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SUPPRESSED

As Nepal's Parliament passes a slew of bills to activate the new Constitution, hardwon principles like the freedom of press, civil liberties and democracy, appear to be in danger of being suppressed.

When the Criminal Code Act came into effect on 17 August, journalists were alarmed because its provisions could be abused to arbitrarily imprison editors, reporters, photojournalists, and even cartoonists, for defamation.

This week, a new bill on personal privacy has been registered in Parliament that is even more sinister. Critics say it will severely curtail press freedom,

allowing the government to jail journalists exposing corruption and holding power to account.

Shiva Gaunle of the Centre for Investigative Journalism (CIJ) says: "The Criminal Code Act was just a hint of the danger ahead, this bill blatantly aims to muzzle the media."

Put together, the Criminal Code and the new bill will prevent anyone from taking or selling picture of a person without his/her consent. This clause does not exempt journalists who take

pictures of public figures.

Masquerading as a law to protect personal privacy, the new bill goes against constitutionally guaranteed principles and shields public officials from scrutiny.

For example, Article 24 of the bill actually requires government agencies to hide personal information in their possession. An individual's political affiliation has also been defined as personal information. So, if a Supreme Court justice is a member of a political party, in violation of the principle of separation of powers, that will be considered his private information and out of bounds for journalists, who can be jailed for exposing it.

This provision may have been acceptable if other clauses allowed journalists to investigate the authorities. And Article 23 does consider some personal information of officials to be in the public domain, but it includes only those details that are easily found in their curriculum vitae. Apart from a public authority's office name, designation, official email, phone number, nature of work and terms of references, everything else is now defined as personal and inviolable.

Gaunle says: "This bill tries to reverse everything that we have fought for: democracy, press freedom, open data and Right to Information."

The Constitution protects personal privacy of an individual, enabling citizens to live a dignified life away from the constant glare of a watchful State. But Article 30 of the bill would make it easier for police surveillance of individuals.

If passed, the privacy bill will give authorities more power to hide what should be publicly available. Press freedom activist Tara Nath Dahal says: "It will turn Nepal into a police state, allowing authorities to spy on individuals but preventing journalists from investigating public authorities."

Om Astha Rai

RECONSTRUCTION ROUNDUP

Back to Barpak

PAGE 6-7

Rebuilt schools are empty

Sushil Gyewali is back

PAGE 8-9

John Whelpton:
earthquake historian

PAGE 11



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REPUBLIC OF RAPE

The number of reported rapes in Nepal has shot up by 30% in the past year. It has multiplied four times in ten years. There are at least three rape cases brought to the police every day in the country. The victims can be babies or the elderly, the perpetrators often hunt in packs, and in many cases, murder their victim afterwards. Even nuns are not spared.

Survivors of rape, already traumatised, are often forced by family members to keep quiet because it will bring shame. If they do go to the police, the line of questioning by male officers is insulting, as if the victims were somehow responsible for the crime. Police often try to get the perpetrator and the victim's family to come to a compensation agreement.

There have been cases where the survivor is forced by the family to marry the rapist either because of stigmatisation or because the girl is from a 'lower' caste and the criminal a rich and powerful local. The most under-reported are cases of incest.

Even when the victim is from a privileged class, like the 13-year-old Grade 9 student who was raped and murdered in Kanchanpur last month, the family was pressured by the Police not to raise a fuss. Faced with escalating protests, local administration produced a mentally unstable street flasher as the alleged perpetrator. They forced the girl's father to sign papers confirming he was indeed the rapist. This has got locals really angry, and the protest has spread nationwide.

The NCP government in Kathmandu, instead of using its strength in Parliament to push gender reform, has been reacting defensively. A female NCP member of Parliament actually said the rapes were "a conspiracy hatched by the opposition".

Prime Minister Oli, when confronted with the question of women's empowerment and one-third quota in his party's committee, said in a speech he was tired of the "nag, nag, nag" from women's groups. Government-based trolls are cyber-bullying activists and journalists who dare write about affirmative action for women, labeling them 'dollar farmers', and accusing American and British aid agencies of being behind protests.

The frightening rise in rape cases is emblematic of the culture of impunity in the country. The state, especially the Home Ministry, has abdicated its primary responsibility of protecting citizens, especially its most vulnerable members. The call by some of the more vocal activist groups to legislate capital punishment for rape is a

sign of the growing anger. But it is precisely because of the possibility of the miscarriage of justice, or the innocent being framed, that we do not agree with accused rapists being executed.

At a roundtable organised by Himalmedia last week, an all-female panel of activists, academics, lawyers, politicians and police officials, discussed the best way to reduce the crime rate.

An anti-rape resolution, pushed by a caucus of 28 MPs from the ruling and opposition parties, that calls for sensitisation against rape and gender-based violence through the school curricula, has been sitting in Parliament. Speaker Krishna Bahadur Mahara reportedly is holding back the resolution because it would show the

government in poor light. If true, this would prove that it is the government that is the main obstacle in efforts to reduce threats to Nepal's women and children.

At first reading, the new Penal Code that went into effect on 17 August seems to address impunity with stricter punishment for rape. But on closer inspection, it has left many loopholes that allow local law enforcement wider latitude for interpretation. In male-dominated officialdom, this means the scales of justice are weighted against victims of rape and their families.

A husband guilty of raping his wife used to have a 3-5 year jail term. Now, although the jail term for rape has been increased and marital rape recognised, the new code says he can be jailed for 'up to five years' – giving the courts the chance to award lighter sentences. (See page 14-15)

Many of the perpetrators are from politically well-connected clans, and exert pressure on local administration and law enforcement to let them go. Their strategy is to prevent rape cases ever coming to the police or the courts by

arm-twisting the victim's family to sign an agreement.

Our report exposes a case in which the court has set the rapist of a minor free after his lawyers doctored the victim's birth certificate to show she was 19 years old. In another case, a rapist gave land worth Rs50,000 to the family of his victim as inducement to dismiss the complaint.

The first order of business now should be to get Parliament to pass the rape resolution. This will induce the state to be more sensitive, and allow it to use the full force of the law against predators. In the longer term, we, as a society, have a lot of work to do to uproot patriarchal norms and values that perpetuate these atrocities.



The first order of business is to get Parliament to pass the rape resolution. This will induce the state to be more sensitive. In the longer term, as a society we have to uproot patriarchal norms and values that perpetuate these atrocities.

10 YEARS AGO THIS WEEK

The front page of *Nepali Times* from ten years ago this week (#414, 22-29 August 2018) shows an aerial photograph of the deluge caused by the break in the Kosi embankment. It was yet another reminder that heavy rainfall is a secondary cause of floods in the Tarai, the primary reason is usually blocked drainage or poor embankment construction. Lessons valid more than ever before, ten years later. Excerpt from a report from Sunsari ten years ago:

'Water experts have been warning of a possible breach of the Kosi embankments for decades. The Kosi Barrage, built to control floods in the 1960s, was a colossal engineering mistake. It may have regulated flood waters for the first few years, but sediment deposits over the years has caused the Kosi to now flow three metres above the surrounding land. This week, the river broke through a weak point in the 12km eastern embankment.'

The Kosi has migrated 150 km westwards since 1730, and could easily go back to its original course in a year with heavy monsoon. That would make the river bypass the barrage altogether, take it past Biratnagar, and make this week's flood seem like a picnic.'



ONLINE PACKAGES



OLD NEW CEO

Sushil Gyawali is back as the CEO of the National Reconstruction Authority (NRA) to be the fifth NRA Chief in less than three years. During that time only one-third of the 600,000 earthquake-destroyed houses have been rebuilt. Watch Gyawali's video in which he promises to do better. *Story: Page 8-9.*



SCHOOL OF HARD KNOCKS

A significant amount of the 7,000 schools and 26,000 classrooms destroyed in the earthquake are yet to be rebuilt. A lot more work needs to go to retrofitting schools in the rest of Nepal to make them safe in the next big quake. Follow our reporter to one rebuilt school in Lakuri Bhanjyang. *Story: Page 8-9.*

TIDYING DIRTY AIR

I lived in Kathmandu 20 years and have returned to the US solely because of respiratory problems ('Nepali scientist returns to pinpoint hazards of dirty air', Sonia Awale, #923). Back home, my respiratory problems subsided. Unless the air is cleaned up, many in Kathmandu will suffer and die.

Katriona Tolkien

Great to see committed young people returning to Nepal. It would be even better if they didn't feel the need to leave in the first place.

Marty Logan

SECOND CLASS CITIZEN

The citizenship law clips women's right to be full-fledged, responsible citizens. ('Stateswomanship', Editorial, #923). Xenophobia and nationalism must end.

Deepti Pratibha Gurung

BHARAT SHUMSHER

What an amazing life trajectory of someone who truly lived life on his terms and his convictions ('A brother's tribute to Bharat Shumsher', Sagar SJB Rana, #923). Salute to this courageous and spirited being.

Renu Bhargava

NOT WIRELESS

A single wire can carry sufficient current for many homes ('Bijuli ko tar, tar, tar..', Monika Deupala, #923). In Kathmandu every house has a separate cable. NEA and others can do it like other cities, but they do it the most expensive way using copper wires. Is there kickback involved?

Doug Hall

INDIGENOUS RIGHTS

Although Nepal has never been colonised, its indigenous population is still deprived of traditional land, education and access to legal rights ('Do Nepali attitudes need to be decolonised?', Mark Turin, #922). We want a multicultural federal democracy in Nepal.

Tej Ratna Kansakar

ASS TAX

A 'Death Tax' sounds like a real killer ('Tax heaven', Ass, #923). With these taxes there may be more deaths, hence more revenue!

Jo-Anne Pach Koirala

WHAT'S TRENDING



Nepali scientist returns to pinpoint hazards of dirty air

by Sonia Awale

The story of a Nepali scientist who came back to Nepal because she wanted the country to benefit from her expertise, seems to have touched a lot of hearts. Anobha Gurung is an expert on air pollution, a subject that needs urgent attention in Nepal. Go online to read Anobha's story and listen to her plans to map pollution and pinpoint sources.

