Chapai, Youtube Tamang, Ramlakhan Chamar	
			Bimala Rai Paudyal	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
11	Seeds (Second Amendment) Legislation, 2019	National Assembly	Prakash Pantha	Individual
			Beduram Bhushal, Devendra Dahal, Taraman Swanr, Sher Bahadur Kunwar, Udaya Sharma Paudel, Nanda Chapai, Thagendra Prakash Puri, Singha Bahadur Bishwakarma, Ramlakhan Chamar, Radheshyam Paswan	Collective
			Ram Narayan Bidari	Individual
			Bimala Rai Paudyal	Individual
12	Plant Protection (First Amendment) Legislation, 2019	National Assembly	Beduram Bhushal, Devendra Dahal, Taraman Swanr, Sher Bahadur Kunwar, Udaya Sharma Paudel, Nanda Chapai, Thagendra Prakash Puri, Singha Bahadur Bishwakarma, Ramlakhan Chamar, Radheshyam Paswan	Collective
			Ram Narayan Bidari	Individual
13	Prevention of Corruption (First Amendment) Legislation, 2020	House of Representatives	Pramila Kumari	Individual
			Radheshyam Adhikari, Badri Prasad Pande, Prakash Pantha	Collective
			Brikshesh Chandra Lal	Individual
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Meena Budha, Haricharan Shiwakoti, Yootol Tamang, Ramlakhan Chamar	Collective
			Bimala Rai Paudyal	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
14	Land (Eighth Amendment) Legislation 2019		Radheshyam Adhikari, Sarita Prasai, Badri Prasad Pande, Prakash Pantha	Collective
			Pramila Kumari	Individual
			Bimala Rai Paudyal	Individual
			Jivan Budha, Ramchandra Rai, Raj Kumar Kunwar	Collective
			Ram Narayan Bidari	Individual
			Brikshesh Chandra Lal, Ramesh Prasad Yadav	Collective
			Thagenda Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Dil Kumari Rawal Thapa 'Parwati', Singha Bahadur Bishwakamra, Chakra Prasad Snehi, Khim Kumar Bishwakarma, Haricharan Shiwakoti	Collective
			Ramlakhan Chamar	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
15	Nepal Media Council Legislation, 2019	National Assembly	Pramila Kumari	Individual
			Sundra Raj Pandey, Radheshyam Adhikari, Sarita Prasai, Jitendra Narayan Dev, Dhan Kumari Khatiwada, Anita Devkota, Prakash Pantha	Collective
			Bimala Rai Paudyal	Individual
			Thagenda Prakash Puri, Sher Bahadur Kunwar, Ramlakhan Chamar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Khim Kumar Bishwakarma, Yootol Tamang, Haricharan Shiwakoti, Jivan Budha	Collective
			Brikshesh Chandra Lal	Individual
			Jivan Budha, Raj Kumar Kunwar, Mahesh Kumar Mahara	Collective
			Suman Raj Pyakurel	Individual
			Ram Narayan Bidari	Individual
16	Industrial Enterprises Development Institute (First Amendment) Legislation, 2019	House of Representatives	Thagenda Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Khim Kumar Bishwakarma, Meena Budha, Yootol Tamang, Chakra Prasad Sneh, Dil Kumari Rawal Thapa 'Parwati', Nanda Chapai	Collective
			Radheshyam Adhikari, Sarita Prasai, Prakash Pantha	Collective

