# **Nepal's No Objection Certificate Policy**

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The OICSD collaborated with Education South Asia to host a one-day symposium on "Education and Inequity: Perspectives from South Asia" at Somerville College in May 2024. This article was part of the presentations at the symposium. The author, Harsh Mahaseth is an Assistant Professor and Assistant Dean at Jindal Global Law School, O.P. Jindal Global University, India.

For decades, Nepal has witnessed a significant outflow of students seeking higher education abroad. In recent years, the numbers have surged with over 100,000 students leaving the country in the last fiscal year alone (*The Rising Nepal*, 2023). The rise in Nepali students pursuing international education has put the spotlight on the No Objection Certificate (NOC) policy, a mandatory requirement for students planning to study overseas. Through this article, I analyse the NOC policy, its importance, the issues surrounding its implementation, and the urgent need for reforms to better serve Nepalese students.

#### What is the NOC Policy?

The NOC is a mandatory document issued by Nepal's Ministry of Education, Science, and Technology (MOEST) for students wishing to pursue higher education abroad (<u>https://noc.moest.gov.np</u>). This certificate serves as a government-issued endorsement,

verifying that the student has no legal or administrative restrictions preventing them from studying outside Nepal. The NOC policy is not just a bureaucratic formality; it plays a pivotal role in the regulation of educational migration, financial transactions, and the overall tracking of students leaving the country for academic purposes.

In 2023, 112,593 NOCs were issued, with the majority of students heading to countries like Australia, Canada, Japan, and the UK (<u>Republica, 2024</u>). However, this policy, intended to regulate and support educational migration, often leaves students facing significant hurdles, sometimes even halting their academic dreams, as was my case when I was unable to pursue my MPhil at the University of Cambridge due to issues with obtaining an NOC.

### The Importance of the NOC

The NOC serves several key functions in regulating and facilitating Nepalese students' education abroad. One of its primary roles is verification and regulatory compliance. The NOC ensures that students adhere to Nepalese government regulations when pursuing education overseas. It verifies that there are no government objections to the student's academic plans and confirms the legitimacy of both the student's credentials and the foreign institution. This process helps prevent fraud and ensures that students enroll in recognized and reputable institutions.

Another crucial function of the NOC is financial control and foreign exchange management. The certificate is essential for legally transferring funds from Nepal to foreign countries. Without it, students cannot convert Nepalese currency into foreign currency to pay for tuition fees, accommodation, or other necessary expenses. This regulation also plays a vital role in preventing illegal financial outflows and maintaining the stability of Nepal's foreign exchange reserves.

In addition to financial and regulatory aspects, the NOC system contributes to data collection and policymaking. It enables the Nepalese government to track the number of students studying abroad, their chosen destinations, and fields of study. This data is crucial for shaping educational and financial policies and understanding migration trends.

Finally, the NOC is designed to protect student interests. By requiring this document, the government aims to shield students from fraudulent institutions and ensure their educational qualifications are recognized upon returning to Nepal. It also plays a role in the equivalency process, which determines whether foreign degrees align with Nepalese educational standards. While the NOC serves these important functions, its implementation has faced significant criticism, highlighting the need for reform.

#### **The Application Process**

While the purpose of the NOC is clear, the application process itself can be challenging. Students must complete several steps, including:

- 1. **Eligibility**: Completion of higher secondary education or its equivalent. Students then need to get their equivalency certificates which in itself is a daunting challenge.
- 2. **Documents Required**: Academic transcripts, admission letter from the foreign institution, passport copies, bank statements, and other specified documents.
- 3. **Application Submission**: The application can be submitted online or at the MOEST office, along with the required documents and fees.
- 4. **Approval**: Once reviewed and approved, the NOC is issued. While the process typically takes a few working days, delays are not uncommon.

## **Challenges with the NOC Policy**

Despite its importance, the NOC policy has significant flaws. The process can be arbitrary and opaque, leading to confusion and frustration among students. My own experience is a testament to this. Despite being accepted into a prestigious MPhil program at the University of Cambridge, my NOC application was rejected because my program did not meet the arbitrary requirement of being over one year in duration. However, this requirement is not publicly available on any official platform, meaning applicants have no way of knowing this criterion beforehand. This lack of transparency makes the process even more frustrating. Moreover, another student, applying for a similar program at the same university, received their NOC without issue, highlighting the inconsistencies and lack of transparency in the system.

This experience is not unique. Many students have faced similar challenges, where the issuance of NOCs appears to be influenced by factors unrelated to the student's academic qualifications or the legitimacy of the foreign institution. For instance, a student accepted for a PhD in the United States was denied an NOC because their field of study differed from their undergraduate major, despite having full funding and no financial obligations requiring foreign exchange transfers (*Reddit*, 2022). This raises questions about the true purpose of the NOC. While it is often justified as a financial control mechanism, it has also been inconsistently enforced at Tribhuvan International Airport, with some students being allowed to travel without one while others face restrictions.