Most reached and shared on Facebook

Most visited online page

Most commented

All political parties are technically illegal

by Om Astha Rai

This report pointed out a fatal flaw in all political parties: none of them fulfill the regulation of having one third women in their executive committees. The story raised questions about how parties that came to power on promises of gender equality turned their backs on women. Read full report at nepalitimes.com and join the discussion.

Most popular on Twitter

QUOTE TWEETS

Nepali Times @nepalitimes
EDITORIAL To put it bluntly, the citizenship bill, if passed as it is, will allow the male CDO to grant citizenship to the children without a father only if their mother admits to sleeping around.

Suraj Shrestha @shressuraj
How does it concern the government however one may choose to procreate? Within wedlock or out of it. Where's the equality? This provision brings the whole struggle to square one.

Dr Mara Malagodi @RestlessMafalda
#Stateswomanship in #Nepal: punchy @ nepalitimes editorial on #CitizenshipBill and enduring #Gender-based #discrimination against Nepali women in passing on #citizenship to #children when married to foreign citizen or when father unknown #CallItLikeItIs

Preeti @BeingPreetii
When more than half the population of the country is regarded as second class by the constitution. Way to go Nepal! Kudos

Nepali Times @nepalitimes
All political parties in Nepal are technically illegal because none abide by the constitutional requirement to have at least one-third women in their executive committees. So how far is the political leadership entrenched in patriarchy? @omastharai reports

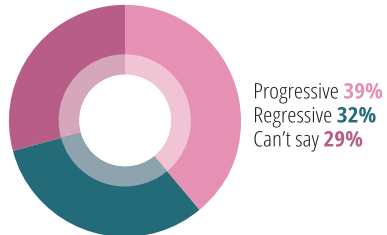
Alonzo Lyons @AlonzoLyons
Maybe women can now save Nepal as many men are sold-out, feckless or fleeing abroad? Crooked #RulingElite don't have any answers—what have they ever done for the people?

Kiran Chapagain @Kchapagain7
Very good story Om ji but there is a question : why has EC been unable to enforce the law ? The reason is : it cannot function independently as it needs political backing to hide its irregularities pointed out by OAG !

Weekly Internet Poll #924

Q. How do you compare the new Civil Code against the old Muluki Ain?

Total votes: 88



Weekly Internet Poll #925
To vote go to: www.nepalitimes.com

Q. Does the rule against taking photographs of people protect privacy or restrict journalists?



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A STAR ALLIANCE MEMBER 

Birganj waits for the boom

History, geography and economy make this strategic border city an important hub

Birganj, at this time of the year, is hot and humid, but there is so much more to this border town through which 80% of Nepal's trade passes.

History buffs will know that the town was originally called Gahawa after the temple of the same name. The modern city is named after Prime Minister Bir



½ FULL
Anil Chitrakar

SJB Rana who established it in 1897. The settlement expanded as trade between British India and Nepal grew, and later became the metropolis it is today.

Birganj has become both Nepal's major industrial hub, and trade and transit point connecting Nepal to Calcutta port. The customs office here collects more revenue for the government than any other location in Nepal, mainly as tax on imports. The town is buzzing with economic activity, and rentals are scarce and expensive.

The Birganj-Simara Corridor is Nepal's industrial heartland. The highway is thick with trucks these days carrying goods up to Kathmandu and beyond, as well as imported steel rolls to be forged into pipes and exported back to India. Nepal has put its now stable electricity supply with good voltage to good use, and the value addition is done here.



BIKRAM RAI

The roads and other infrastructure, like everywhere else in Nepal, are in a perpetual state of deconstruction (*above*). The snail pace at which the main highway between Raxaul and Kathmandu is being expanded is frustrating, but we have got used to such delays here. The side drains are clogged with gravel and aggregates, which blocks the drainage and turns the roads into ponds, which are ideal breeding ground for mosquitos

causing a major health hazard.

The eastern suburb of Birganj is a leafy, quiet area called Vishuwa. It has old trees, a wetland with lotus flowers and large statues of the Pancha Buddha. Monks, pilgrims and travelers who walked from Lumbini to Bodhgaya have used this spot as a resting place since ancient times. The word *bhikshu* over time became Vishuwa in Bhojpuri for the locals.

In Vishuwa is a dome-like

hillock which is similar to the stupas of Patan. It is conceivable that it also contains ancient Buddhist relics from the time of Emperor Ashoka. The mound is protected by a boundary wall, and future excavations may well tell us about the history of not just Birganj, but also about its importance to Buddhism from 2,500 years ago.

Other tidbits: Nepal's first motorable all-weather road was built in 1924 from here to

Bhimphedi ropeway terminal that connected to Kathmandu. The ropeway could haul 8 tons of goods per hour to Teku in Kathmandu.

Adrian Sever in his book, *Nepal under the Ranas*, says this was all done to make it easier for luxury goods the Ranas wanted to come in, but keep the people out. In 1927, a metre gauge railroad (again, Nepal's first) was built connecting Raxaul in India to Amlekhganj.

Nepal's first police force was established here in 1904, and Birganj was one of the first three municipalities formed during the rule of Prime Minister Mohan Shumsher. Birganj was also one of the first towns to fall to democratic forces led by the Nepali Congress 'liberation army' in 1950, that led to the downfall of the Ranas.

Birganj's economic importance to Nepal is also why it is the strategic point for successive Indian blockades of Nepal, including the last one in 2015. With federalism, Birganj is now not just important to Nepal but is also the economic capital of Province 2. It is striving to become a modern metropolis that is not only an industrial and trade hub, but also a business and tourist destination.

Casinos and big new hotels are coming up, there are 6 flights daily from Kathmandu to Simara, and the planned new international airport in Nijgad along with the proposed Raxaul-Kathmandu railway could give the city another boost. 🇳🇵

Anil Chitrakar is President of Siddharthinc

Turkish Airlines goes daily



TURKISH AIRLINES

Turkish Airlines will soon resume daily flights on the Kathmandu-Istanbul sector for the first time since the April 2015 earthquake, indicating that tourist traffic is on the rebound three years after the disaster.

The only European airline to fly to Kathmandu currently operates five flights a week, and will fly every day from 24 September, during the forthcoming autumn and spring peak tourist seasons.

After 2 September 2019, the flights will be daily all year round to mark the 6th anniversary of start of Turkish Airlines flights to Kathmandu, and to cater to the growth in passenger volume during Visit Nepal Year 2020.

"Nepal has set the target of

2 million tourists by 2020, and to accommodate the expected volume, we are increasing our number of flights in phases," explains Country Manager Abdullah Tuncer Kecici (*pictured*). "With introduction of daily flights, we hope to fulfill tourist demand for travel facilities."

The daily flights will operate as per the current summer schedule: arriving at 6:20AM from Istanbul and departing from Kathmandu at 7:35AM. However, the schedule will revert to winter timings with arrival in Kathmandu at 11:30AM.

Turkish says the increase in frequency shows robust growth in passenger volume of tourists, Nepali diaspora and students

travelling to and from Europe and America via Istanbul. From August of 2017 to 2018, Turkish Airlines carried 110,000 passengers on its Kathmandu-Istanbul sector, and 90% were transit passengers.

This year, the airlines has introduced a special student fare, with 10kg extra luggage, and a free one-time flight change offer. The airlines is also offering stopovers for transit passengers, and hopes that traffic to Istanbul will get a boost after its brand new airport is inaugurated on 23 October.

However, there are challenges. Kathmandu airport management is planning to close the airport for 10 hours a day for urgent runway repairs and this will add to congestion that is already delaying many international flights.

"It would be advisable for the airport to open at 5:00AM for domestic flights so that peak morning congestion does not delay international arrivals," Kecici told *Nepali Times*. Tribhuvan Airport has announced that it will open the airport 30 min earlier at 6AM for domestic flights from 1 September.

"The increased costs from long holds are a burden, and this is in addition to high fuel costs and ground handling charges in Kathmandu," Kecici said, "we are excited about the increase in traffic, but there are obstacles that need to be overcome."

With just a year and half to go for Nepal tourism year, the growing number of flights and passengers is an indication that Nepal's tourism industry and economy are springing back after the disaster. However, it is clear that for Turkish and other international airlines serving Kathmandu, infrastructure bottlenecks are a concern. 🇳🇵

Sikuma Rai

prabhu BANK BIZ BRIEFS

Smart phone to watch

Samsung unveiled its much awaited Galaxy Note 9 smartphone and Samsung galaxy smart watch at an event in New Delhi on Wednesday. DJ Koh, President



and CEO of Samsung launched the new phone, featuring a massive 6.4-inch QHD+ display, a Bluetooth-enabled S Pen for remote control functionality and storage of 1TB.

Solar power

Energy Development Council organised an interaction program on Solar Net Metering on Wednesday with MP Basanta Kumar Nembang, Kushal Gurung of EDC, and



NEA Managing Director Kulman Ghising. The program discussed on the potential, challenges and innovative financing mechanisms for rooftop net metering in Nepal.

Shangri-La in its 40s

Keeping in line with its 40 years anniversary celebration, Shangri-La Hotel Group is renovating rooms and suites, executive lounge, café and spa at its hotel and resort, for the October travel season. At an event it also announced the ongoing construction of its new luxury property, Lost Horizon at Begnas, which will begin operation in 2020.

Cars from Britain

A British automotive company MG Motor is in Nepal with the launch of its GS and ZS cars through its showroom in Naxal. Established in 1924, the UK company caters



to the sports and cabriolet enthusiasts around the world including many celebrities.

Bankers' training

National Banking Institute and Everest Bank signed a MoU for strategic alliance on Rs5million worth human capital development training programs which will be provided by the institute and invested by the bank during the fiscal year 2075-76.

prabhu BANK

Ted Atkins killed in climb

Ted Atkins, a British mountaineer, entrepreneur and frequent contributor to Nepali Times on climbing safety in the Himalaya, died on Tuesday while descending Civetta in the Dolomites.

