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TOURISM YEAR 2011: Trepidations & Tick Offs



Opinion:
Dipak Gyawali



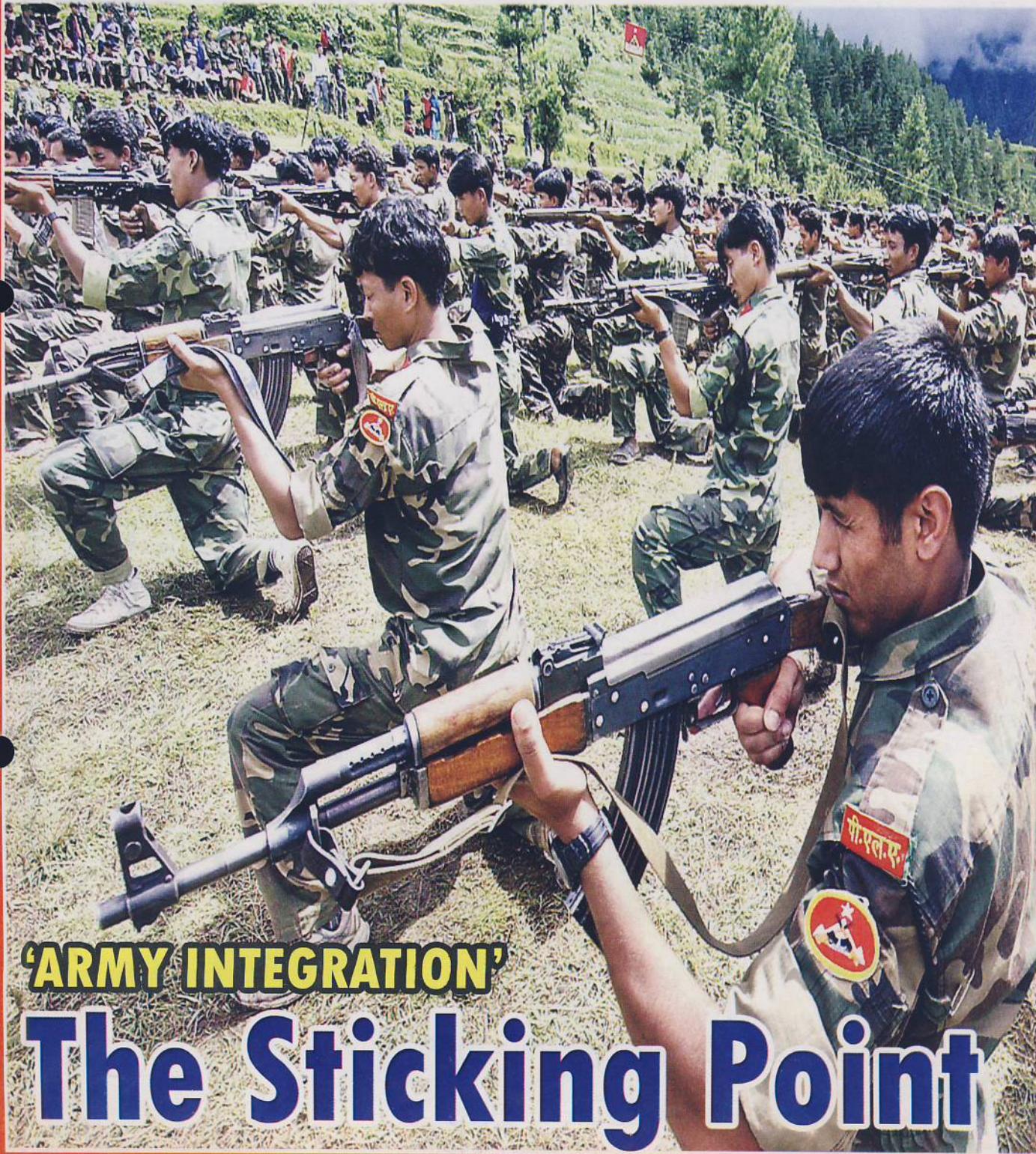
Interview:
Nilamber Acharya

SPOTLIGHT

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FORTNIGHTLY



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From The Editor

The prime minister's election has been deadlocked for more than three months now. As we went to the press, the 13th round of the futile voting was in progress. Rhetoric of a consensus has remained just rhetoric. There has been no sign yet of a concrete progress in breaking the deadlock. The blame-game continues. A major sticking point, all agree, is how to address the vexing issue of the Maoist combatants. The Maoists and the non-Maoists both want to settle the issue on their terms. Both mistrust each other. That is why despite some seemingly positive moves last month, not much has moved forward since then. This is what we have attempted to take a look at in the cover story this time. The combatants' issue is closely linked with the success or the failure of the peace process and the constitution making. Drawing a battle line over the issue will endanger the whole peace process. Unfortunately, none of the political actors appear to realize this notwithstanding their postures in public. Time is fast running out. As they say, time and tide wait for none.

Keshab Poudel
Editor

NOTICE

Because of Tihar and Chhath Festivals Coincided with Publication Dates, Our Next Issue Will Arrive In Stand on 19th November

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Nepal, Pakistan Ties Highlighted

Nepal and Pakistan are both members of South Asia but they are yet to increase the volume of bilateral trade. But, since the establishment of diplomatic relationship with Pakistan five decades ago, Nepal has learned many things from that country. Pakistan has contributed a lot in Nepal's process of modernization. It has provided a range of opportunities from training of Nepalese pilots to technical education to Nepalese students.

The Embassy of Pakistan organized a talk program on Peace and Conflict in South Asia in which Pakistan's Ambassador Syed Abrar Hussain highlighted the state of Nepal-Pakistan relations.

The Pakistani Ambassador said his country wanted peace in the region and wanted to sort out. He informed about



his country's efforts to deal with the recent devastating floods."Pakistan well comes all such efforts to resolve the Kashmir issue. We feel that international community should encourage and process of peace and rapprochement, help promote the peaceful resolution of disputes, and

of Mahatma Gandhi, at Kendriya Vidyalaya premises. The topic for the debate was "Academic Excellence is Essential for Success, and for the Painting Competition was "What brings you happiness?"

British Ambassador Meets NC President

John Tucknott, the British Ambassador, paid a call on Sushil Koirala, president of Nepali Congress. The Ambassador enquired about his health and congratulated him on his recent election. They had a discussion on the political situation. This was part of a regular series of meetings between Tucknott and Koirala.

Indian Ambassador Rakesh Sood distributed the prizes.

Aditi Aryal of Chandbagh School, Devjeet Audy of DAV Sushil Kedia Viswabharathi and Devashish Niraula of the Modern Indian School, won the first prize Rs 5000, second Rs 3000 and third prize Rs 2000 & gift hampers respectively against the motion.

Monika Niroula of St. Mary's High School, Prarthana Mukerjee of the Kendriya Vidyalaya, Embassy of India and Naviya Kafle of DAV Sushil Kedia Viswabharathi,



won the first prize Rs 5000, second Rs 3000 and third Rs 2000 & gift hampers respectively for the motion.

Megha Patrabansha of the Alok Vidyashram, Akash Kumar Giri of the DAV Sushil Kedia Viswabharathi and Sukrita Karkee of St. Mary's School won the first prize Rs 5000, second Rs 3000 and third prize Rs 2000 & gift hampers respectively in the painting competition.

Norway Lauds Nepal

Norwegian Prime Minister Jens Stoltenberg has expressed his satisfaction over the significant progress that Nepal made in maternal health as well as in reducing child mortality rate in line with the United Nations Millennium Development Goals.

In a letter sent to his counterpart Madhav Kumar Nepal, Stoltenberg urged the government of Nepal to send a report on the success in a meeting on the MDGs in the two areas and the country's further plans to Norway.

Norwegian Ambassador in Nepal Thor Gislesen handed over the letter to Prime Minister Nepal recently. Nepal was able to bag the MDG Award in September 2010 for its outstanding progress in maternity health under MDG-5.

Indian Ambassador Opens Eye Camp

Indian Ambassador Rakesh Sood inaugurated the newly set up district

support nuclear stabilization and restraint in South Asia," said Ambassador. "I strongly believe that Pakistan and India must conduct their relations on the basis of sovereign equality, endeavor to settle the Jammu and Kashmir dispute and build a more secure and prosperous future for their people."

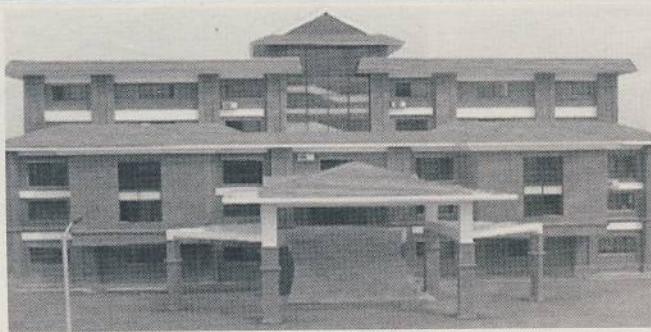
The program was attended by various scholars, and media persons.

branch of Nepal-India Human Development and Friendship Association at Salleri. The Ambassador also inaugurated an eye care camp organized by Nepal Netra Jyoti Sangh under School Eye Health Care Programme at Lukla in District Solukhumbu with the grant assistance of Government of India.