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
17	Kathmandu Valley Public Transportation (Management) Authority Legislation, 2020	National Assembly	Radheshyam Adhikari, Sarita Prasai, Binda Devi Ale (Rana), Dhan Kumari Khatiwada, Jitendra Narayan Dev, Anita Devkota, Prakash Pantha	Collective
			Ram Narayan Bidari	Individual
			Thagendra Prakash Puri, Udaya Sharma Paudel, Sher Bahadur Kunwar, Singha Bahadur Bishwakarma, Chakra Prasad Snehi, Khim Kumar Bishwakarma, Haricharan Shiwakoti, Meena Budha, Nanda Chapai, Yootol Tamang, Ramlakhan Chamar	Collective
			Brikshesh Chandra Lal	Individual
			Bimala Rai Paudyal	Individual
18	Policy Research Institute Legislation, 2020	National Assembly	Ram Narayan Bidari	Individual
			Pramila Kumari	Individual
			Bimala Rai Paudyal	Individual
			Jitendra Narayan Dev, Radheshyam Adhikari, Anita Devkota, Dhankumari Khatiwada	Collective
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Khim Kumar Bishwakarma, Meena Budha, Singha Bahadur Bishwakarma, Bhairav Sundar Shrestha, Nanda Chapai, Yootol Tamang, Chakra Prasad Snehi, Jivan Budha	Collective

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
19	Nepal Police and Provincial Police (Operation, Supervision and Coordination) Legislation, 2019	House of Representatives	Pramila Kumari	Individual
			Brikshesh Chandra Lal	Individual
			Radheshyam Adhikari, Jitendra Narayan Dev, Rameshjung Rayamajhi, Sarita Prasai, Prakash Pantha	Collective
			Thagendra Prakash Puri, Udaya Sharma Padudel, Dil Kumari Rawal Thapa 'Parwati', Jivan Budha, Singha Bahadur Bishwakarma, Chakra Prasad Snehi, Khim Kumar Bishwakarma, Haricharan Shiwakoti, Meena Budha, Nanda Chapai, Yootol Tamang, Ramlakhan Chamar	Collective
			Ram Narayan Bidari	Individual
			Bimala Rai Paudyal	Individual
20	Federal, Provincial, and Local Level (Coordination and Inter-relation) Legislation, 2019	National Assembly	Brikshesh Chandra Lal, Ramesh Prasad Yadav	Collective
			Jitendra Narayan Dev, Binda Devi Ale (Rana), Sarita Prasai, Radheshyam Adhikari	Collective
			Bimala Rai Paudyal	Individual
			Dil Kumari Rawal Thapa 'Parwati', Jivan Budha	Collective
			Thagendra Prakash Puri, Udaya Sharma Paudel, Sher Bahadur Kunwar, Singha Bahadur Bishwakarma, Nanda Chapai, Meena Budha, Haricharan Shiwakoti	Collective
			Ram Narayan Bidari	Individual
			Yootol Tamang, Ramlakhan Chamar	Collective

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
21	Sports Development Legislation, 2019	National Assembly	Pramila Kumari	Individual
			Badri Prasad Pande	Individual
			Prakash Pantha	Individual
			Khimlal Bhattarai, Jivan Budha, Chandra Bahadur Khadka	Collective
			Binda Devi Ale (Rana), Anita Devkota	Collective
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Nanda Chapai, Meena Budha, Ramlakhan Chamar, Chakra Prasad Snehi, Bhairav Sundar Shrestha	Collective
			Bimala Rai Paudyal	Individual
			Radheshyam Adhikari, Dhan Kumari Khatiwada, Binda Devi Ale (Rana), Anita Devkota	Collective
			Ram Narayan Bidari	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
22	Amendments to Some Nepal Acts Related to Education Legislation, 2019	National Assembly	Radheshyam Adhikari, Dhan Kumari Khatiwada, Sarita Prasai, Prakash Pantha	Collective
			Thagendra Prakash Puri, Udaya Sharma Paudel, Singha Bahadur Bishwakarma, Meena Budha, Nanda Chapai, Yootol Tamang, Sher Bahadur Kunwar, Haricharan Shiwakoti	Collective
			Jivan Budha, Raj Kumar Kunwar, Mahesh Kumar Mahara, Khimlal Bhattari	Collective
			Ramlakhan Chama	Individual
			Rampriti Paswan	Individual
			Khimlal Bhattarai, Jivan Budha, Raj Kumar Kunwar, Mahesh Kumar Mahara	Collective
			Bimala Rai Paudyal	Individual
			Brikshesh Chandra Lal	Individual
23	Nepal Engineering Council Legislation, 2020	National Assembly	Pramila Kumari	Individual
			Radheshyam Adhikari, Anita Devkota, Prakash Pantha	Collective
			Thagendra Prakash Puri, Udaya Sharma Paudel, Sher Bahadur Kunwar, Singha Bahadur Bishwakarma, Haricharan Shiwakoti, Nanda Chapai, Ramlakhan Chamar, Meena Budha	Collective
			Brikshesh Chandra Lal	Individual
			Ram Narayan Bidari	Individual