Atkins was an aerosystems engineer and a member of the Royal Air Force Mountain Rescue Service and led the Mt Everest North Ridge Expedition in 2001. He summited Everest later from the Nepal side, and went on to climb Kangchenjunga, Makalu, Lhotse and Ama Dablam.

He also set a world record for the highest ever boat ride by paddling a raft on a glacial lake at 6,300m, below Everest. Colleagues remember him as a man who pushed the limits to get the job done, and was always trying out new adventures like high altitude freefall diving.

After leaving the RAF, Atkins ran a thriving business selling bottled oxygen to Himalayan expeditions at a time where there had been several fatalities caused by faulty equipment. His cylinders had a new kind of delivery system that he invented himself.

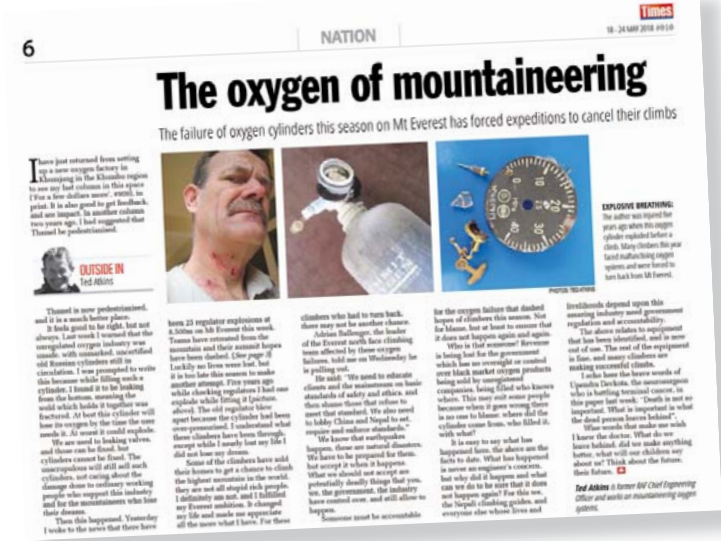
“Everything Ted did was to the max, he had so many adventures and



epics it is hard to believe he fell on the way from a via Ferrata near his home in Italy,” wrote a friend in a blog tribute. The article he wrote for Nepali Times this year in May recounted a close brush with death when his oxygen cylinder exploded before a climb. Many expeditions reported malfunctioning cylinder regulators procured in Kathmandu

this year. In the article, he blamed it on greed of unscrupulous businessmen. Atkins was working to make it safer with his company, Top Out Oxygeneering.

Atkins also often lamented the commercialisation of mountaineering in Nepal in his columns and also had suggestions for improving Nepal’s tourism



HOME IN THE MOUNTAINS: Ted Atkins (left) in front of three mountains her had climbed: Mt Everest, Mt Lhotse and Ama Dablam. His last column for Nepali Times in May (above).

image. For instance, he thought Kathmandu Airport gave a very bad first impression of Nepal to visitors.

Atkins seemed to have a premonition of his death when he quoted, in his last column in this paper, the words of Upendra Devkota, the neurosurgeon who passed away in June after battling terminal cancer: “Death is not

so important. What is important is what the dead person leaves behind”. Atkin’s last words in that piece were: ‘Wise words that make me wish I knew the doctor. What do we leave behind, did we make anything better, what will our children say about us? Think about the future, their future.’

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OLD TO NEW: Barpak before the earthquake destroyed most of its buildings, and today with its haphazard modern concrete structures.

PHOTOS: SHIVA UPRETY

Lost in reconstruction

The earthquake did not just destroy Barpak, it demolished its architectural heritage

Shiva Uprety
in Barpak

Barpak was at the epicentre of a 7.8 magnitude earthquake three years ago, and due to media attention it also became the epicentre of reconstruction. Residents mostly have relatives in the British and Indian armies, did not have the cash-crunch faced by survivors elsewhere. The town quickly rebuilt itself. While most displaced families were still waiting for their first installment of housing grants from the National Reconstruction Authority (NRA), most residents of Barpak were already living in their new houses. The scenic town in northern Gorkha made famous because it is the hometown of Victoria Cross soldier Gaje Ghale, has now completely recovered from the

earthquake. More than 1,200 of the 1,301 houses destroyed have already been rebuilt, homestay tourism is thriving and remittance money is everywhere. However, Barpak is no more the picturesque ridgetop hamlet with stone buildings and elegant tile roofs. Barpak used to be a living museum of Gurung culture. The charm of the cobble stone streets and a settlement that existed in harmony with its surrounding mountains are a thing of the past. Today, Barpak looks like a clutter of concrete and cement, with architecture that is borrowed from the nondescript boxy construction that characterises Nepal’s highway towns. Every house is of a different size, design and shape. Bir Bahadur Ghale is Barpak’s forward-looking pioneer of rural electrification, but even he is sorry he could not stop the erosion of the town’s heritage. He laments: “Our village has completely lost its

original identity. Our children will see the original Barpak only in old pictures.” The main reason Barpak and other old towns have lost their traditional ambience is because the NRA insisted that families would only be eligible for government grants of Rs300,000 if they rebuilt following its list of approved designs. But none of the listed blueprints included traditional motifs in the architecture. Just like in any other earthquake affected village, NRA engineers lacked an understanding of local culture and traditional grammar, drawing up generic seismic-resistant house designs. Some Barpak residents rang the alarm bell, warning fellow villagers that blindly following the government-approved house designs would lead to the loss of their unique identity. But no one listened. In a bid to rebuild Barpak

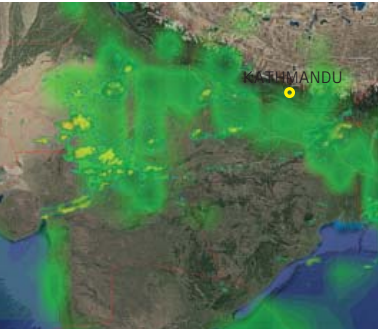
without losing its heritage but still adopting seismic resistant technology, some local residents led by Bir Bahadur Ghale had proposed a reconstruction masterplan. But it was not approved by the government. Ghale recalls: “Our masterplan was neither rejected nor approved. It was kept in limbo for almost a year, and people could not wait. Barpak looks very colourful now. But it is not the same Barpak.” Jit Bahadur Ghale, another local resident, also tried to persuade neighbours to stick to their original architecture. But no one listened to him. He says: “Barpak lost its identity because outsiders imposed new designs on us.” Besides the compulsion to follow government-approved design, there was also a false realisation that Barpak’s original housing style was vulnerable to future earthquakes since most of the original buildings were flattened by

the earthquake, killing 72 people. Many were crushed to death by stones and slates. People in Barpak used to stack up stone slates to roof their houses without using nails or hooks. After the earthquake, they realised that such practice would be a hazard in future earthquakes. And NRA engineers lacked creativity to infuse earthquake-resistant technology into Barpak’s unique architecture. Barpak residents whose relatives served in the British Army or are working in Hong Kong and Kathmandu, therefore, built modern concrete structures. Some, who did not have money, built small and one-roomed homes with the material salvaged from the ruins of their houses, just so they could get the government grant. Such houses do not meet their living requirement, and they are likely to be converted into cattle sheds. 🇳🇵



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We are now approaching the trailing edge of the monsoon. The Bay arm of the monsoon is weakening, while there has been a resurgence of the Arabian Sea branch. The low pressure system with remnants of the Kerala trough are sitting over Central India, bringing very heavy rains. Western Nepal will be affected by this system. Expect short, sharp showers over the mountains mostly towards afternoon, followed by light night rain.

FRIDAY	SATURDAY	SUNDAY
 26° 19°	 26° 19°	 26° 19°

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DIL SINGH GHALE

The baker of Barpak

A village destroyed by the 2015 earthquake celebrates life through good food

Tara Aryal Pandey
in Barpak



MANISHA ARYAL

After a night of rain, the clouds move quickly up the mountains to the village of Barpak. Mingled with the monsoon mist that wafts through the street is the delicious smell of freshly baked donuts, muffins and buns. Following the smell leads visitors up to the Dhanpurna Bakery & Cafe, opened ten years ago, was destroyed in the earthquake, and has now been rebuilt. Hot cakes are once

more selling like, well, hot cakes. The bakery was set up by Koshi Ram Ghale, a Barpak native who epitomises the can-do spirit of this region of Gorkha that was at the epicentre of the 7.8 magnitude earthquake that devastated Central Nepal on 25 April 2015. Ghale, 33, is a self-made Barpak native. He worked odd jobs: as a domestic help and in restaurants in India after his father

HELPING HANDS: The baking business is no more a one-man job for Koshi Ghale (*left*). He now has hired-help assisting him. A view of Barpak from Ghale's Dhanpurna Bakery & Cafe on a recent monsoon morning.

died, and his brothers joined the Indian Army. While there, he got a visit from his uncle, the noted energy entrepreneur Bir Bahadur Ghale, who convinced him to return to Nepal and start his own business. “Since I had been working in kitchens, I thought a bakery might do well in Barpak, but I had absolutely no money,” Koshi Ram recalls. His uncle chipped in, the community crowd-funded him, and he took a loan to get the Dhanpurna Bakery started. “That trust was a big source of encouragement for me. I knew I could not disappoint those who invested money into my venture,” he adds. The bakery was doing well, when the earthquake struck. Nearly all of Barpak’s 1,400 homes were destroyed, killing 72 people. The health post, the local administration building, and six of the seven schools collapsed. The 50 kilowatt micro-hydro plant built by Bir Bahadur Ghale was knocked out. “When the earthquake hit, we were all trying to save our own lives, no one was thinking about saving their businesses,” recalls Koshi Ram, who first helped the community by organising rescues of people trapped, making sure there was food, shelter, and solar energy for the tent city that sprang up outside the village. Dhanpurna Bakery had caved in, but Koshi Ram managed to pull his oven out from under the rubble. He set up the baking equipment under a tin shed, and restarted the bakery within a year of the quake. He took out another loan, made the structure more permanent, bought a dough mixer and expanded his menu. Before the earthquake, Ghale would sell his baked items through local stores. Now, he only sells at the bakery in Mani Danda above the village, and has added a small café which has become the public sphere of Barpak’s community. Koshi Ram is happy: “This is perfect for me. I can interact with my customers, and get all the village gossip.” Dhanpurna Bakery is a monopoly, but that comes with its own challenges. Most of the raw material has to be ordered from Kathmandu and carried up to the village by porters which is expensive. Koshi Ram’s next goal is to get local farmers to supply the cream, eggs and flour so he does not have to import it. Today, Dhanpurna’s cakes are essential for all birthdays, weddings, graduations, and other life events of the villagers, and the bakers are busy with 3-4 double-tier birthday cake orders every day. Says Koshi Ram: “It is as if Barpak wants to forget the horrible earthquake and celebrate life through good food.” 🇳🇵

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Class struggle

Post-earthquake outmigration means low enrollment in rebuilt schools

Prakriti Kandel

Along the lush green ridgeline on the border between Lalitpur and Kavre is Kali Devi Secondary School, which was destroyed in the 2015 earthquake and has now been partially rebuilt.