The eye camp at Mahendra Higher Secondary School planned to screen more than 800 children. Since 2001, India has been providing assistance to NNJS for eye care programme in Nepal through country-wide free of cost eye-camps organized as part of the India-Nepal Economic Cooperation Programme.

Interschool Contest Marks Gandhi's Birth

Embassy of India, in association with Kendriya Vidyalaya-Kathmandu, organized Gandhi Memorial Interschool Debate & Drawing Competition, commemorating 141st birth anniversary



CIAA Eyes CEO Salaries

After the attempt by Nepal Rastra Bank (NRB) to cap the salaries of Chief Executive Officers of banks failed, it has tried to rope in the Commission for Investigation of Abuse of Authority (CIAA). Although

private banks do not directly fall under its purview, the CIAA will be writing a letter to NRB asking it to cap the salaries of CEOs. The copies of the letter will be sent to the CEOs. "We cannot remain mute

spectator to the irregularities in banks that have billions of rupees of public deposits," said a CIAA source. The NRB had raised the issue of capping the salaries of CEOs in the monetary policy. However, the banking community reacted angrily to any such suggestions.

Indians Interested In Big Five Hydro

Indian investors have applied to generate electricity from five big hydropower projects with over 100 MW capacity. This year 10 applications have been received for generation of electricity by building mega projects (with capacity of over 100 MW). Of them, five were from Indian companies. The applicant Indian companies include Lanco Infratech Haryana and KVR Infrainitiative Hyderabad, among

others. They have applied to build Arun 4, Arun 5, Mangi Gamgadhi, Madhya Arun and Karnali Jukot projects. However, the announcement by the Maoists to obstruct Indian-run projects could hit the actual investment in the sector.

Maoists' Plenum To Cost Rs 20 Million

The plenum of the Unified CPN Maoist slated to be held in Gorkha in mid-November is expected to cost the party around Rs 20 million. According to Maoist sources, Rs 10 million will be spent on food and

lodging. Remaining managerial costs will run around another Rs 10 million. The plenum will be participated by about 5300 representatives including members from 11 state committees and two sub state committees. The cost of erecting tents at the plenum venue Palungtar alone will be around Rs 2 million. Each participant will have to pay Rs 1000 as fee.

Nepal Fourth Largest Ginger Producer

Nepal ranks fourth in the world in terms of volume of ginger it produces annually. Officials at the Ministry of Agriculture and Cooperatives have said that Nepal overtook African nation Nigeria to

occupy the fourth position, as per the production figures of 2008. Nepal's position has also been confirmed by Food and Agricultural Organization (FAO). Nepal produced 158,000 tons of ginger in 2008.

Nepal is behind India, China and Indonesia among the big ginger producing nations in the world. India, China and Indonesia produced 420,000 tons, 285,000 tons and 177,000 tons respectively. According to

the Ministry, production of ginger climbed to 190,544 tons in 16,788 hectares of land during fiscal year 2009/10. As per the existing market price of about Rs 51/kg, Nepal is producing gingers worth Rs 9.21 billion every year.

Nepali Investment In Carpet Industry In Tibet

The Kathmandu-based Samling Carpet Industry has opened a carpet factory in the Tibetan Autonomous Region of China. The wholly-owned factory has been set up with the total investment of Rs 300 million.

The factory has been named as Tunlin Trade and Industries Company Limited. Local officials say this is the first industry with fully foreign investment in Xigatse region. The factory aims to employ 3500

people and sell carpets worth Rs 770 million a year. The factory will manufacture 200,000 square meters of Tibetan woolen carpet every year, according to company chief Seten Jigme. Samling is a leading carpet manufacturer of Nepal that manufactures around 144,000 square meters of carpet a year.

Political Leaders Invest In Schools/Colleges

Many leaders of the Nepali Congress (NC), Unified Marxist Leninist (UML) and Maoists have invested in schools and colleges. Leaders feel this is a sector with less challenges while their business partners

feel that entering into partnership with political leaders will provide them political clout to deal with hooligans, extortionists and other political problems. According to Umesh Shrestha, president of

Higher Secondary Schools Association of Nepal, over Rs 25 billion have been invested in this sector. There is no data, however, on how much of this investment comes from the pockets of leaders. In Kathmandu, institutions such as Apex, Kathmandu Management College, Don Bosco, Global Management, NASA, Milestone, Rupak Memorial have substantial investment from leaders. NC leader and minister Dr. Minendra Rijal has invested in Apex college, while Arzoo Deuba wife of former prime

minister Sher Bahadur Deuba, has invested in Kathmandu Management College. Global Management College has investments from former governor Dr. Tilak Rawal while NC leader Deep Kumar Upadhyaya has investment in Rupak Memorial. ■





Since all major vernacular dailies and weeklies were closed for Dasain holidays, we have selected the events for this column from the issues prior to the Dasain. The events range from a Maoist shoe-hurling at Indian ambassador Rakesh Sood in Solukhumbu to Maoist chief Prachanda's controversial honour during a tour to Malaysia. The Indian government has since officially lodged a protest to the Nepalese government while Prachanda has embarked on a tour to China - *Editor*

Maoist-Chinese Nexus?

The attack on the ambassador was unexpected. But the Indian authorities



had anticipated opposition in the Maoist belt hill areas. What is taking a serious turn is the Indian attitude. It has begun to suspect that such activities carried out under the Maoist garb has been done at the behest of China. Some news agencies have clearly mentioned it with verification from the external affairs ministry sources. An external ministry official said on condition of anonymity that now the tussle has begun not with the Nepalese Maoists but with China which has come in the guise of the

Nepalese Maoists. (*Jana Aastha, Oct 13*)

Mysterious Trip

A number of things has made Prachanda's trip to Malaysia mysterious. One, in the certificate awarded to him, his name has not been correctly spelt. Nor is the grammar correct. It says, "we are honour to appointment mister Prachandapath as the co-chairperson of the Asia Pacific Exchange and Cooperation Foundation." Two, the certificate is dated 18 July 2010. Many inside the Maoist party have themselves begun to wonder if this is aimed at fooling the world. They point out that Prachanda's visit to Malaysia had never been taken up at the party's forum for discussion and decision. Some have even linked his tour to Malaysia with the reference of Prachanda's proposed meeting with the unnamed Chinese (of the Maharatne fame) in Malaysia or Hong Kong. (*Sanghu, Oct 11*)

The Monarchs' Dream

Along with the extreme leftists, the extreme rightists have begun to provoke the president Ram Baran Yadav into assuming direct powers. The monarchists are confident that the sooner the president takes over, the sooner will the monarchy be restored. It is in this hope of reviving the 1990 constitution that



former king Gyanendra Shah has begun to become politically active by engaging in social and religious programmes. Reliable sources say that Gyanendra has been lobbying his cause with India through Pravakar Shumsher and with China through Kirtinidhi Bista. The royalists believe that lead to a Maoist agitation to control which the president will be compelled to take direct powers. The presidential takeover, according to the royalists, will lead to the escalation of a civil war. In that event, they believe, all national forces and the international community will be ready for the revival of the monarchy through a supreme court decree and to be ratified subsequently by a referendum. (*Tarun, Oct 11*)

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When Nepali Termites Drive Out Its Bees

- DIPAK GYAWALI

Post-Dussain hangover invites reflecting on the larger canvas of Nepal's problems. With gastronomic orgies over and savings across the land having evaporated, the grim tally of liabilities loom ahead like a Himalayan massif in moonlight. But no amount of blinking can wish it away like an unwanted apparition. Whether it is families or the country itself, the Loktantrick hangover is real. Nepal is in a mess: it has no government and the little of it that does function has no budget; its parliament's mandate expired four months ago; its interim constitution does not function; it has no electricity, water, passports, civilian security and other prerequisites of civilization. Even worse, there is no seriousness among the leaders of major parties (it makes little sense to talk of the voiceless party serfs in parliament or outside) to address the grave political issues that need sorting out before the country can have a new constitution; and the chances of having that is dwindling fast to zero.

It was during the Dussain lull that one read of Nepali Kangress announcing its need to rethink its foreign policy because foreigners and the UN no longer seem to trust it. Would that they were more worried about the Nepali people losing faith in them; but heaven knows there is nothing wrong with Kangress's stated, half-century old foreign policy of equidistance with giant neighbours, neutrality and respect for rule of law. The problem, and the lack of trust it gives rise to, is in its practice: Kangress has functioned as a craven doormat to Mughlani and donor whims, whether they be in water resources or extra-judicial extradition, passport printing or Bhutani refugees, to say nothing of sleeping with strange political bedfellows at Mughlani behest!