S.N.	Legislation	Registered at	Amendment proposed by	Remarks
24	Railways Legislation, 2019	National Assembly	Radheshyam Adhikari, Dhankumari Khatiwada, Binda Devi Ale (Rana), Anita Devkota, Prakash Pantha	Collective
			Pramila Kumari	Individual
			Thagendra Prakash Puri, Sher Bahadur Kunwar, Udaya Shamar Paudel, Singha Bahadur Bishwakarma, Nanda Chapai, Meena Budha, Haricharan Shiwakoti, Yootol Tamang, Ramlakhan Chamar, Khim Kumar Bishwakarma, Dil Kumari Rawal Thapa 'Parwati', Jivan Budha, Chakar Prasad Snehi, Mahesh Kumar Mahara, Bhairav Sundar Shrestha	Collective
			Ram Narayan Bidari	Individual
			Bimala Rai Paudyal	Individual
25	Yogmaya Ayurveda University Legislation, 2020	National Assembly	Ramprit Paswan	Individual
			Pramila Kumari	Individual
			Thagendra Prakash Puri, Dil Kumari Rawal Thapa 'Parwati', Sher Bahadur Kunwar, Komal Oli, Udaya Sharma Paudel, Yootol Tamang, Meena Budha, Haricharan Shiwakoti, Singha Bahadur Bishwakarma, Nanda Chapai, Ramlakhan Chamar, Khim Kumar Bishwakarma	Collective
			Radheshyam Adhikari, Prakash Pantha	Collective
			Bimala Rai Paudyal	Individual

Annex 2: Number of amendments submitted by National Assembly members during the First to the Sixth Session of the National Assembly (end date - July 20, 2020)

S.N.	Name	Number of amendments	Political party	Gender	Tenure (year)	Remarks
1	Ram Chandra Rai	1	Nepal Communist Party (NCP)	Male	6	
2	Suman Raj Pyakurel	1	Nepal Communist Party (NCP)	Male	4	
3	Chandra Bahadur Khadka	1	Nepal Communist Party (NCP)	Male	4	
4	Komal Oli	1	Nepal Communist Party (NCP)	Female	4	
5	Radheshyam Paswan	2	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
6	Beduram Bhushal	3	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
7	Khimlal Bhattarai	3	Nepal Communist Party (NCP)	Male	6	
8	Taraman Swarn	4	Nepal Communist Party (NCP)	Male	2 /6	Elected after the first 2 years
9	Devendra Dahal	4	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
10	Bhairav Sundar Shrestha	4	Nepal Communist Party (NCP)	Male	6	
11	Raj Kumar Kunwar	4	Nepal Communist Party (NCP)	Male	2	
12	Mahesh Kumar Mahara	4	Nepal Communist Party (NCP)	Male	6	
13	Dil Kumari Rawal Thapa 'Parwati'	9	Nepal Communist Party (NCP)	Female	6	
14	Chakra Prasad Snehi	10	Nepal Communist Party (NCP)	Male	4	
15	Khim Kumar Bishwakarma	12	Nepal Communist Party (NCP)	Male	4	
16	Jivan Budha	12	Nepal Communist Party (NCP)	Male	4	