The classrooms are more sturdy, and have two exit doors that open outward, the staircases are wider, there is improved ventilation and the school is wheelchair friendly.

Principal Deo Narayan Chaudhary shows visitors around proudly. “See, we even have this verandah from where students can enjoy the beautiful view.” Indeed, the scenery is stunning with Kathmandu Valley on one side and the rolling green hills on the other.

When the earthquake struck shortly before noon on 25 April 2015, some 7,000 schools and 26,000 classrooms were destroyed across Central Nepal. Luckily, since it was Saturday, schools were closed and fatalities among students was not as high as in collapsed schools in Pakistan in 2005 or Sichuan in 2008.

The 2015 earthquake was a warning to rebuild and retrofit schools not just in the 14 districts affected, but in the rest of Nepal as well. The earthquake was also an opportunity to rebuild and improve basic education infrastructure all over the country.

Indeed, the National Reconstruction Authority (NRA) came out with earthquake-resistant school building designs, and this Kali Devi Secondary School was one of them. District Level Project Implementation Units (DLPIU) were required to ensure that all schools follow the design criteria.

“Our job is to ensure buildings are made according to design, and quality is maintained. Our

engineers are assigned to be present when foundations are laid and the concrete is poured,” explains Prakash Maharjan of the Lalitpur DLPUI.

But in spite of model schools like this, and even though school reconstruction has been faster than reconstruction of homes, only 3,785 of the schools damaged or destroyed have been fully rebuilt. The reason, as with everything else, is official bureaucracy, lethargy and

corruption.

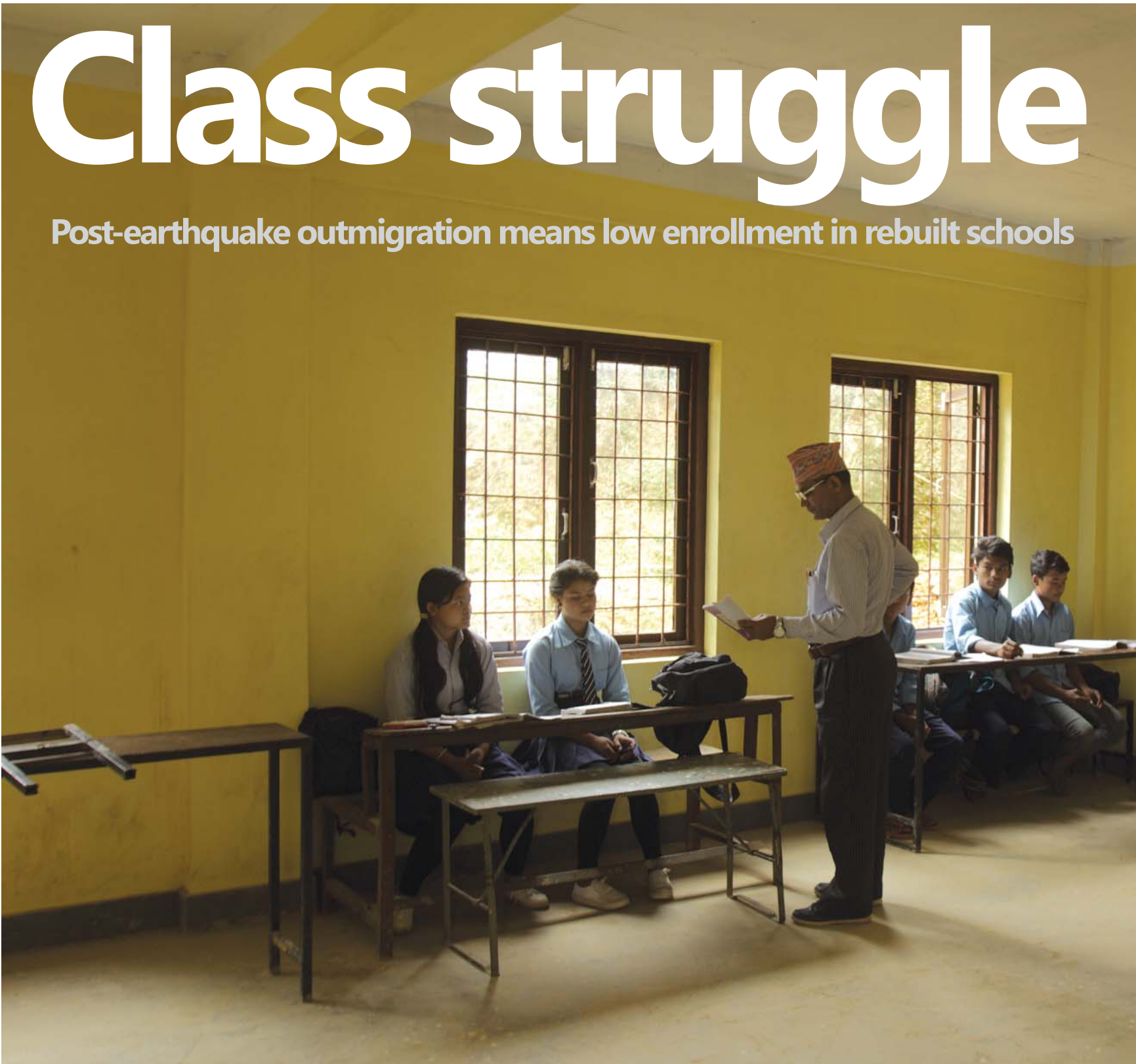
Many of the schools ran out of money, and look like half-completed construction sites, and should technically be off limits to children. At the Saraswati Secondary School in Lele, a teacher points to the steel rods jutting out of the ceiling of an older retrofitted building, and complains: “There is still a lot to do, but unless some donor comes along, I do not really see the government following up

and ensuring completion.”

Federalism and decentralisation should have speeded up school reconstruction, but confusion over jurisdiction and budget has actually slowed things down. Earlier, all budget-dispensing happened through the DLPIU, but with districts now defunct, no one is sure who is responsible. The new building in Lele should have been completed last month, but money ran out.

Kavre’s Kali Devi Secondary School has a well-appointed new building, but soil erosion poses a risk to a part of the school grounds, there is no electricity, water or adequate sanitation facilities. A newly built compound wall was destroyed by floods.

In one classroom, Grade 2 and 3 was grouped together and taught by the same arithmetic teacher, Bishnu Raj Thala. “I teach the same topic to both the grades, but give



Hired, fired, rehired

Reappointed to the National Reconstruction Authority, Sushil Gyewali wants to devolve rebuilding to local governments

Om Astha Rai

One-and-a-half years after being fired for failing to speed up post-earthquake recovery, Sushil Gyewali is back as the CEO of National Reconstruction Authority (NRA) that was set up to oversee reconstruction after the 2015 earthquake.

The way Gyewali was hired, fired and re-hired shows how reconstruction has been a casualty of intense political rivalry in Nepal. He is the fifth NRA Chief in less than three years, and in that time only one-third of the 600,000 earthquake-destroyed houses have been rebuilt. Only half the schools have been reconstructed.

Gyewali was appointed by K P Oli of the UML when he was prime minister in 2016, but labeled “incompetent” and sacked by Prime Minister Pushpa Kamal Dahal when the Maoist Chair was heading a coalition government with the Nepali Congress.

However, after the Maoists-UML merged into the Nepal Communist Party, won last year’s elections, and came to power again, Oli reinstated Gyewali at the NRA.



OM ASTHA RAI

In an interview with *Nepali Times* this week, Gyewali said the charges about his under-performance were “politically-motivated”. He added: “They needed to criticise me because they wanted to

overthrow the government that had appointed me. Earthquake reconstruction has always been held hostage to politics.”

However, with his NCP mentors now firmly in power, Gyewali may face fewer

obstacles during this tenure. He is now backed by a strong and stable government with a two-third majority in Parliament, and just like the KP Oli government itself, he has no excuses to fail or under-perform this time.

The law allows the government to extend the NRA’s tenure by one year, but Gyewali says he is not even looking for an extension. “All earthquake-destroyed private homes will be rebuilt in the remaining two years, or even sooner,” he promised.

When he was first appointed as the NRA Chief, Gyewali rued the absence of locally-elected representatives of people. But now, all of Nepal’s 752 local levels have mayors or village heads. He says working with elected mayors and village chairs to accelerate post-earthquake reconstruction will make rebuilding much easier this time.

“The NRA will now also have a federal structure,” he said. “We will delegate more power and responsibility of reconstruction to municipalities and village councils. Each local government will have its own reconstruction unit, and the engineers deployed by the NRA will be based there.”

Under pressure to expedite reconstruction, the previous NRA leadership had given



PHOTOS: MONIKA DEUPALA

slightly harder questions to Grade 3 and slightly easier ones to Grade 2,” Thala explains.

The other problem has been lack of students. Many families migrated to the cities after the earthquake and have not returned. In Grade 10 of Kali Devi School, there are only five students. Government schools especially have fewer students because besides outmigration, parents are also sending their children to private schools.