A better gem of contradiction came from Baburam Bhattarai. Speaking in Dhangadhi, he bemoaned the fact that Nepal's imports were higher than exports because of the stranglehold of a feudal production system on Nepal's economy. He probably needs to pack up his holy texts of mantra-incanting Marxist catechisms and read what is actually transpiring on the ground. But before getting to that, a small digression. A few months back, I happened to share a podium with former finance minister Madhukar Rana at a gathering of mostly economists in Annapurna hotel. A question was put to him asking what he thought of the widely propagandized saying that Baburam Bhattarai was best finance minister Nepal ever had, presumably because he collected the highest amount of revenue. Rana's reply and subsequent discussions are worth summarizing.

A good finance minister not just collects revenue but also effectively disburses development funds, and Baburam's record on this front is a measly 12%. His high revenue collection was not because he improved the government's revenue management system but through three questionable means. A

few months before the expiry of the voluntary disclosure of income scheme, he had finance ministry officials make YCL-style extortion calls to business houses threatening to put them on merciless scanners if they did not cough up. He opened up licenses to import billions worth of gold as well as new cars (both of which provided bulk import tax revenue, the latter also increasing petroleum imports and the former mostly eating up Nepal's foreign exchange reserves to feed India's voracious appetite for the yellow metal). Just look at Nepal Oil Corporation's figures for the last three years: Nepal's diesel and petrol imports have doubled, thanks to Baburam's fiscal policies.

The question is: let alone Green or Mao Think, what principle of Marxist political economy of production is this? As with the Maoist-led government's 10,000MW hydropower export policy, these economic measures will not make Nepal a self-reliant economy. Rather, they have led to capital flight, increased labour outmigration and Nepal slipping towards a neo-colonial remittance economy. We have had manpower and raw material export policy since 1885 when Bir Sumshere allowed Gurkha recruitment and the export of Nepali timber to build the Indian railways. So what revolutionary policy did you bring about in your nine-month tenure, Comrade, that could beat the UML's 'Build Your Village Yourself' campaign?

If one left aside his party persona and compulsions (but how can one leave out what defines him publicly?), I have found Baburam to be personally quite honest. I recall a Mulyankan interaction at the Thapathali campus in the early flush of the 1990 democracy. Some of us, including economist Kishor Gurugharana, were arguing how it was the rent-seeking propensities of our state structure that generated pathologies such as Arun-3 which would cost the Nepali consumers four times the going market rates. Baburam stepped into the debate pontificating that what we called rent-seeking was the same as his Marxist "neo-feudal, neo-colonial". We had to remind him that it was not, that political economy had come a long way since Marx, and that one could not go very far in analyses with those terms. Baburam had the courage to come up to us during the tea break and admit that full-time politics had taken a toll on his academic readings. Wish he could re-think development philosophy as honestly.

In reality, with decades of hindsight it can be said that the much-maligned Rana feudal Juddha Sumshere as well as the Panchayat system were more serious about taking Nepal down the industrialization path and job creation for its youth. The former's first industrial exhibition in Nepal in 1938 and his letter to Churchill seeking the Raj's support for tariff concessions for products to come out of Nepal's industries are proof enough. The Panchayat under King Mahendra did set up

A better gem of contradiction came from Baburam Bhattarai. Speaking in Dhangadhi, he bemoaned the fact that Nepal's imports were higher than exports because of the stranglehold of a feudal production system on Nepal's economy.

production factories that the Kangress was quick to close down after 1990 in the guise of privatization. By the 1980s, the feudal aspect of the Nepali economy had dwindled to insignificance and the country's state apparatus had slipped into the hands of the trading class comprador bourgeoisie, a fact that seems to be appreciated, among the current political class, only by the marginal 'Third Current' group within the UML. It is also corroborated by the main parties, socialists and communists both, nominating scions of trading houses to the Constituent Assembly. How could they not, since the bulk of their unaccounted party funding comes from this source and not transparent levies.

Understanding this shift matters if one is to make sense of today's Nepali politics. Unlike production-oriented industrial capital that worries about raw material, labour, infrastructure and legal inducements for efficiency, the trading class is only interested in shortages that can be met by imports. If the Bansbari shoe factory closes down, so the much the better: more shoes can be imported! If hydropower plants are not built to meet Nepal's crippling load-shedding and PPAs are not signed (because of party trade union pressures) with Nepali entrepreneurs willing to invest in building those plants, we can spend our scarce public resources building 400kV lines to import non-existent power from India! And rent-seeking propensities ensure that creating scarcities is, for this class, a sound business strategy, because it would ensure higher selling prices. To enhance this trend, an alliance with the rent-seeking bureaucracy is essential as is keeping the bureaucracy underpaid.

This political economy has driven out Nepali producers. Hotels have closed and turned into shopping malls. Skilled labour is fleeing the country. Doha is said to have 15 thousand Nepali electricians and Japan has about two thousand Nepali restaurants, one at least in every railway station. Labour export, not skill utilization, is big business in Nepal, mostly controlled by the brass of big parties. Milovan Djilas's New Political Class, like the Soviet Nomenclatura, is very much alive in Nepal today. Having driven out the wealth-creating industrious bees, the methane-producing termites have taken over and live off the rakkings of extortions from those that remain. ■



PM ELECTION

Another Futile Bid

As expected, the 13th bid to elect the prime minister at the Legislature Parliament became just another futile exercise

By A CORRESPONDENT

Nepal's political crisis seems to be complicating as it is now more uncertain as to how long the caretaker government led by Prime Minister Madhav Kumar Nepal will remain in office.

Following the withdrawal by UCPN-Maoist leader Puspa Kamal Dahal Prachanda from the prime ministerial race at the Legislature Parliament, the sole candidate Ram Chandra Poudel of Nepali Congress is in a fruitless election fray.

As there is no constitutional provision to force NC leader Poudel to withdraw his candidacy, leaders of two major political parties CPN-UML and UCPN-Maoist have no option other than to wait until NC leader Poudel calls he quits on his own.

NC has already made it clear that its candidate will not withdraw his candidacy as long as Maoists have their combatants with them.

"Our party has a clear stand. Our candidate will fight till the last minute to save the Loktantra," said newly elected NC leader Sushil Koirala, who appointed his rival NC leader Sher Bahadur Deuba as a central committee member. Whatever their internal differences, NC leaders are firmly behind leader Poudel.

NC parliamentary party leader Poudel failed to get elected as the prime

minister in the thirteenth round of election conducted in the Legislature Parliament on Tuesday.

Poudel secured 98 votes while two votes were cast against him. Other 44 lawmakers went for no vote option in the ballot paper. Altogether 144 lawmakers participated in the voting.

Although the Business Advisory Council has set the next round of PM elections for October 29 at 3 pm, it is almost certain that Poudel will not secure the minimum votes needed to become the prime minister.

"If Nepali Congress wants the peace process to conclude and promulgation of the new constitution, our leader Prachanda must be given a chance to form an all party government," said Narayankaji Shrestha, deputy leader of UCPN-Maoist.

The House committee announced the new schedule even before the voting took place as it was certain that Poudel would be handed defeat this time too.

The NC has turned down numerous calls from the UCPN (Maoist) and CPN (UML), which together form a majority in the House, to quit the 'futile' election and sit for dialogue for a government of national unity. "There is no question to compromise with democracy," said Poudel. "My candidacy is against new authoritarianism." ■

PEACE PROCESS

Drawing

A

Battle Line

The key to ending the long-running political stalemate lies in the resolving the vexing issue of the Maoist combatants, but the key is nowhere in sight amid the deep-rooted mistrust between the former rebel outfit and the parliamentary parties in their pursuit of power

By SAROJ DAHAL

As Nepal was engrossed in the festive Dashain mood, a contingent of Maoist commanders was spending a 'paid holiday' in China.