S.N.	Name	Number of amendments	Political party	Gender	Tenure (year)	Remarks
17	Haricharan Shiwakoti	13	Nepal Communist Party (NCP)	Male	2	
18	Yootol Tamang	14	Nepal Communist Party (NCP)	Female	2	
19	Meena Budha	14	Nepal Communist Party (NCP)	Female	2	
20	Nanda Chapai	17	Nepal Communist Party (NCP)	Female	6	
21	Sher Bahadur Kunwar	22	Nepal Communist Party (NCP)	Male	4	
22	Singha Bahadur Bishwakarma	23	Nepal Communist Party (NCP)	Male	6	
23	Thagendra Prakash Puri	24	Nepal Communist Party (NCP)	Male	4	
24	Udaya Sharma Paudel	24	Nepal Communist Party (NCP)	Female	4	
25	Surendra Raj Pandey	1	Nepali Congress	Male	2	
26	Rameshjung Rayamajhi	2	Nepali Congress	Male	6	
27	Badri Prasad Pande	3	Nepali Congress	Male	2	
28	Binda Devi Ale (Rana)	6	Nepali Congress	Female	2	
29	Dhan Kumari Khatiwada	8	Nepali Congress	Female	2	
30	Jitendra Narayan Dev	10	Nepali Congress	Male	6	
31	Sarita Prasai	11	Nepali Congress	Female	2	
32	Anita Devkota	12	Nepali Congress	Female	6	
33	Ramlakhan Chamar	17	Nepali Congress	Male	4	
34	Prakash Pantha	20	Nepali Congress	Male	6	
35	Radheshyam Ahdikari	20	Nepali Congress	Male	4	

S.N.	Name	Number of amendments	Political party	Gender	Tenure (year)	Remarks
36	Ram Narayan Bidari	18	Nominated	Male	4	
37	Bimala Rai Paudyal	18	Nominated	Female	6	
38	Ramesh Prasad Yadav	3	Rastriya Janta Party Nepal	Male	2	
39	Brikshesh Chandra Lal	10	Rastriya Janta Party Nepal	Male	2	
40	Rampriti Paswan	4	Federal Socialist Forum Nepal	Male	2	
41	Pramila Kumari	12	Federal Socialist Forum Nepal	Female	6	
42	Mrigendra Kumar Singh Yadav	0	Rastriya Janta Party Nepal	Male	6	Elected after the first 2 years
43	Agam Prasad Wantawa Rai	0	Nepal Communist Party (NCP)	Male	4	
44	Gopi Bahadur Sarki Achhami	0	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
45	Deena Nath Sharma	0	Nepal Communist Party (NCP)	Male	4	
46	Narayankaji Shrestha	0	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
47	Jaga Prasad Sharma	0	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
48	Gopal Bhattarai	0	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
49	Narapati Luhar	0	Nepal Communist Party (NCP)	Male	6	
50	Maya Prasad Sharma	0	Nepal Communist Party (NCP)	Male	6	Elected after the first 2 years
51	Hariram Chaudhary	0	Nepal Communist Party (NCP)	Male	6	
52	Kamala Kumari Oli	0	Nepal Communist Party (NCP)	Male	2	

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S.N.	Name	Number of amendments	Political party	Gender	Tenure (year)	Remarks
53	Balaram Prasad Baskota	0	Nepal Communist Party (NCP)	Male	2	
54	Khem Raj Nepali	0	Nepal Communist Party (NCP)	Male	2	
55	Kali Bahadur Malla	0	Nepal Communist Party (NCP)	Male	2	
56	Bamdev Gautam	0	Nominated	Male	6	Nominated after the first 2 years
57	Shekhar Kumar Singh	0	Rastriya Janta Party Nepal	Male	6	Elected after the first 2 years
58	Nainkala Ojha	0	Nepal Communist Party (NCP)	Female	4	
59	Bina Pokharel	0	Nepal Communist Party (NCP)	Female	6	
60	Indira Devi Gautam	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
61	Tulasa Kumari Dahal	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
62	Ganga Kumari Belbase	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
63	Shanti Kumari Adhikari GC	0	Nepal Communist Party (NCP)	Female	4	
64	Bhagawati Neupane	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
65	Dipa Gurung	0	Nepal Communist Party (NCP)	Female	6	
66	Bimal Ghimire	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
67	Kabita Bogati	0	Nepal Communist Party (NCP)	Female	4	
68	Sumitra BC	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
69	Indu Kadariya	0	Nepal Communist Party (NCP)	Female	6	