“Half our students dropped out because of the difficulties in the Temporary Learning Centres after the earthquake, it is difficult to get them to come back,” Principal Chaudhary says.

The other looming crisis concerns western Nepal which has not seen a major earthquake for 700 years and seismologists have warned that a catastrophic quake there is overdue. Experts say schools in western Nepal need to be

earthquake survivors a short deadline to rebuild as per approved designs. It had warned that those unable to meet the deadline will not be eligible for the rest of the Rs300,000 reconstruction grants. Thousands of families borrowed from local money lenders and cooperatives to meet the deadline. Many also built small, one-room houses that were not seismic resistant, just to meet the NRA condition.

The NRA has faced criticism for forcing earthquake survivors to build houses that do not meet their living requirements. Gyewali admitted the deadline added stress to earthquake survivors, but he said reconstruction would be too open-ended if there is no cut-off date to use housing grants. But he added: “We will now give a more realistic deadline.”

The NRA also faces a funding crisis. Nepal has not received all the money pledged by donors. At the International Conference on Nepal’s Reconstruction on 25 June 2015, donors pledged more than \$4.1 billion to rebuild houses, schools, health facilities and other infrastructure. But the actual pledge, excluding non-reconstruction commitments, was just \$3.43 billion. Even that money has not been received in full.

As soon as he got back to his old office, Gyewali has been trying to find out how much there is in the kitty, and explore sources to meet the shortfall. Some are skeptical that the NRA will be able to finish reconstruction in the remaining two years, even though it is now headed by a CEO backed by a stable government.

They say it was a mistake to copy Pakistan’s model of reconstruction by setting

up a separate agency because Nepal’s socio-political landscape is different. Pakistan was ruled by the Army when it was devastated by a 7.6 magnitude earthquake in 2005, and houses were rebuilt swiftly under a general. Also, survivors were given sufficient reconstruction grants and did not have to borrow as they had to in Nepal.

Meanwhile, Nepal was in the throes of a polarised debate over the constitution when the earthquake struck on 25 April 2015. It was a foregone conclusion that reconstruction would face political obstacles, yet Nepal invited retired Pakistani Lt Gen Nadeem Ahmad to share his experience and this shaped the structure of the NRA.

Asked about this, Gyewali said: “Copying the Pakistan model was probably a mistake. But did anyone propose a better model?”



Watch Sushil Gyewali as he explains what he intends to do as CEO of the National Reconstruction Authority for the second time. He blames political instability for past inaction, and says that this time a strong government backs the NRA.



CLASS DISMISSED: An empty classroom that caters to two grades in the rehabilitated Kali Devi Secondary School in Lalitpur (*left and above*) signifies the extent of outmigration of families after the earthquake.

urgently retrofitted.

Explains Narayan Marasini at the National Society for Earthquake Technology Nepal (NSET): “A lot of the focus has been given to Eastern and Central Nepal following the earthquakes in 1988 and 2015, we now need to tackle the challenges in the West.”

Recognising this



problem, the British aid agency DFID has launched a Safer Schools Project which aims to retrofit and reconstruct schools in Western Nepal.

“We chose this region to work with because there is high vulnerability and low awareness on coping mechanisms,” says Eleanor Brainbridge of DFID.

Indeed, 2015 proved that strengthening school buildings is important in saving lives in a disaster. None of the schools that had been retrofitted by NSET came down in the earthquake, and many of the schools that crumbled had not been strengthened.

The answer is not another building code, but implementing the 1994 guidelines. If the

lessons from the Gorkha Earthquake of 2015 are heeded, it could save a lot of children’s lives in a future disaster.



Travel to the fringes of Lalitpur to visit a school that has recently been rebuilt after the earthquake. Listen to teachers’ talk about the challenges of constructing safer buildings, and visit classrooms that are empty because of outmigration.

Community committees

In schools where the government funded reconstruction, the main responsibility of the process was given to School Management Committees (SMCs), whose members include educationists, social workers, or village elders.

“This is a mechanism to involve the community in rebuilding schools,” Prakash Maharjan from the Lalitpur District Level Project Implementation Units (DLPIU) says. Engineers supervise design-adherence and quality control periodically, but SMCs are the backbone of the process: from hiring contractors to selecting material, they oversee all work.

“Without support from the SMC, reconstruction would not be possible,” adds principal Deo Narayan Chaudhary (*pictured right*) of Kali Devi Secondary School in Kavre where the committee took an active part in extending the road leading to the school to make transportation of construction material easier.

In fact, across the 14 districts affected by the 2015 earthquake the schools that have been rebuilt are the ones where the community committees are most involved. “Villages are close knit communities where success is also a matter of pride for the entire village,” Maharjan explains.

Moreover, schools also function as a nucleus of awareness for the entire entire community. Which is why Safer Schools Project in western Nepal seeks to spread awareness about retrofitting and earthquake safety through schools.

The project is jointly undertaken by the British aid agency DFID and the Nepal Society for Earthquake Technology Nepal (NSET) in western Nepal, where the next big earthquake is overdue.



Says Eleanor Brainbridge of DFID: “Schools are excellent starting points to reach out to the rest of the community.” Narayan Marasini of NSET concurs: “When we conducted retrofitting training, we did it in close coordination with SMCs, and villagers also started to take interest to earthquake resistant building techniques.”

Beyond this, the role of elected local governments is another key component. Says Sushil Kharel, a teacher at Lalitpur’s Saraswati Secondary School: “Much of the future investment in schools depends on how local leaders perceive education. If they do not under the importance of schools, things get difficult.”

EVENTS



Janai Purnima
Shamans of Kathmandu Valley and across Nepal gather to perform ancient rites at the Kumbeshwor temple in Patan on Janai Purnima. Hindu Brahmins and Chhetris who have undergone the ritual of Bratabandha also change their Janai, a sacred thread for good luck. The day is popularly known as Raksha Bandhan too. Sisters tie Rakhis, a wrist band on their brothers’ hands as a symbol of protection. People celebrate the festival eating kwati and other special food items.
26 August, Kumbeshwor Temple, Patan/ Pashupatinath Temple

English poetry recital
English poetry recitation program with Nepali poets Subash Singh Parajuli, Harish Adhikhari and Rupsingh Bhandhari.
24 August, 4-5pm, Kunja Theatre, Thapa Gaun, Rs150, (01) 5244233/ 5244234, www.ghostwritingnepal.com

Folk Gods Stories
Book launch of Folk Gods Stories from Kailas, Tise and Kang Rinpoche, celebrating with a performance depicting the legendary feats of Puchawa Selzong, based on a folk tale from Kailash region.
25 August, 3-4:30pm, Local Development Training Academy, Jawalakhel, (01) 5525346



Ideas to art
Mrigaja Bajracharya, a contemporary art graduate, will teach you how to transform your thoughts into original artworks, focusing on your idea and storytelling rather than medium or style.
25 August, 12-3pm, Sattya Media Arts Collective, Jawalakhel, Rs800, To apply: http://bit.ly/ideastoart, (01) 5521812

Darkroom workshop
Jagadish Upadhyia will guide you through Janai Purnima and its rituals, in Nepali and English, while you compose your best shots on 35mm B&W film to capture the experience, in the heart of the Banglamukhi temple. Get the chance to develop your own photo prints in the darkroom studio. Packages offered.
26 August, 6am-6pm, Banglamukhi, Patan, Rs10,000/ Rs3,000, For details: (01) 5521812, 9849690938

Taragaon Lecture
Gautama V. Vajracharya speaks on “About the life of a Newar Sanskritist and art historian”.
29 August, 4pm, The Taragaon Museum, Tusal, Boudha Sadak, (01) 6201035, RSVP: museumdirect@taragaon.com



Moonshine border affairs
An exhibition named Borders, researching the diverse concepts of physical and psychological borders by incorporating artists’ personal interpretation of it, followed by a music jam.
28 August, 3-7pm, Kaalo.101, Nagbahal, Patan, 9803553123

The Base Camp quiz
Get together with friends and your friends’ friend for an ultimate battle of the brains. You can either bring your own team or join a table.
29 August, 7:30-8:30pm, Base Camp: Outdoor Lifestyle, Arun Thapa Chok, Rs 100, 9841226397

Sadan exhibition
Artists Sabita Dangol, Anisha Maharjan, Deepmala Maharjan, Anamika Gautam and Namrata Singh exhibit their paintings under the collaboration SADAN “The five petals”.
24 August, 4pm onwards, Classic Gallery, Chakupat, (01) 5260354, 9841224753

Ranjana Lipi workshop
Nepali Lipi Guthi is coming to Khwopa in Bhaktapur to provide a live workshop on Ranjana Lipi Calligraphy.
25 August, 1-5pm, Dattatraya Square, Bhaktapur, (01) 4250703

MUSIC



Shades of Sound
Electrifying cocktails, good food and good times with the man with a powerful voice, Rajesh Nepali, and a talented pianist, Prajwal Lama.
25 August, 7pm onwards, Electric Pagoda Bar and Cafe, Thamel, (01) 4700123

Larry T Hill
Live vocal looping by the Australian hip hop artist who has been striking strangers with his brand of hilarious hip hop since 2012.
24 August, 8-11pm, House of Music, Thamel, Rs200, 9849377915



Spektrum ft. Zokhuma
Representing the end of old things, Zokhuma (Arman Menzies) explores and experiments with alternative electronic music. He is well known in cult progressive metal circles in India, and songwriting and playing guitar for Goddess Gagged. Also featuring: Vibe, Enhancify and BKNOT.
24 August, 9:30pm onwards, Club 25 Hours, Tangalwood, 9801057602

Blues and Roots
Newaz, The Kathmandu Cats, Mango Soup and Spirit X will journey you to the blues and roots of Kathmandu. Be there to groove.
25 August, 7pm onwards, Shisha Lounge and Bar, Thamel



Opens in Kathmandu on 24 August

As can be predicted by the word ‘Phirr,’ Happy Phirr Bhag Jayegi is a sequel. It follows the 2016 movie ‘Happy Bhaag Jayegi’ about a free spirited girl who runs away from her wedding and ends up in Lahore. The comedy of errors starring Diana Penty had become an unexpected hit, and now with Sonakshi Sinha playing another “Happy”, the comedy promises even more errors to laugh at. The movie directed by Mudassar Aziz also stars , Jimmy Sheirgill, Ali Fazal and Jassi Gil.