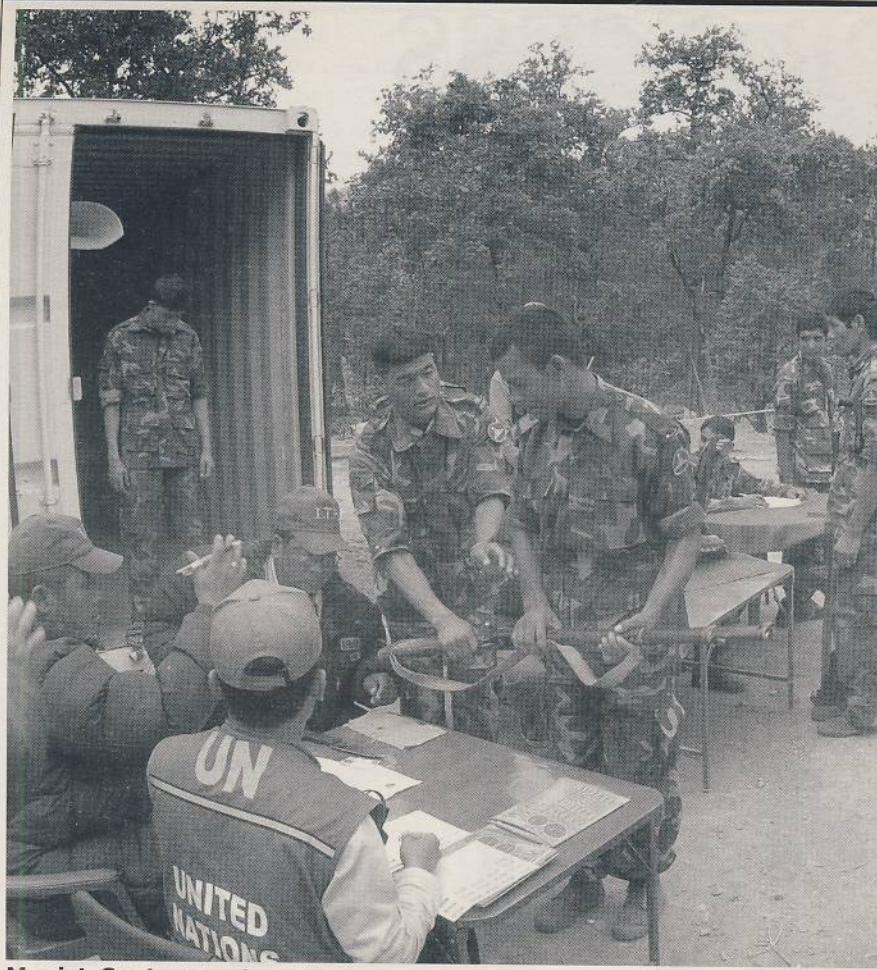
Three deputy commanders, Ananta, Prabhakar and Baldev were accompanied by division commanders of the UNMIN-monitored camps across the country.

The China visit of the deputy commanders, now in the civilian garb of Barsha Man Pun, Janardan Sharma and Chandra Prakash Khanal, has created a stir.

Prime Minister Madhav Kumar Nepal termed it a breach of comprehensive peace agreement

allegation the Maoists denied. (See Interview box)

The incident, coming close on the heels of strained ties between the Nepalese Maoists and the influential southern neighbour, India, has added to the air of mutual mistrust in domestic politics as well.

**Maoist Cantonment**

File Photo

At a time when the adjustment and the management of the Maoist combatants had become a major sticking point in efforts for the successful conclusion of the four-year old peace process, the sudden and quite tour of the Maoist commanders to the land of Mao without the knowledge of the multi-party special committee and the UNMIN has raised eyebrows in many quarters.

The combatants' issue has become central in the peace process and the constitution making for two reasons.

One, the Maoists are keen to use it as a bargaining chip with other parties. Two, the other parties can not hope to take on the Maoists until and unless their fighters are demobilized.

The Maoists have of late pretended to be flexible, say critics, in the hope of regaining the seat of power in Singh Durbar.

But they warn that the Maoists do not want to sort out the combatants issue unless they are sure of a new constitution on their terms.

When in office, Maoist chief Prachanda had pledged to the Indian prime minister, Man Mohan Singh, and to the former Nepalese prime minister, Girija Prasad Koirala, that he was ready

**Maoist Cadre**

File Photo

to integrate up to 5000 combatants.

He later told civil society members at a function that the integration would be complete three months after prime minister Madhav Nepal stepped down.

This clearly shows that, given the will, the Maoists do not have any big problem in resolving the issue.

But they want to make it sure that power comes to them first.

The recent agreement on bringing the combatants under the special committee will have to be viewed in this backdrop.

In fact, a joint proposal prepared by Barsha Man Pun and UML general secretary Iswor Pokharel had clearly mentioned that the Maoist-led government would not be possible without agreement on integrating 5000 to 7000 combatants, although the Maoists had publicly taken a different posture.

It was following a tacit agreement with the prime minister Nepal that the Maoist chief Prachanda had dispatched his senior confidantes to the camps to read the mind of the combatants and take them into confidence on their future.

The combatants were however in a combative mood. In a camp in Nawalparasi on September 30, a group of 18 combatants had a chorus to play to the visiting deputy commander, "bring us the modalities of the adjustment, if not give us order to fight if we are being kept here for the purpose."

Interestingly, the four-point agreement between prime minister Nepal and Prachanda has not moved an inch further since then.

They had agreed - in private - to appoint a non-Maoist as the head of the special committee secretariat, declare that all combatants have come under the government, fix the date of integration from the camps and complete the process in 60 days. In the September 30 meeting of the special committee, Maoist delegates, Ananta and Prabhakar, asked for four more days to formally make those four decisions.

No meeting has been called since then nor the Nepal-Prachanda agreement implemented.

Confided an unnamed politburo member, "those were all make-beliefs aimed at sending a positive message to the depressed and frustrated populace.

That no decision within the party has been made on integration corroborates the claim. Many in the party still believe that the power-capture through a revolt not through peaceful process and new constitution should be the only course for the future.

Insiders say, Prachanda looks flexible on the combatants' issue with other parties and the international community. But he is equally inflexible within the party.

To the outsiders, he promises to sort it out provided this ensured his return to power. To the insiders, Prachanda rules out the integration of the combatants.

All he wants is power for him, says a critic within the party. He tried to woo president Ram Baran Yadav in a one-to-one dinner meeting at Shital Niwas and sought to win over prime minister Madhav Nepal through agreement on combatants' issue.

He has been desperately trying to reach out to the influential power centre - New Delhi. To no avail - so far.

Upset, he sent a contingent of Maoist commanders to China in a bid to avenge Delhi's cold-shouldering, on one hand, and bargain for a better deal, on the other.

Demobilizing the 19000 combatants living in the camps and disbanding the covertly armed YCL do not figure in his priority.

There lies the real problem to sorting out the issue and take the peace process to "a logical conclusion". ■

'Prime Minister Is Dillydallying'

Maoist deputy commander and member of parliament JANARDAN SHARMA 'PRABHAKAR' has been deeply involved in the army integration negotiations. He was also in the contingent that went on a controversial tour of China. Excerpts of an interview with the goatee politburo member who was peace and reconstruction minister under the Maoist-led government:

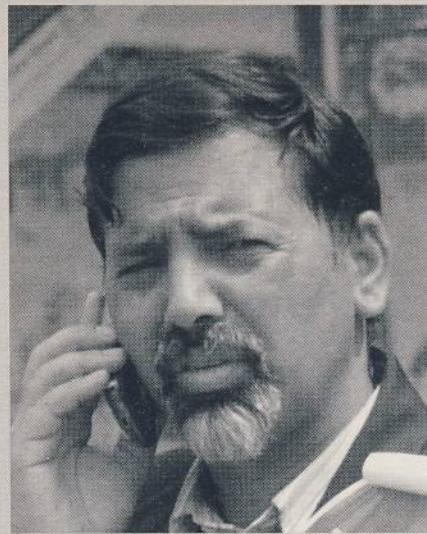
The September 30 meeting of the special committee on integration was closer to an agreement. It was supposed to make the agreement public in four days after another round of meeting. One month has passed but there is no sign yet of the meeting. Why?

The prime minister was supposed to call the meeting after consultations with other parties on constitution making and the army integration. We do not know if he held the consultations or not. What we know is that he has not called the meeting.

But many suspect that the Maoists themselves are not serious on the integration issue.

This is the suspicion of only those who do not understand Nepal's peace process. In fact, a lot of progress has been made on the issue. But it has not moved forward because there has been no major progress in constitution making. We believe both are inter-related and should go hand-in-hand.

A faction in your party which advocates open revolt to capture power is said to be opposing the integration of the Maoist



combatants. So, there is no consensus on the issue in the party?

Definitely there are different opinions. We hold intensive discussions on issues. But that does not mean that we can not make a decision.

Lastly, the recent China visit of a contingent of the Maoist commanders including you has raised lots of eyebrows. Why did you go there?

This is neither controversial nor suspicious. Those who have objected to our visit want to keep the Maoists under their watch or control. The Prime minister's objection is also ill-founded. The combatants have every right to go wherever they want to.

The combatants are under the state's special committee. How can they move around anywhere they like without permission?

They are also citizens, not prisoners. When on leave, they can go anywhere in the world.

- By SAROJ DAHAL

'Indian Ocean Becomes Battleground For India And China'

ROBERT KAPLAN

'China wants a presence. India is unnerved by all of this,' Robert Kaplan, author of 'Monsoon: The Indian Ocean and the Future of American Power,' told a small gathering in Cambridge.

The route underscores the importance of these nations and bodies of water as the United States seeks to check the growing assertiveness of China, says Robert Kaplan, author of newly published 'Monsoon: The Indian Ocean and the Future of American Power.'