S.N.	Name	Number of amendments	Political party	Gender	Tenure (year)	Remarks
70	Sharada Devi Bhatta	0	Nepal Communist Party (NCP)	Female	6	Elected after the first 2 years
71	Tara Devi Bhatta	0	Nepali Congress	Female	4	
72	Mukta Kumari Yadav	0	Nepali Congress	Female	2	
Members of the National Assembly who were not counted as amendment proposers						
73	Ganesh Prasad Timilsina	-	Nepal Communist Party (NCP)	Male	6	Chairperson - National Assembly
74	Shashikala Dalal	-	Nepal Communist Party (NCP)	Female	4	Vice chairperson-National Assembly
75	Parashuram Meghi Gurung	-	Nepal Communist Party (NCP)	Male	4	Chairperson- Legislative Management Committee
76	Durga Prasad Upadhyay	-	Nepali Congress	Male	2	Deceased
77	Yuba Raj Khatiwada	-	Nominated	Male	2	Minister
78	Ram Bahadur Thapa Magar	-	Nepal Communist Party (NCP)	Male	6	Minister
79	Driga Narayan Pandey	-	Nepal Communist Party (NCP)	Male	6	Elected on May 31, 2021
80	Khimlal Devkota	-	Independent	Male	6	Elected on September 12, 2021

Annex 3: Clause-by-clause discussions took place at the Legislative Management Committee of the National Assembly upon legislations registered at the National Assembly during 2019/2020

S.N.	Name of legislation	Number of clauses in legislation	Number of clauses for amendment by members	Number of amendments proposed	Number of meetings	Status of legislation after clause-by-clause discussions				
						Number of clauses for replacement	Number of amended clauses	Number of added clauses	Number of removed clauses	Number of final clauses
1	Sports Development Legislation, 2019	48	39	100	21	19	47	10	2	58
2	Amendments to Some Nepal Acts Related to Education Legislation, 2019	14	12	63	17	11	13	0	0	1
3	Evidences (Second Amendment) Legislation, 2019	31	23	72	16	13	24	8	4	35
4	Federal, Provincial, and Local Level (Coordination and Inter-relation) Legislation, 2019	31	23	72	16	13	24	8	4	35

S.N.	Name of legislation	Number of clauses in legislation	Number of clauses for amendment by members	Number of amendments proposed	Number of meetings	Status of legislation after clause-by-clause discussions				
						Number of clauses for replacement	Number of amended clauses	Number of added clauses	Number of removed clauses	Number of final clauses
5	Nepal Media Council Legislation, 2019	32	26	103	10	1	22	4	0	36
6	Nepal Engineering Council (First Amendment) Legislation, 2019	22	17	48	9	2	9	1	1	22
7	Kathmandu Valley Public Transportation (Management) Authority Legislation, 2020	29	20	80	10	25	29	0	0	29
8	Policy Research Institute Legislation, 2020	32	32	68	11	2	28	2	0	34
9	Special Services Legislation, 2020	108	38	120	12	10	27	2	4	106

S.N.	Name of legislation	Number of clauses in legislation	Number of clauses for amendment by members	Number of amendments proposed	Number of meetings	Status of legislation after clause-by-clause discussions				
						Number of clauses for replacement	Number of amended clauses	Number of added clauses	Number of removed clauses	Number of final clauses
10	Commission for Investigation of Abuse of Authority (Third Amendment) Legislation, 2020	17	13	38	9	3	12	0	0	17
11	Prevention of Corruption (First Amendment) Legislation, 2020	24	16	32	11	3	16	0	0	24
Clause-by-clause discussions took place at the Legislative Management Committee of the National Assembly upon legislations registered at the House of Representatives in 2019/2020										
1	Nepal Police and Provincial Police (Operation, Supervision and Coordination) Legislation, 2020		12	31	2	1	7	0	0	