DINING

Garden Terrace
Indulge in a carefully selected variety of pizzas and pastas from Soaltee’s A La Carte menu with a glass of wine or beer.
12-10:45pm, Soaltee Crowne Plaza, Tahachal. For reservation: (01) 4273999

Bayleaf
Drop by the garden restaurant for Burmese dishes such as Burmese Tofu Thoke, Khao Swe Thoke (Noodle Salad), Mohinga (fish noodle soup) and other signature pork dishes.
Tangal, opposite to Attic Bar, (01) 4437490



Ventures Café
Stop by for the best fusion menu and local favourites, and enjoy the breezy outdoor seating. A great venue for beer connoisseurs. Try their innovative Fanchow noodles.
Baluwatar, 9851228014

Mango Chilli
To tame your Thailand holiday hangover, a quick visit to Labim Mall’s Thai restaurant can be a good idea. With very chic and contemporary interior and attentive service, your experience of Pad Thai, Pineapple fried rice and Papaya salad will be much better.
11am-10pm, Second Floor, Labim Mall, Pulchow, (01) 5538846

Mezze by Roadhouse
Smart interiors and a chic terrace with a view of the palace provide a great atmosphere to enjoy dinner with friends. Recommending chef’s specials: Tom Yum Soup, Asparagus Sushi with Organic Leaves Salad and Grilled Pork Chop with Polents and Corn Salsa.
Mercantile Plaza, Darbarmarg, (01) 4223087



Magic of momo
Indulge in an array of mouth-watering momos available in various flavors and served with lip-smacking condiments.
24 August-16 September, 3-7pm, Lobby Lounge, Hyatt Regency Kathmandu, Boudha, (01) 5171234

GETAWAY



CG Retreat
Opened to the public eight months ago, this was used as a private course of billionaire Binod Chaudhary. Located in an Industrial Park, this 9-hole course (par-64 over 18 holes) is maintained to an exceptional standard.
Devchuli – 02, Nawalparasi, 9826444611, 9805442901, www.cg-retreat.com

Rupakot Resort
Get pampered in the lap of luxury amid stunning views of the Annapurnas.
Maidan-6, Rupakot, Kaski, (61) 622660 / (01) 4004687

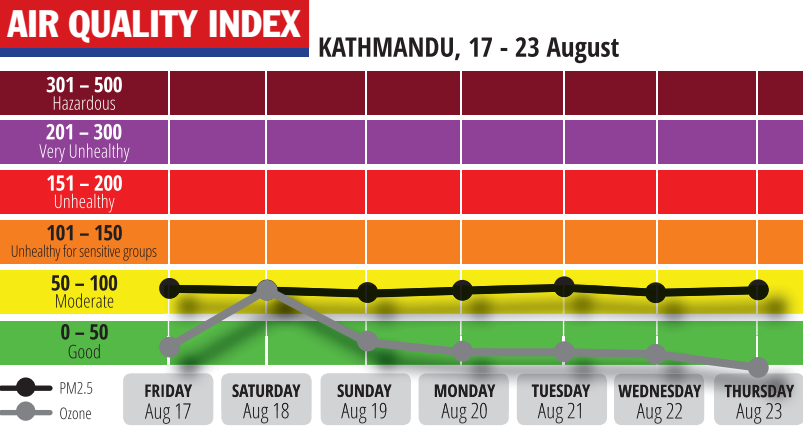


Borderlands Eco Resort
Enveloped in the natural Himalayan splendor, the resort is located a mere three hours north of Kathmandu. A quick getaway to wild nature—celebrate the the weekend for eco-adventures.
Borderlands Eco Adventure Resort, Sindhupalchok, (01) 4381425, 9801025111

Atithi Resort & Spa
Continuously on the top ten lists of hotels in Nepal by TripAdvisor, the resort is a quiet sanctuary that fuses Nepali tradition with modern amenities. Spend a night or two here to make memories.
Lakeside, Pokhara, (061) 1466760



Peacock Guest House
Housed in a World Heritage Site, 3-storied Newari-style building provides splendid views of the Dattatreya Square and the Bhimsenthana temple.
Bhaktapur, (01) 6611829



As the rains get more sparse, pollution levels of both PM2.5 and Ozone are picking up again in Kathmandu’s city core. Massive traffic jams this week caused by road repairs for the BIMSTEC Summit no doubt contributed to bringing up the daily averages. There were two days that almost reached “Unhealthy for Sensitive Groups” Friday Aug 17th (AQI of 99) and Wed Aug 22nd (AQI 89) with every day averaging moderate with no average “good” days. Ozone also significantly increased this week, with one day in moderate and two days right on the cusp of moderate.
<https://np.usembassy.gov/embassy/air-quality-monitor/>

- लोकतन्त्रको आधार : सूचनाको अधिकार ।
- सूचना हाम्रो अधिकार : सुशासन र विकासको आधार ।
- कुनै पनि सार्वजनिक सरोकार : थाहा पाउने नागरिकको अधिकार ।
- सूचना लिनेदिने संस्कृतिको विकास गरौं ।

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Sewa Bhattarai

After the earthquake of 2015, many Nepalis recalled how well Rana Prime Minister Juddha Shumsher had handled relief and rehabilitation after the megaquake of 1934 that leveled the capital and killed 10,000 people. Many felt that even though Juddha Shumsher was a dictator, he was better than most of Nepal's later elected leaders in organising disaster relief.

In the last three years, the Nepali social mediasphere has been replete with praise for the oligarch who nearly 81 years ago rushed back to Kathmandu immediately from his travels, refused foreign money for rebuilding, and waived loans for the reconstruction of homes.

However, as British historian John Whelpton says, the truth is much more complicated. Juddha was keen to avoid economic help from the British, because the Viceroy Fund then was used to help India's princely states, and Juddha did not want Nepal to be classified as one.

Whelpton is working on a project for Social Science Baha and has come up with other interesting archival anecdotes about the 1934 earthquake: a surgeon from the British legation who treated the wounded wrote that the 'inhabitants were behaving splendidly, there seemed to be no panic, the people ... were settling down in family groups in those open spaces and preparing

A History of Nepal, by John Whelpton
Cambridge University Press, Cambridge, UK, 1990
324 pages, Rs2,828

Jang Bahadur in Europe: the first Nepalese Mission to the West, by John Whelpton
Sahayogi Press, Kathmandu, Nepal, 1983
320 pages, Rs600

Nationalism And Ethnicity In A Hindu Kingdom: The Politics Of Culture In Contemporary Nepal, David N. Gellner, Joanna Pfaff-Czarnecka and John Whelpton
Harwood Academic Publishers, Amsterdam, Netherlands, 1996
587 pages, Rs4,245

Kings, Soldiers, and Priests: Nepalese Politics 1830-1857, by John Whelpton
South Asia Books, Columbia, Missouri, 1992
315 pages, Rs3,355



English teacher who accidentally ended up in Nepal became a dedicated earthquake historian

ROYAL ASIATIC SOCIETY

for John Whelpton

to pass the night as best as they could.' In fact, that could also describe the reaction of survivors after the 2015 earthquake. The Nepalis seem to be as resilient as ever.

The British Resident during the earthquake, Clendon Daukes, was confident homes would be rebuilt by the monsoon of the same year, but his successor, Frederick Bailey reported three years later in 1937 that 'houses of the poor had been reconstructed hurriedly and were of poor quality...'. Again, something else that has not changed in 81 years. Most public buildings, however, had been reconstructed with local resources by 1938.

Juddha may not have been as benevolent as portrayed for waiving loans. Whelpton found evidence that he was coerced to do so by royal courtiers who feared a popular uprising. The Rana prime minister was also not so generous with his Army, refusing to reimburse a four month salary advance after the quake. Whelpton says the dissatisfied soldiers eventually helped topple the Rana regime in 1950, which historians might say needs more proof.

The earthquake project is part of Whelpton's ongoing research into Nepali history. But his own personal history is as fascinating: an English teacher who became one of Nepal's most dedicated historians.

Whelpton signed up to be a VSO volunteer to teach English in South Asia, wanting to go to India but ended up by chance in Nepal in 1972. He took an 8-week course in Nepali, but realised it was of no use in Birganj where he was stationed -- everyone spoke Hindi.

He hiked to Jomsom and Pokhara, and once walked into the main courtyard of Pashupati by mistake, almost getting beaten up by a drunken English-speaking devotee before he was rescued and sent on his way by a policeman.

By late 1970s, his Nepali was good enough to translate *Jang Bahadur ko Belayat Yatra* from Nepali into English. It was published with commentary as *Jang Bahadur in Europe: The First Nepalese Mission to the West*, which contained a first-person account of the journey by Moti Lal Singh, who is considered the first Nepali to get to London and was befriended by Jung and employed as translator.

Whelpton's PhD led to another book on Jang Bahadur: *Kings, Soldiers and Priests: Nepalese Politics and the Rise of Jang Bahadur Rana*, which included previously unseen archival material. He then went back to his job as an English teacher in Hong Kong, and in his spare time wrote *History of Nepal*, and surveyed Christianity in Nepal.

Foreigners are not allowed access to Nepal's Foreign Ministry archives which limited Whelpton, but then he had easy access to the

British Library where missives sent by residents between 1830-1870 are stored. These records come with their own complications. "Nepali records are mostly official documents, but British documents contain policy debates. They discuss not just what happened but argue about what should be done," says Whelpton. "So while they often give the bigger picture, there is more danger of bias colouring the information."

After 1870, the British

government in India stopped sending records to London, so Whelpton is currently researching in the Foreign Ministry archives in Delhi. Nepal-related documents were classified under the 'Political' section meant for internal affairs, until Chandra Shumsher specifically asked that Nepal be put under the 'Foreign' department.