"It's not a war I'm predicting, but what I am alluding toward is a very complex, Metternichian arrangement of power from the Horn of Africa all the way up through the Sea of Japan," Mr. Kaplan told a small crowd Monday at the Harvard Book Store in Cambridge. "We don't have to interfere everywhere, we just have to move closer to our democratic allies in the region so they can do more of the heavy lifting."

Opinion: Will US naval power sink?

China's ongoing dispute in the East China Sea over islands claimed by Japan is the most recent example of Beijing's growing assertiveness on water. South Korea and Indonesia - the other stopovers for Mr. Obama next month - are also wary of China's wide-reaching maritime claims.

Secretary of State Hillary Clinton, for her part, seems to be filling in the gap between these countries with her upcoming visits to Cambodia, Vietnam, Malaysia, Papua New Guinea, Australia, and New Zealand.

Rise of India and China

A correspondent for the Atlantic and member of the Defense Policy Board federal advisory committee, Kaplan says he is convinced that the West should focus on the role that emerging superpowers China and India will play as they battle for dominance in the Indian Ocean, an area rich in resources and vital to shipping.

"In this post-Iraq, post-Afghanistan world ... we're seeing the rise of India and China," he says. "Think of China trying to move south toward the Indian Ocean and India moving west and east. Where they intersect will be lines of rivalry through the 21st century."

China now has fighter jets stationed in Tibet that can reach Indian airspace. The Indian Navy now has a presence in the South China Sea.

And in the Indian Ocean, both powers are racing to establish their presence.

China is building major port projects in Pakistan, Bangladesh, Burma (Myanmar), and Sri Lanka, while also providing significant military and economic aid to those countries. Chinese warships paid their first visit in August to Burma, the Monitor's Ben Arnoldy recently reported, warning that the Indian Ocean could become a more serious flashpoint for India and China's overlapping ambitions.

"China wants a presence. India is unnerved by all of this," says Kaplan.

China takes to the seas

The United States, too, will need to play this game of "soft power" in the region. "We've gotten used to this Burger King, cold war-style base," Kaplan told a smiling audience. Into the future, the US military is likely to offer aid for nations to maintain military bases in exchange for access. "In other words, more of a subtle relationship."

Like the United States, which beefed up its navy and increased its maritime activities after consolidating its land borders, so too is China expanding on the oceans now that it has nearly completed drawing its land border from Tibet to Taiwan.



Helicopters fly past the Chinese Jiangwei II class naval frigate "Luoyang" at an international fleet review to celebrate the 60th anniversary of the founding of the People's Liberation Army Navy in Qingdao, Shandong province in this 2009 file photo. India is concerned about China's potential aggressiveness in the area of the Indian Ocean.

Guang Niu/Pool/Reuters

"China is able to build a great navy precisely because its land borders are secure," says Kaplan. By contrast, he says India is still attempting to control its borders with Pakistan (at Kashmir), Nepal, and Bangladesh, which sucks resources away from its navy.

No longer America's playground

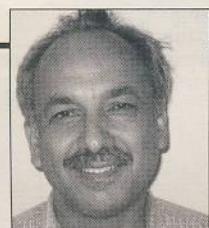
This highlights how India is still far behind China. China paves more miles of road per year than India already has. Its economy and military are both much larger than India's. Even the recent Commonwealth Games in Delhi, fraught with delays and troubles, served to highlight China's display of might in pulling off the 2008 Beijing Olympics.

Regardless of when or if India catches up to China, this much is now clear for the Washington, says Kaplan: The Indian Ocean and Pacific are no longer American lakes.

(The Christian Science Monitor)

The Crowds Of October

YUBARAJ GHIMIRE



Nepal has a rich mix of traditions, and a history of their tolerant practice. Except for the banning of conversions, there is little evidence of any individual or group being barred from practicing their faiths and traditions, despite the country being a Hindu nation until about five years ago. Nor did that stop any one from being an atheist or agnostic.

However, during their brief stints in power - first as a major partner in the government and then as leader of the coalition - the Unified Communist Party of Nepal-Maoists (UCPN-M) obstructed daily worship in the Pashupatinath temple twice, briefly, between January 2007 and January 2009, shortly after the state was declared "secular" following the political changes of April 2006. The obstruction came as a result of protests from believers and temple authorities when the government tried to replace Indian priests without following the age-old traditions that governed new appointments.

However, as political parties faced charges of having succumbed to the "influence" of the western world and of the church in declaring Nepal a secular state, even the communists and secularists tried to respond to those charges in the manner they thought appropriate. G.P. Koirala, who took over as head of government and acting head of state post-2006, suddenly ceased to be the "atheist" that he had claimed to be all those years, and began visiting temples - in his official capacity.

He had to send out the message that he had not bartered the nation's Hindu status for money, nor was ending that status some sort of "surrender" to the Western world. Dr Rambaran Yadav, the Republic of Nepal's first president, observed all the religious and traditional practices that, earlier, the kings had performed. Thus, Yadav's presidential durbar was crowded with the general public on October 17, the second Vijaya Dashami since he took over. This used to be the one occasion in the year on which the royal palace would be open to all, and on which the king and queen would offer the public prasad.

But the crowd that went to the president's house on the occasion was smaller than that which queued up before Nirmal Niwas barely 200 yards away, the house of the former

king. He had recently said he would prefer to be called just Gyanendra Shah, and not the "ex-maharaja" - or 'his majesty', as some people would still address him. But that crowd held him in different esteem. The size of the crowd also indicated clear disapproval of the express order that caretaker Prime Minister Madhav Nepal had issued last month putting the former king under house arrest minutes before he was to leave for darshan of Kumari, revered as a living goddess by many in Nepal. Madhav Nepal, in his first-ever move to deny a Nepali "commoner" the right to free movement and practice of religion, was trying to appease

President Yadav, whose own visits were being overshadowed by the crowds' response to Gyanendra.

Thus, two days prior to Vijaya Dashami, Gyanendra informed the government that he would want to visit various shrines of Shakti on the day of Maha-ashtami at any time that would be convenient for the government and the

president. Dr Yadav chose to visit the temples in the forenoon, but Gyanendra's visits two hours later drew much bigger crowds.

Politically, from the speaker of the constituent assembly to the president, everyone has said one thing: that the key elements of the 2006 movement - republicanism, secularism and federalism - will only be institutionalised once the new constitution comes in place, something that seems nowhere close to realisation.

The assembly has not only failed to elect a government in about a dozen attempts spanned over more than three-and-a-half months, but also failed to deliver a proper budget even four months after the new financial year began, combining political crisis with constitutional deadlock. Clearly, the villains are the current political parties, including the Maoists. And the monarchy, in this new perception, is both a victim and perhaps, still an institution that Nepal needs.

This could get much more intense in the near future, with the blame-game and infighting among the three major political parties already headed towards the derailment of Nepal's peace and constitution-making process. Each of them blames the others - but the people blame them all collectively.

Indian Express



"The Task Force Has No Constitutional And Legal Status"

-NILAMBER ACHARYA

Constitutional Committee (CC) chairman NILAMBER ACHARYA is an experienced hand in drafting the constitution. Former law minister Acharya played a key role in finalizing the Constitution of Kingdom of Nepal 1990. Despite his experience, however, Acharya is facing a tough time in accomplishing his task at the Constituent Assembly (CA). Although his committee is given the role to prepare the draft of the new constitution, it has yet to receive thematic committee reports, several of which are fraught with contradictions and political differences on constitutional issues. Instead of making the constitution through the CA, political parties recently formed an all party committee to settle their disputes. In that context, CC chairman Acharya spoke to KESHAB POUDEL on various issues in current debates. Excerpts:

It is reported that you expressed dissatisfaction over the formation of political committee under the leadership of Maoist Chairman Pushpa Kamal Dahal Prachanda? Don't you think this kind of committee is necessary to write the constitution given wide ranging differences on thematic committee reports?

The question is not who expressed what. On my part, I am the chairperson of the Constitutional Committee of the Constituent Assembly and the role of my committee is to draft the constitution on the basis of thematic committee reports. First of all, we need to understand that the task force is political and it has no constitutional validity and it is not set up by the CA. There is no provision in the constitution for such a task force. This is purely a political committee. My expression is based on reality and it is not dissatisfaction.

But political leaders are saying that your statement is an expression of disappointment?

It is up to them how they take my statement. What I am talking about is the constitutional and legal status of the body. The task force is set up in haste. Had they held discussions and evaluated the delay in the process before forming such a political committee? I have not read anything about this. Since the senior leaders of all political parties are involved in the committee, they have to convince the people about the need of the task force, they need to assure the people about it.

Do you think the task force was set up to accelerate the process of constitution writing?

Looking at the present state, one can easily draw the conclusion that the constitution writing is not their priority even now. Since there remain wider

differences in fundamental issues like forms of government, forms of legislature, federal structures, and judiciary and so on, the task force cannot bring any drastic change in 11 days. Political parties still firmly stand on their political ideologies. I have not seen any change on this. Even chairman of the committee and Maoist leader Prachanda left for Beijing showing where his party's priority is.