The government's recent attempt to restrict NOCs for diplomas, advanced diplomas, and language courses abroad further illustrates its unpredictable approach (*The Kathmandu Post*, 2023). After weeks of backlash from education consultancies and institutions, the policy was reversed, demonstrating how external pressure, not student welfare, often dictates these decisions. The restrictions had already caused significant disruption, especially for students heading to Japan, where language studies are a prerequisite for university admission.

The persistent lack of transparency, inconsistent enforcement, and financial burdens imposed by the NOC policy highlights the urgent need for reform. Instead of being a tool to facilitate academic aspirations, it has become an obstacle that leaves students stranded in uncertainty. The government's recent decision to increase taxes on payments made to foreign educational institutions has added another layer of difficulty for families already struggling to finance their children's education abroad (*ICEF Monitor*, 2023).

### The Need for Change

Given the significant impact of the NOC policy on Nepalese students, there is an urgent need for reforms. The current system is plagued by inefficiencies, arbitrary decision-making, and a lack of transparency, leading to unnecessary delays and financial burdens. According to media reports, in 2022 alone, over 121,000 students applied for NOCs, with a majority seeking education in Australia and Japan (*The Kathmandu Post*, 2023). However, sudden changes in policy, such as the temporary suspension of NOCs for diploma and language courses, left thousands of students in limbo, forcing many to defer admissions or explore alternative means of financing their education.

Additionally, inconsistencies in NOC issuance highlight the policy's arbitrary nature. Some students have been rejected due to their field of study differing from their undergraduate degree, despite receiving full scholarships and assistantships that do not require foreign exchange transfers. Others have faced rejection simply because their programs did not meet unpublished duration requirements. Meanwhile, cases have emerged where students in similar programs have received NOCs without issue, further underscoring the policy's unpredictability.

The government's recent changes in equivalency policies contradict the rigid and outdated NOC criteria. The new equivalency framework recognizes degrees from the top 500 universities worldwide, removing previous bureaucratic hurdles for degree recognition. However, the NOC policy remains unchanged, continuing to impose outdated restrictions that hinder access to prestigious institutions. This contradiction raises an important question: if Nepal is willing to recognize degrees from top global institutions, why does it still enforce an NOC system that restricts students from accessing them?

Given the significant impact of the NOC policy on Nepalese students, there is an urgent need for reforms. These changes should aim to streamline the application process, enhance transparency, and make the system more student-friendly:

- 1. Streamline the Application Process and reduce processing time: The introduction of a user-friendly online portal for NOC applications would significantly reduce the need for physical visits and make the process more efficient. Clear guidelines and checklists should be provided to help students prepare their applications. Implementing automated systems for document verification could speed up the approval process and reduce delays.
- 2. **Enhance Transparency and Communication**: A dedicated helpline or live chat support could assist students with their queries and issues related to the NOC process.
- 3. Increase Awareness and Accessibility: The NOC policy and related information should be readily available on the MOEST website. Students should not have to rely on education consultancies, which often benefit from the complexity and confusion surrounding the process.

- 4. **Policy Adaptation**: The NOC policy should be flexible enough to accommodate exceptional cases and emergencies. It should also align with recent changes in the equivalency process, which now recognises degrees from the top 500 universities worldwide without any issues (*Rauniyar*, 2023).
- 5. Feedback and Continuous Improvement: Establishing a formal feedback mechanism would allow students to report issues and suggest improvements to the NOC process. Periodic reviews of the policy should be conducted to ensure it remains relevant and effective.

Without these critical reforms, the NOC policy will continue to act as an unnecessary barrier, obstructing Nepalese students from pursuing world-class education and professional opportunities abroad.

#### Conclusion

The No Objection Certificate policy, while essential in regulating educational migration and financial transactions, has significant room for improvement. The current system often places unnecessary burdens on students and their families, and its arbitrary nature can derail academic and professional aspirations.

Reforming the NOC policy to be more transparent, efficient, and student-centred is crucial for supporting Nepalese students in their educational pursuits abroad. By implementing these changes, the Nepalese government can better serve its students, ensuring that they have the support and resources they need to succeed in their studies and contribute to the nation's development upon their return.

As someone who has personally faced the challenges of the NOC system, I am committed to advocating for these changes and hope that this blog post will contribute to the ongoing discourse on education policy in Nepal. I look forward to the day when the NOC process is no longer a barrier but a supportive step in the journey of every Nepalese student pursuing their dreams abroad.

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