Though Ranas are seen to be Anglophiles, Whelpton cites this and other examples to claim that they were actually quite patriotic. He adds: "What determines Kathmandu rulers' attitude to outside powers is the strength of the outside powers. At any given time there is a balance between independence and keeping on the right side of powerful neighbours. For Jang Bahadur, China was becoming weaker, and it made sense to get closer to the British. Even Bhimsen Thapa, seen as a patriot who resisted the British, was swinging more towards the British in his last days."

Despite a shift in academia towards anthropological history of the people rather than a list of rulers, Whelpton calls himself "an old fashioned political historian", and says Nepal's politics has become much more complicated, which is why he wants to research it as a historian.

A lot needs to be done before Nepal has a comprehensive and complete history, but Whelpton feels that every bit counts: "Scholarship in history can be compared to a cairn on a mountain pass which grows as each traveller throws another stone." 🇳🇵



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SAME TO SAME: Home Minister Ram Bahadur Thapa meets Japanese Ambassador to Nepal Masamichi Saigo on Wednesday, where the two discussed increasing Japanese investment in Nepal.



MELAMCHI MIRAGE: Speaker Krishna Bahadur Mahara and the Minister for Water Supply Bina Magar, on Sunday, inspect the water treatment plant in Sundarijal that will process Melamchi water.



JET, SET, GO: Minister of Culture, Tourism and Civil Aviation Rajendra Adhikari lays the foundation stone of the terminal building of Pokhara International Airport on Wednesday.



HERITAGE ALIVE: Swayambhunath Stupa with the recently restored Pratappur and Anantapur Temples, as seen from Terger Oselling Monastery, Halchok.



EID MUBARAK: The Muslim community in Nepalganj prays on the occasion of Eid-al-Adha, also known as the Festival of the Sacrifice, on Wednesday.



If readers have seen the trailer of *Alpha*, they will know the story. Set 20,000 years ago somewhere in present-day Europe, a boy named Keda, who is coming of age, has to prove to his father and the whole tribe that he can hunt. No matter how sharp he carves his spear, the boy is not the kind who leads the hunt, but he does it “with his heart”. He is tossed over a cliff after he is unable to kill a charging bison. Presumed dead, the tribe forces his devastated father to abandon him. But the boy survives, and finds his way out of the cliff. While trying to keep himself alive, he knifes a wolf from an attacking pack. The other wolves run away, leaving the injured one, Alpha, behind. All this has already happened within the first quarter of the film, and the rest of the plot is about how Alpha and Keda get along, and the wild wolf becomes a pet

dog. Keda carries the wounded wolf to his cave. Separated from their families, both stick with each other for safety and food. The wolf grows affectionate: there is an “Awwwww” moment when Alpha waits until Keda falls asleep, and then comes back to snuggle beside him. But Keda does not realise what the wolf means to him, until it goes back to its pack. What happens after Keda is left alone? How do they find each other again? How does the attachment between them grow stronger? Go see the film. Keda’s transition from a boy hunter to a courageous survivor, and the wolf’s from a savage beast to a loyal follower, is a beautifully crafted story. Director Albert Hughes skillfully brings to screen the relationship between a breadwinner and a protector, and one wonders if this is actually the story of the evolution of the domesticated dog from the wolf.

Kodi Smit-McPhee plays Keda (the ‘keta’) convincingly, building chemistry with the wolf played partly by Chuck, a real life Czech Wolf Dog from France. Adding to the performance is the cinematography, reminiscent of the stunning visuals of NatGeo or Discovery channels. Shot in Vancouver, Alberta, and Iceland, cinematographer Martin Gschlacht recreates a prehistoric Ice Age Europe of vast snowy mountains, stunning starry sky, lightning-split horizons, and dense forests. Time-lapses of days and nights are unique, and especially dramatic in 3D IMAX . *Alpha* may not really stand out among the many ‘boy and dog’ movies. However, by the time you come to the end, you will not only be spellbound by the onscreen scenery, but want to hurry back home and give a big, tight hug to your own Alpha.  **Sikuma Rai**

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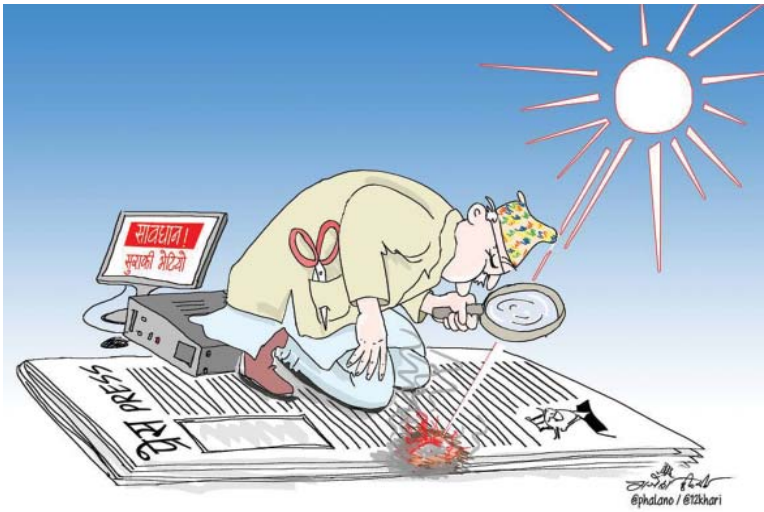
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On the computer screen: Warning. Source found.

Rajesh KC in Baaharakhari, 19 August



PM Oli: Nothing like that, don't be scared
In his pocket: Criminal Code.

Abin in Kantipur, 16 August



Photographer 1: Mr. PM, can I take a photo?
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In Newspaper: Prohibition on taking photographs without permission.

Deven in Nagarik, 21 August



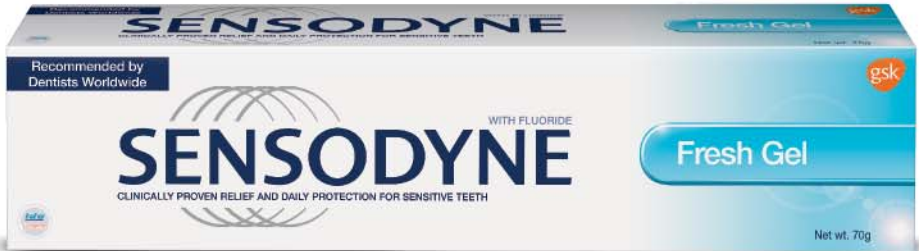
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NAKED TRUTH: Sabitri Subedi (standing with *Mike*) and Diya Bhandari struggle with police during a demonstration last week in Kathmandu against the government's inaction against rising cases of rape in the country. The protesters called for the death penalty for rapists. Demonstrators march in Dhangadi (*overleaf*) demanding justice for a 13-year-old student who was raped and killed last month, and pressuring police to catch the actual perpetrator.

BIJAY RAI

JUSTICE FOR SALE

Money, power and patriarchy allows rapists to easily get away with their crime

Tufan Neupane

In June 2014, police arrested hotel owner Lekhnath Bhandari in Butwal for raping a 14-year-old girl who was his housemaid. During police interrogation, Bhandari admitted to having raped the girl repeatedly. She was pregnant with a seven-month baby when he was caught. But Bhandari never went to jail, he got a Dalit man to marry the girl who is now raising a four-year-old baby. During the trial, Bhandari's lawyers claimed police coerced him to confess to the rape and that his

sexual relationship was consensual. Public prosecutors argued it was still rape because she was a minor, and produced a birth certificate which showed the girl was born on 10 January 1999 and was just 14 years old when Bhandari forcibly had sex with her. But defence lawyers presented a fake birth certificate, claiming she was born on 1 November 1995, and so had already turned 19 at the time of the crime. The new document was issued by a local VDC three days after Bhandari's arrest, but the court still gave more credence to that dodgy document rather than the girl's original birth certificate. The

judge ruled she was not raped but had consensual sex with her employer. The Appellate Court upheld the District Court's verdict, but the Supreme Court, acting on a writ petition, recently agreed to re-examine the case. The girl is still waiting for justice. Bhandari used his money and his proximity to political power to get himself off the hook, making this an iconic case, emblematic of the state of impunity in Nepal today. Activists say cases like these embolden men to assault, rape and even murder women and girls without ever answering for their crimes, leading to the current epidemic of rape in Nepal.

Writer and activist Sabitri Gautam says: "Only a few rapists are taken to court, and even if they do, they are released on bail. This erodes the faith of survivors on the justice system, and sends the message to men that they can get away with rape." The number of rape cases recorded by police nationwide has increased four times in the last decade -- totaling 1,131 rape cases last year, which is almost three rapes a day. In 2013, a UN report estimated that 74% Nepali women have been raped, sexually assaulted or abused. A recent report by Red Cross Nepal shows rapes are on the rise,

especially in areas affected by the 2015 earthquake, where hundreds of thousands of families still live in flimsy shelters. But most victims prefer to remain silent, which shows their lack of faith in the justice system. Only the most extreme cases grab headlines and spark protests on the streets like the ones that followed the murder of a 13-year-old girl last month in Kanchanpur district in far-western Nepal. A post-mortem showed she was raped before being choked to death in a sugarcane field. Police caught a mentally unstable person this week, but family members say they have been pressured by police to accept him



Binda Pandey, MP(NCP)
MPs across party lines have come together to register a resolution in Parliament to instruct the government about actions to be taken to address the question of rape. It contains four provisions: for all people's representatives to raise their voices against rape and other forms of sexual violence, punishment to the perpetrator and justice, treatment, rehabilitation and compensation for the victim. Debate on the proposal has been delayed because of other matters, the ball is now in the Speaker's court.



Sabitri Gautam, Writer
Society describes a rape victim as having 'lost her honour'. Actually it should be the rapist who should feel dishonoured. The victim has the right to return to normal life without fear, intimidation or stigmatisation. Rapists may be taken to the courts, but they are released on bail. Perpetrators walk free, while victims have to relive their trauma over and over again in the court. Many victims find it too overwhelming and let it be, encouraging impunity. The Home Minister needs to answer these questions in Parliament.