Whom do you blame for the delay in the task?

The constitution writing process was delayed not due to the top political leadership. They formed the task force to cover their mistakes, to demonstrate that the process of constitution making is rolling. There is no reason to believe that this kind of task force will solve the problems. This is just to shift the burden of blame to others.

What should have been done?

Had this kind of task been formed before the presentation of reports by thematic committees, it would have supported the process a lot. Political leaders did not intervene when thematic committees sent their reports full of contradictions. It is unfortunate that political leaders let the reports to pass by majority votes.

What is wrong in sorting out the differences now?

Instead of concentrating on settling the differences in thematic committee reports, we are giving priority to other areas. For instance, there is the need to agree on fundamental issues of constitution. The issues like judicial systems, form of government and forms of federal structure states, forms of legislature organs and relations among them are yet to be settled. There are wide differences among major political parties in all these issues. Instead of giving priority to settle these issues, discussions are taking place in other areas.

Don't you think the task force will make it easier for you to write the constitution?

I don't think we can write the constitution without understanding and consensus on these issues. I don't think we can overcome the current impasse without making consensus on fundamentals of the constitution.

If the committee comprised of all senior leaders of political parties fails, what will be the consequences?

If it fails to settle the issues, it will send a very wrong message to the people. The common people will lose faith on the leadership. Instead of being directly involved in the process through the taskforce, political leaders should have encouraged CA's committees to settle the issues.

In case of early intervention by the political leaders, do you think the situation would have been different?

Had political leaders intervened in the early stage, the constitution making process would not have been delayed. Had the Constituent Assembly sent reports to the Constitutional Committee in time, we would have prepared the first draft by now. Nobody showed interest when they had adequate time to settle differences.

Political leaders were unable to build consensus on the fundamental questions of the constitution in the last two and a half years. Why did they agree to form a political task force now?

Only one motive of this political committee is to show to the people that political leaders are sincere and avoid public blame. As you know, the CA was supposed to send the reports of thematic committees to the CC by the end of Asoj. When political leaders perceived that they cannot complete their tasks, they formed the task force to shift the blame. They have to answer why there was the delay and somebody needs to take the responsibility for this. This is a political exercise to divert public criticism.

As the CC chairman, what is your take on this?

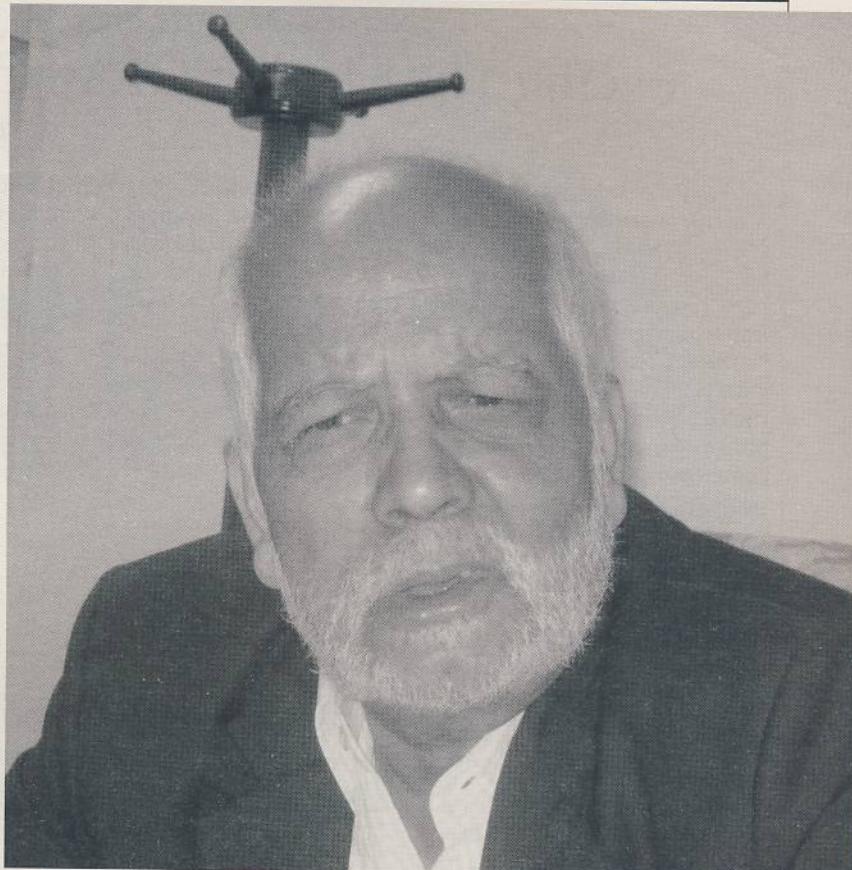
Shall I express happiness or disappointment when my committee did not receive thematic committee reports? I am definitely disappointed about the situation. However, political leaders requested me to express my happiness over the constitution of the political task force. How can I express happiness when I can see nothing is moving, when CA is unable to send the report to my committee? I feel disappointed because I did not get the reports. Who is responsible for this? One needs diagnosis to find causes and reasons behind it.

What would be the solution?

In the present state of urgency, leaders of political parties have to find out the reasons behind the delay in the process to send the reports of thematic committees to CC. Another important thing they need to do is to determine their constitutional destination. In which destination do they want to go? For instance, presidential system or parliamentary system, independent judiciary or otherwise, unicameral legislature or bi-cameral, the elections etc. It is very unfortunate that the political leaders are yet to agree on what kind of political system they want to have. Interestingly, there is no majority report in the form of government.

Civil society members who used to get actively involved in the process seem defunct too. How do you look at this?

I don't agree that civil society is defunct, it is rather more vibrant now. There is a little bit confusion



about the concept of civil society. For instance, the civil society consists of organized social organizations like universities and media. Civil society does not mean particular individuals. If you see activities of the civil society on the basis of certain individuals, you may have different results. Civil society is not a concept about recognizing a group of certain individuals but it is based on broader concepts. As media has been actively taking part in the process, I don't think one can say that civil society is ineffective or defunct. There is the need to raise more voices.

As political leaders fail to draft the constitution, they have been blaming one another for working to revive the monarchy and the old system. What do you say on this?

Of course, the blame game is going on. I don't think there is any possibility for revival of monarchy or Shah Dynasty again. Former King Gyanendra may join politics in one or other forms but it is no more than a personal imagination to think about the revival of monarchy.

How much hopeful are you about the CA being able to write the constitution?

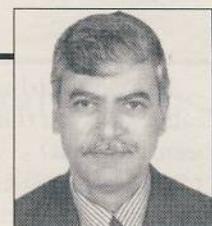
I am hopeful that we will write the constitution through CA. Of course, it will take a little bit time but we will be able to produce the new constitution. If political leaders build consensus on fundamentals of constitution, we can write it anytime. We have expertise as well as the capability. ■

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Nepal & Nepali Congress Facing The Mother Of All Challenges

DR. SHAMBHU RAM SIMKHADA



From the democratic movements of the 1940s to the People's Movement of 2006, no one can deny that the Nepali Congress (NC) played the role of a torchbearer for democratic changes in Nepal. But the challenge of leading the country and the party towards a better future with visionary policies and wise leadership remains to be overcome. The just concluded 12th National Convention of the NC was crucial in many respects, most of all for the policies and programs that were adopted and the election of the second and third generation leaders. The policy papers provide future directions for the NC in contemporary politics, economic development, international relations and party organization.

At this critical moment of history, for both the nation and the party, the following have been identified as the key challenges in international relations and foreign policy (IR and FP):

Founding Ideals: The NC was founded with the objective of freeing the Nepali people from the injustices of the Rana regime and establishing a democratic, just and prosperous Nepal as a respected member of the international community of nations. To fulfil these goals the NC adopted Nationalism, Democracy and Socialism as its ideological pillars. Like all other policies, the FP of the NC is naturally guided by the understanding of and commitment to these principles. A dynamic political party like the NC is obviously also engaged in shaping the future course of politics, economic and social development, foreign and security policy in tune with national needs and international demands.

After the end of the Cold War the world has changed profoundly. Nepal's two neighbours India and China are emerging as global powers and Nepal itself has undergone dramatic changes. In this new national and international context the NC must reiterate and redefine, if necessary, its guiding principles so that policies and programs built on the foundation of its ideals can also be articulated clearly and implemented effectively.

FP Principles: Historically, the FP of the NC has been shaped by the strong faith of its founder leader late B.P. Koirala in democracy as the life blood and meaning of existence and hence the underlying essence governing the conduct of relations between nations and among peoples. Calling on the Nepali people to join the revolution in 1949, as a significant foreign policy statement, the NC declared that the party "considers itself as the ardent defender of the full independence and sovereignty of Nepal. Protecting the full independence and sovereignty of Nepal, NC supports the establishment of bilateral relations with other countries of the world...NC does not like foreign interference of any kind, social or economic in Nepal".