S.N.	Name of legislation	Number of clauses in legislation	Number of clauses for amendment by members	Number of amendments proposed	Number of meetings	Status of legislation after clause-by-clause discussions				
						Number of clauses for replacement	Number of amended clauses	Number of added clauses	Number of removed clauses	Number of final clauses
2	Police Integration Legislation, 2019		8	10	2	0	6	0	0	
3	Forest Legislation, 2019		28	54	4	3	17	1	0	
4	Environment Protection Legislation, 2019		18	23	4	0	13	1	0	
5	Land (Eighth Amendment) Legislation, 2019		9	45	8	3	13	2	0	
6	Financial Operations and Fiscal Responsibility Legislation, 2019		10	17	1	1	3	0	1	
7	Safeguards, Antidumping and Countervailing Legislation 2019		12	20	1	1	6	1	1	

S.N.	Name of legislation	Number of clauses in legislation	Number of clauses for amendment by members	Number of amendments proposed	Number of meetings	Status of legislation after clause-by-clause discussions				
						Number of clauses for replacement	Number of amended clauses	Number of added clauses	Number of removed clauses	Number of final clauses
8	Revenue Leakage (Investigation and Control) (First Amendment) Legislation, 2019		14	29	1	0	0	0	0	
9	Industrial Enterprises Development Institute (First Amendment) Legislation, 2019		5	7	2	2	24	1	0	
10	Nuclear and Radioactive Materials Legislation, 2020		11	17	2	2	24	1	0	
11	Seeds Legislation, 2020	20	17	30	3	4	17	4	0	24
12	Plants (First Amendment) Legislation, 2020	14	1	7	1	1	5	0	0	14

Source: Annual Report by the Legislation Management Committee 2020/2021

Annex 4: Status of legislations registered at the National Assembly until August 22, 2021

A. Legislations registered, and distributed to members

S.N.	Assembly session	Date of registration	Registration number	Name of legislation	status
1	Sixth	2020/6/4	1	Social Security (First Amendment) Legislation, 2021	Yet to be distributed (Non-government Legislation)
2	Sixth	2020/7/8	5	Electricity Legislation, 2021	Distributed on July 5, 2020
3	Seventh	2020/7/8	1	Public Service Broadcasting Legislation, 2021	Distributed on July 9, 2020
4	Seventh	2020/7/12	2	Security Printing Legislation, 2021	Distributed on July 9, 2020
5	Seventh	2020/7/12	3	Food Hygiene and Standards Legislation 2021	Distributed on July 13, 2020

**B. Legislations under consideration at the Legislative Management
Committee for clause-by-clause discussion**

S.N.	Assembly session	Date of registration	Registration number	Name of legislation	Date decided for clause-by-clause discussion
1	Fifth	2019/1/3	3	Railways Legislation, 2019	2020/1//24
2	Fifth	2020/1/20	4	Yogmaya Ayurveda University Legislation, 2020	2020/2/18
3	Fifth	2020/2/20	7	Immigration Legislation, 2020	2020/3/16
4	Fifth	2020/2/23	8	Civil Aviation Authority of Nepal Legislation, 2020	2020/05/13
5	Fifth	2021/2/23	9	Nepal Air Services Authority Legislation 2020	2020/05/13
6	Fifth	2020/3/11	10	Monitoring and Evaluation Legislation, 2020	2020/6/02
7	Fifth	2020/03/11	11	Statistics Legislation, 2020	2020/06/07
8	Sixth	2020/5/14	1	Standard Measurement and Weight (Fifth Amendment) Legislation, 2020	2020/06/09
9	Sixth	2020/05/14	2	Accreditation Legislation, 2020	2020/06/10
10	Sixth	2020/06/01	3	Copyright (First Amendment) Legislation, 2020	2020/06/23