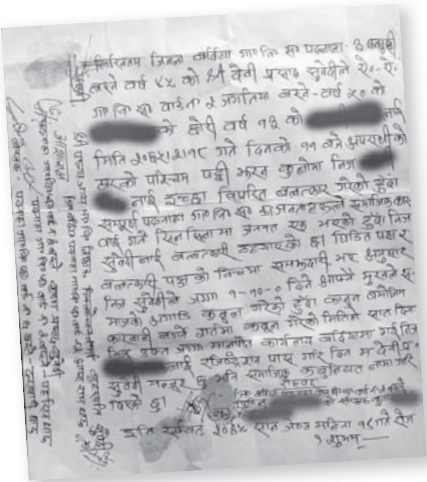
Sushma Gautam, Advocate
One issue of vital importance in rape cases is the statute of limitation. Rape cases had to be registered within 35 days of the crime; this was impractical and it deprived women of justice. After a long struggle, it was increased to six months, and the latest Criminal Code has increased it to one year. Incest victims, especially, should be able to lodge a complaint even after attaining adulthood. Other loopholes in the Code need revision, including what constitutes marital rape.



Ganga Pathak, Psychologist
Sex education must start at home, parents and teachers need to be involved. Many patients come to me for counseling for depression, anxiety, abnormal behaviour or having bad grades, but the real reason could be sexual abuse. The child may have been abused by her uncle or brother, but does not open up because of disgrace to the family. It is better to focus on not allowing rape to happen rather than addressing the punishment after the crime has been committed.



Ayushma Regmi, Teacher
It is clear from many crimes that rapes are usually committed by a known person, someone the victim trusts, perhaps even friends or relatives. But as a teacher, how am I to tell my students not to trust their guardians or relatives? Sex education should also include information on rape, good touch/bad touch, and about being able to say 'no'. I am worried about talk of 'protecting women'. Instead of empowering, such an approach may be portraying women as being even weaker.



Land for rape

Devi Prasad Subedi of Bardia is a notorious criminal. In 2008, he was caught by neighbours after raping a 13-year-old girl. He admitted to the crime, but never went to jail.

A local mediating committee allowed Subedi, then 45, to go free after he agreed in writing (*above*) to give a portion of his property to the victim's father. No one asked the girl whether she was happy to settle the case for a small plot of land.

Three years later, 22-year-old Sitaram Tharu raped a 16-year-old girl in the same village. But, like Subedi, he did not go to jail either. Because of the precedent, locals settled the case after the rapist's family agreed to transfer a parcel of land worth Rs50,000 to the victim's family.

(Names are obscured to protect the identity of the victim.)

as the perpetrator, and that the police are not going after the real criminal.

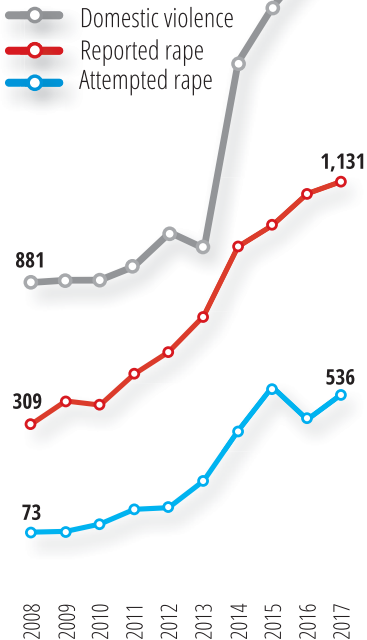
A photo of the girl's body published in some mainstream dailies outraged the nation, and as the anger against impunity grew some women activists demonstrated in Kathmandu this weekend (*photo, overleaf*), slamming the government for not doing enough to go after rapists, and demanding the death penalty for the crime.

After the Kanchanpur rape-murder, MPs across party lines tabled a resolution in Parliament to take urgent and stringent measures to prevent rape. But Speaker Krishna Bahadur Mahara put the resolution on hold for weeks, reportedly at the behest of Prime Minister K P Oli.

Nepali Congress MP Pushpa Bhusal says: "Parliament was not even allowed to debate the resolution, which shows the government is not really serious about controlling the widespread cases of rape."

The controversial Criminal Code which came into effect on 17 August also has provisions that could actually encourage rapists. A person found guilty of raping his wife can be imprisoned up to five years under the new law.

GETTING AWAY WITH IT



Previously, it was a minimum of three years of imprisonment. Explains Advocate Sushma Gautam: "Up to five years could also mean just a day in prison."

Under the previous Muluki Ain, the statute of limitation was 35 days, and that has been extended to a year. But activists say even one year is too short for minors and children who may be intimidated by perpetrators.

"Some girls are repeatedly raped since their childhood, and they need time to overcome the trauma and fight for justice," says Gautam, "for them, one year is not enough time."



ALL IN THE FAMILY

Listen to the heart-wrenching experiences of victims of incest in Dolakha. All were living in earthquake shelters and were vulnerable abuse by neighbours and male members of the family. Hear how the young survivors cope with the abuse they suffered.

nepalitimes.com



The roots of rape

Misogyny, malevolent malehood and impunity perpetuate rampant rape

Have you raped anyone? If your answer is yes, think: why did you commit a crime deemed to be wrong by society, and illegal by law? Are you a victim of rape? If your answer is yes: did you go to the police? Did you tell others? Did your rapist(s) go to jail?



COMMENT
Kedar Sharma

If you did not go to the police, what stopped you? Were you afraid of being

stigmatised? Were you worried that you would disgrace your family? Were you afraid of losing your job, or being harmed by the perpetrators?

To understand the root causes of the rash of rape cases in Nepal recently, we must ask and explore answers to these uneasy and unnerving questions.

Rape is defined in a Nepali dictionary as 'an act of forcibly having sex with a woman, and violating her honour'.

But rape is now such a multi-faceted crime, it cannot be defined so narrowly. 'Violating a woman's honour' turns the attention away from the criminal. It also does not acknowledge the fact that men, especially boys, can also be raped. Consensual sex with a minor is rape, and rape can happen in a marriage too.

Rape is not about lust, but power. It exerts dominance over an economically or physically weaker person, usually a woman.

Those who have raped or could do so may be few in number, but it is a manifestation of pervasive patriarchy in our culture. Misogyny is sanctioned by our religious texts, folklore, songs, jokes, and proverbs are full of sexual innuendos that insult women. We need to look deeply inward as a society to question these accepted values.

Police records show that three girls or women

are raped every day in Nepal. Ahalya Sharma, a marital rape survivor, says that number is a gross underestimation.

"Only those who cannot tolerate it anymore go to police, but no one knows the plight of women like me who were raped every night by their own husbands," says Sharma.

While studying in Sikkim and aged 19, Ahalya fell in love with a 21-year-old man. They spent a night together in a hotel, but Ahalya did not allow her boyfriend to go all the way, and he agreed to wait until their marriage.

But her family married Ahalya off to someone belonging to her own caste, who raped her almost every night for 20 years. She wept, and later realised it was because of unfulfilled longing for her friend and his love. She says: "It is easy to fight if you are raped by others. But if you are raped by your own husband, what do you do?"

Draupadi Khatri's husband was a migrant worker, and she was raped by her two brothers-in-law while he was overseas. Not able to stay home anymore, she fled and became a prostitute — almost as a way to get back at society for what it did to her.

After meeting Ahalya and Draupadi, I am now even more convinced that rape has nothing to do with sex. It is a crude exhibition of masculinity and male power that brutalises and dehumanises women. The lack of proper education, the dearth of healthy erotic literature, and a flood of pornography on the Net is propagating this epidemic. The culture of impunity is spreading the message that men can get away with it.

If we want to tackle rape, we must uproot engrained patriarchy. We will have to review, question or even rewrite literature, school curricula, holy texts and film that propagate this malevolent malehood.

Some names are changed.
Go online for a longer Nepali version of this opinion piece.

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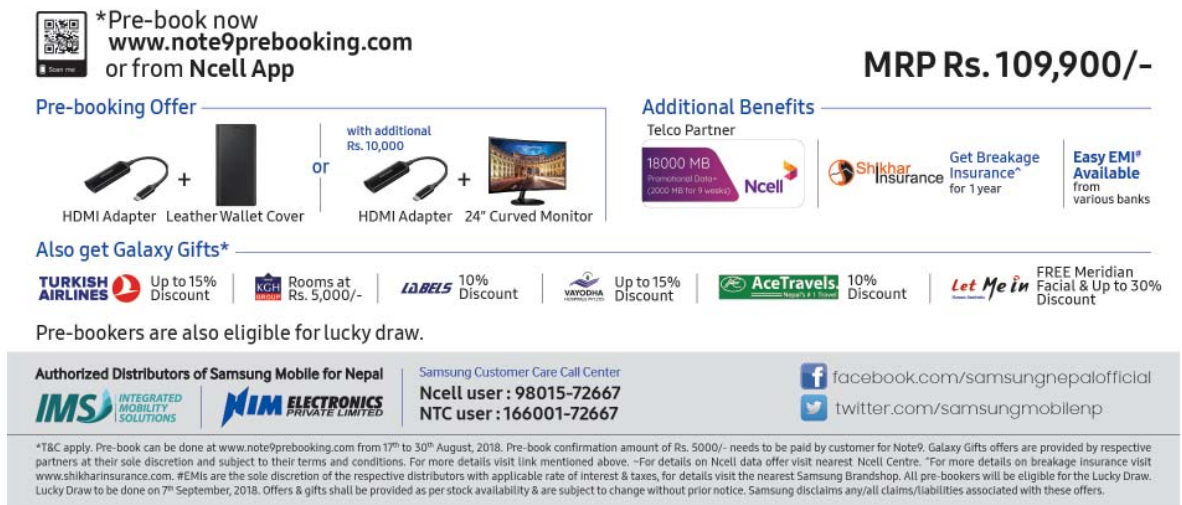
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The Ass

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