For protecting Nepal's national independence, sovereignty and territorial integrity and promoting the national interests, in government or outside, the NC has pursued a foreign policy

of friendship with all and enmity towards none. Full commitment to the principles of the UN Charter, participation in the Non-aligned Movement (NAM), promotion of regional cooperation and active support of the international community in socio-economic development are the other basic tenets of NC's FP.

Challenges: Highlighting the policy of peace and opposition to war, in Janakpur Convention, late BP declared, "Nepal is opposed to war. NC wants all disputes settled through dialogue, respect for international organizations like the United Nations and end of policies of imperialism and colonialism."

The current peace process for ending violence and autocracy and restoring peace and democracy under the leadership of late G. P. Koirala is the continuation of the original ideals of opposition to war and violence, commitment to peace and democracy. Based on these principles the following are the main foreign policy challenges and priorities of Nepal and the NC:



"Managing relations with India and China"

"Active role in the United Nations, particularly in peace and development"

"Strengthening relations with South Asia and Asia through active participation in regional organizations like SAARC, BIMSTEC and SCO"

"Consolidating relations with traditional friends, the United Kingdom, the United States of America, members of the European Union including Germany and France, Japan, Russia, Canada, Switzerland, Norway etc; the NC government recently established embassies in Canada, Denmark, Israel, and Australia and will consider establishing new resident embassies in the remaining G-8 capital Italy and the third important UN centre Vienna."

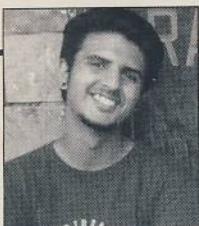
"Expanding relations with developing countries; the NC government established new resident embassies in Brazil and South Africa and will consider establishing resident embassies in the remaining G-20 capitals in addition to SAARC members Afghanistan, Bhutan and the Maldives where there are no resident embassies as well as in one of the countries of the energy rich and strategically important Central Asia."

"Participation in the NAM, international and regional organizations and other initiatives promoting international peace and development"

"Development diplomacy with focus on foreign aid, expansion and diversification of trade, transfer of technology as well as promotion of tourism, foreign investment and employment"

"Strengthening relations with the World Bank, IMF, ADB and the WTO as well as INGOs to expand the assistance of these organizations in economic and social development, particularly in areas of national priority such as infrastructure development, poverty reduction and trade."

"Employment promotion and services to Nepali workers must be one of the main priorities of Nepali missions and embassies. With this objective, the NC government established new



Dashain Notes

ABIJIT SHARMA

Dashain is finally over and Tihar is imminent. Every year as Dashain arrives; it brings a different charm to the whole environment. Family get-togethers, gambling, visiting temples, all add joy to the festivity.

Visiting hugely crowded Bhagwati temples during the festival, has been an annual ritual to me. Every year after I pay my visit, I question myself on the type of faith we people have in God.

Temples, especially of Bhagwati, are a sight to behold during Dashain. People from all corners flock to pay homage to the Goddess. Long cues of worshippers can be seen, animals are sacrificed and prayers are chanted. However, it is a disgrace that no one bothers to keep even such holy areas neat and clean.

The temples may be a sight of devotees thronging there to carry on the tradition and offer prayers. During the time, as in the rest of the year, the temples hardly look different as far as the proper maintenance and cleanliness is concerned. One wonders why the people can not sacrifice such a tradition of turning a blind eye to the surroundings of the temple, even as they sacrifice animals to offer to the goddess Durga to mark the festival.



One happy memory of this Dashain, however, was a massive decline in the animal sacrifice in and around the temples. This is a very welcoming sign. Personally, being strongly against

animal sacrifice, I felt glad that the people were realizing the futility of animal killing in the name of God. True, I agree it is a part of a long running culture/tradition, but it is good to see the negative side of the tradition being discarded. I hope in the coming years, this culture goes away for good.

I hope that yet another 'culture' goes away too. That of trying to be one-up even in holy temples. One thing

that catches my eye every time is the hullabaloo made while worshipping the idol. People pushing, stepping and cursing each other to get a chance to pamper the goddess. And when they finally get the chance, they show no signs of leaving despite the large cue behind. This actually makes me wonder what the definition of faith is for them. How selfish can they be in front of none other than the Goddess? ■

resident embassies in countries such as Malaysia, Kuwait, United Arab Emirates, Israel and the Republic of Korea as well as added labour attaches in countries with large number of Nepali workers. The effectiveness of these new arrangements needs to be evaluated and necessary steps taken to expand/improve on them.

"Support the Middle East peace process, call on all nuclear weapons states to eliminate such weapons, support the right of the Bhutanese refugees to return to their country with dignity and moral support to all struggles of people for democracy and human rights

"Protecting Nepal's rich bio-diversity from the adverse effects of global climate change as well as compensation for the contribution made by Nepal's forestry sector in offsetting carbon-emissions

"Leadership in bringing all major national actors together for consensus on matters of Nepal's vital national interest, security and foreign policy

"Facing the Mother of all Challenges: Transforming a society trapped in a quagmire of conflict among the forces of extremism and authoritarianism by

conceptualizing and strengthening the idea of a new peaceful national democratic progressive political centre has never been easy ever, anywhere. This is particularly difficult in Nepal at this particular moment due to the strategic location, changing South Asian and Asian political, economic and security environment amidst the prevailing global paradigm flux.

The successful People's Movement of 2006 under the leadership of NC President and Prime Minister G. P. Koirala brought Nepal to a new threshold. Success of the peace process will create a new history of not just transforming violent internal political conflict peacefully but a new model of peaceful political change. It will emphatically establish people's power as the only legitimate and lasting means of political change, end the political transition, bring stability, enhance Nepal's place in the international arena with a renewed sense of optimism at home and ability to pursue a forward looking foreign policy abroad.

Institutionalizing peace and democracy through the meaningful conclusion of the peace process, promulgating the new Constitution, holding free and fair election and handing over power to a new democratic dispensation under the new constitution is the mother of all challenges to Nepal, the NC and Nepal's real friends and well-wishers. The successful PMII demonstrated the ability of NC leaders to convince national and international actors and the Nepali people to support their vision of change. It is up to the present NC leaders to comprehend the implications of the changes their predecessors helped to bring and fulfil the promise of a sovereign, independent, democratic, peaceful and prosperous Nepal for all Nepalis.

(Dr. Simkhada is a member of the international relations and foreign policy sub-committee of the main committee responsible for preparing the policy and program for the 12th National Convention of the NC. He was also former Permanent Representative to the United Nations, Geneva, Ambassador to Switzerland and Visiting Professor Geneva School of Diplomacy.)

Though Late, Positive Results Possible

DEVGURUNG



On Constitution

The constitution writing process has been delayed due to the wrangling among political parties. If the parties become serious and discharge their responsibility sincerely, the statute can be drafted in three months. Our party will leave no stone unturned for establishing civilian supremacy and preserving national sovereignty. Unlike other parties, our party genuinely wants the new constitution for the federal, democratic republic of Nepal. This is the reason our party leader agreed to lead the high level committee to sort out differences over constitutional matters. Although the process of political negotiations has started a little bit late, there is a possibility for positive results. Our party has already sacrificed a lot in the name of national consensus and peace, now it is time for other political parties to follow us. Our party will never accept the parliamentary form of government as it has already failed in Nepal.

Similarly, our party will not compromise on federalism and secularism. The judiciary must come under the parliament. As our country is heading for development, we need political stability. This is the reason we are

proposing for a directly elected president. If the situation remains the same, the writing of the new constitution will be difficult. The country will not get the constitution even if the CA's term is extended by another 10 years, and unless there is an end to 'external' interference. As long as agents continue to be at the helm of government and power in Nepal, the country will never be able to draft the constitution. The experiences of the past have shown that those who are currently in Nepal government are definitely working against Nepal's national interests.

On Budget

Of course, we don't want to see the country's economic system collapse. However, the caretaker government does not have the right to bring in the full budget under any circumstances. If it does so then that will be construed as a violation of the Comprehensive Peace Agreement (CPA). The current caretaker government does not also have the 'moral authority' to present a full budget at the House. If the current government brings in the budget then such a move will be against the 'interim constitution'. As the main opposition party, UCPN (Maoist) would not allow anybody to violate or go against the interim constitution. Our party has already made it clear that it will allow temporary arrangement for the budgets. So far as bringing the full-fledged budget is concerned, it is impossible.

Indian Role

India does not want federalism and secularism in Nepal. India does not want Nepali sovereignty and it does not want to see various ethnic groups of Nepal living in peace and harmony. What does India then want in Nepal? What has gone wrong with India in Nepal of late? Our party always salutes the people

The ethnicity-based federalism is the appropriate way to solve the problems facing the country. The zonal administrative structure introduced by late King Mahendra was against the aspirations of different communities. Federal structure based on geography will simply not work.

of India who supported our struggle but we always condemn the hegemonic role of Indian government. India would not allow peace process to conclude and the constitution to be drafted against its will. The power that was concentrated in Narayanhiti now has shifted to Lainchaur instead of Singhadurbar. We want that power to shift to people.