C. Legislations under consideration in the National Assembly

S.N.	Assembly session	Date of registration	Registration number	Name of legislation	status
1	Fifth	2020/01/20	5	Commission for Investigation of Abuse of Authority (Third Amendment) Legislation, 2020	Report submitted to the committee on 2020/06/22
2	Fifth	2020/01/20	6	Prevention of Corruption (First Amendment) Legislation, 2020	Report submitted to the committee on 2020/06/22
3	Sixth	2020/06/24	4	Conservation of National Archives Legislation, 2021	Presented on 2020/07/02 in the Assembly Session

D. Legislations sent to the House of Representatives with comments but not returned yet

S.N.	Assembly session	Date of registration	Registration number	Name of legislation	Passed by the National Assembly (Date)
1	Third	2019/01/08	3	Senior Citizens (First Amendment) Legislation, 2019	2019/03/10
2	Fourth	2019/05/10	3	Nepal Media Council Legislation, 2019	2020/02/06
3	Fourth	2019/05/23	4	Nepal Engineering Council (First Amendment) Legislation, 2020	2019/12/30
4	Fourth	2019/08/06	5	Kathmandu Valley Transportation (Management) Authority Legislation, 2020	2020/03/15
5	Fifth	2019/12/11	1	Policy Research Institute Legislation, 2020	2020/05/26
6	Fifth	2019/12/11	2	Nepal Special Services Legislation, 2020	2020/05/20

E. Promulgated legislations

S.N.	Assembly session in which legislation registered	Date of registration	Registration number	Name of legislation	Promulgated date	Assembly session in which legislation passed
1	Second	2018/06/11	1	Administrative Court Legislation, 2019	2019/10/11	Fourth
2	Second	2019/06/29	2	Enforced Disappearances Inquiry, Truth and Reconciliation Commission (First Amendment) Legislation, 2019	2019/07/04	Second
3	Second	2018/08/07	3	Rights of Disabled Persons (First Amendment) Legislation, 2019	2018/09/18	Second
4	Second	2018/08/07	4	Environment Protection Legislation (First Amendment), 2019	2018/09/18	Second
5	Second	2018/08/08	5	Control of International Trade of Endangered Wild Fauna and Flora (First Amendment) Legislation, 2020	2019/02/22	Third
6	Second	2018/08/08	6	Amendments to Some Nepal Acts Related to Civil Code Legislation, 2019	2018/04/15	Third

S.N.	Assembly session in which legislation registered	Date of registration	Registration number	Name of legislation	Promulgated date	Assembly session in which legislation passed
7	Second	2018/08/10	7	Crime Victim Protection Legislation, 2019	2018/09/18	Second
8	Second	2018/08/29	8	Legislation Related to Children, 2019	2018/05/16	Second
9	Third	2018/12/27	1	Provincial Public Service Commission (Basis and Standards), 2019	2019/03/29	Third
10	Third	2019/01/08	2	Advertisement (Regulation) Legislation, 2019	2019/10/25	Fourth
11	Third	2019/01/10	4	Citizen Investment Trust (Second Amendment) Legislation, 2019	2020/07/28	Sixth
12	Third	2018/12/30	5	Enforced Disappearances Inquiry, Truth and Reconciliation Commission (Second Amendment) Legislation, 2019	2019/01/09	Third
13	Third	2019/02/17	6	National Sports Development Legislation, 2019	2020/06/25	Sixth

S.N.	Assembly session in which legislation registered	Date of registration	Registration number	Name of legislation	Promulgated date	Assembly session in which legislation passed
14	Third	2019/03/15	6 (A)	Amendments to Some Nepal Acts Related to Education Legislation, 2019	2020/06/25	Fifth
15	Third	2019/03/24	7	Evidences (Second Amendment) Legislation, 2019	2020/06/02	Fifth
16	Fourth	2019/04/17	01	Federal, Provincial, and Local Level (Coordination and Inter-relation) Legislation, 2019	2020/07/18	Sixth