The Nepali people shed their blood to transfer power from Royal Palace to Singh Durbar but the power vanished in the ethereal medium somewhere around Lainchaur-palace where the Indian embassy is located. The power that is now in Lainchaur must be brought back to the sovereign Nepali people. Unless and until we liberate our motherland from Indian colonialism, the drafting of constitution is not possible even in a decade's time.

Federalism

The ethnicity-based federalism is the appropriate way to solve the problems facing the country. The zonal administrative structure introduced by late King Mahendra was against the aspirations of different communities. Federal structure based on geography will simply not work. I am certain that ethnicity-based federalism is necessary for harmony and unity among different communities. The demand for single Madhes province is irrelevant in the present context because it infringes upon the rights of indigenous groups in Terai, and will give rise to monopoly of some groups there. Our party has proposed 13 states and different sub-states.

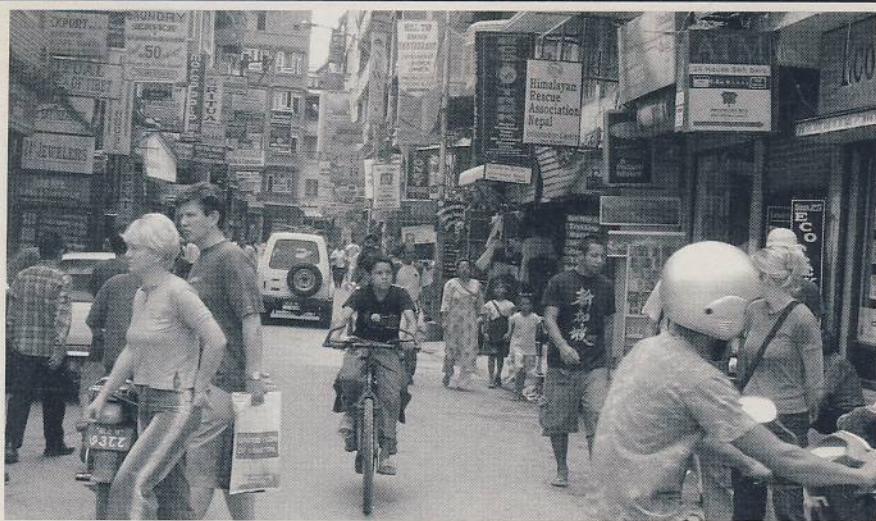
The national integrity is facing threat. There is the need of unity among all the nationalist forces to save the sovereignty of the nation. There will be no agreement with India on Nepal's internal affairs. India wants various ethnic groups of Nepal fight with each other because it weakens Nepal's strengthened Nationalism. The Unified Maoists' Party wants to establish equal share for all ethnic groups and fight for it.

No Alternative to Republic

There is no alternative to federal, democratic republic. So far as a possible return of the monarchy is concerned, it is just a myth. Nepalese people have already overthrown monarchy because of its alliance with foreign reactionaries. If other parties follow the path of the monarchy, they will also face similar consequences. Those who proposed for the concept of baby King are now blaming us for making alliance with former King.

It is just a dream for Gyanendra to think about returning monarchy. As the monarchy is history, other party will also be the same. Nepali Congress leader Ram Chandra Poudel, who has already set a new record in losing the elections for dozens of times, should have to give up his candidacy and pave the way to form the new government under the leadership of our party leader comrade Prachanda.

(Gurung is a UCPN-Maoist leader and member of CA. New Spotlight took his views from an interaction program.)



TOURISM YEAR 2011 Trepidations & Tick Offs

The exciting boom in arrivals and hotel reservations notwithstanding, officials eye with unease the unfolding political uncertainties

By SANJAYA DHAKAL

Call it a coincidence or not, the imminent exit of the United Nations Mission in Nepal (UNMIN) is going to concur with the onset of Nepal Tourism Year 2011 come January.

The government is set to observe January 14 as the inaugural day for the NTY 2011 - the day when the UNMIN will be wrapping up its mission.

Although the officials at the Nepal Tourism Board (NTB) are attempting to give a positive spin to the UNMIN exit when they promote the NTY campaigns, they are increasingly viewing it with consternation given the volatility of the political situation.

"There are apprehensions that the UNMIN exit could set in motion the slide of political situation back to square one to conflict times," said a tourism official.

Until and unless the Maoists and other political parties manage to settle the thorny issue of PLA management by January, the UNMIN exit could spell disaster to the peace process.

Positive Spin

"But we are also equally glad that the UNMIN exit means the country has entered into peaceful era. The fact that the UN's political mission is going to

shut its office here means the country has attained a reasonably peaceful situation by overcoming its conflicts," says Yogendra Shakya, National Coordinator and Vice Chairperson, Program Execution Committee of the NTY 2011 Secretariat.

This is the spin the officials are working on to lure the tourists. Shakya, however, is much more anxious about the Maoist gameplan.

The reports that Maoists could be starting anti-India movement after the festival season have Shakya worried to the hilt.

Of particular concern is his target of attracting Indian tourists from border region.

"Indian youths from border regions are our primary target. We want to attract them. But if the political parties have other ideas, it will be just futile to spend money on such promotional campaigns," he said.

The tourism officials want to ease restrictions to allow Indians to come to Nepal through land border on their own vehicles. This, they say, will help them achieve the target of welcoming one million visitors in 2011.

Despite the Boom

This year, the tourist arrivals saw a huge boom. Reports have said that in

October month, over 2000 tourists have been arriving in the country daily.

The five-star hotels are reporting over 80 percent reservations.

Similar is the case with airlines.

However, despite all the good news, the total number of visitors may not cross more than 625,000 this year.

Officials estimate that even in best case scenario, the total number of tourists in 2011 may just hover around 750,000.

The number itself may be well short of the target, but will indicate a healthy growth in tourism.

The problem will be to sustain the growth - as it will call for drastic development of infrastructures from airport capacity to road connectivity to destination development. ■

Nepal Tourism Board Marketing Success

Despite having to pass through different phases of political instability and chaos, Nepal is still known as an attractive tourist destination globally thanks to the efforts of Nepal Tourism Board. More than 600,000 tourists visited the country last year.

As NTB is celebrating its anniversary on Nov. 18, the number of tourists continues to go up. At a time when the international tourism industry is facing severe crisis with declining visitors, Nepal's tourism industry is experiencing a boom.

This has been possible because NTB is popularizing Nepal as a destination in various parts of the world.

Be it in neighboring India or China or far away United States and Europe, NTB has been taking part in major tourism marts and exhibitions selling the country's image as a tourism product to outside world. Before the establishment of NTB, Nepal rarely took part in such exhibitions.

Formed under the basic concept of public private partnership, NTB has been working closely with the private sector to boost Nepal's tourism industry. It is celebrating Tourism Year 2011. Its aim now is to make that a success.

It spent the first decade to establish itself, now NTB expects it will perform a more effective role in the coming years. ■



Nepal Investment Banks AGM

Nepal Investment Bank Record After Record

Nepal Investment Bank Ltd (NIBL) has shown that given a good leadership nothing is impossible

By A CORRESPONDENT

Under the leadership of Prithivi Bahadur Pande, Nepal Investment Bank Ltd (NIBL) has made a lot of progress in the last one decade. The bank has set record after record in many areas establishing itself as one of the efficient and competent banks in Nepal.

This year, Nepal Investment Bank Limited became the number one taxpayer --at Rs. 790 million -- among the Nepali banks and is ranked fifth amongst all the taxpayers throughout the country.

In addition to establishing itself as the number one taxpayer, the bank also actively engaged in protection of cultural heritage, social and sports activities.

"We successfully conducted NIBL

Heritage Marathon 2009, a gesture towards the conservation of our cultural heritage. Our second Nepal Investment Bank (NIBL) Heritage Marathon 2009, whose main objective was to help preserve heritage and architecture of Kathmandu Valley, raised over 70 lakhs rupees, far exceeding our target of fifty lakhs rupees. The bank donated this fund to help build cremation pyres at Bhamshwor, Aryaghat Pashupatinath and for restoration work at the Bhaideghal Temple at Patan Durbar Square," said Prithivi Bahadur Pande, chairman of the bank.

The bank also gave away twenty-five lakhs for Extreme Everest Expedition, the cleanup campaign that cleared out

1800 kilos of garbage from above 8,000 meters, often referred to as the death zone. The event aroused wide international concern, and was extensively reported by all local media as well as renowned international media like BBC, Reuters and AFP. Apart from cleaning up the death zone, the campaign also successfully rescued the body of two mountaineers - Swiss climber Gianni Goltz, who died last year, and Russian climber Sergey Duganov. The visual documentation of the same is due for premier at December.

The bank also gave away five lakhs rupees to support the second Microfinance Summit 2010. The summit focused on converging the role of varied stakeholders from policymakers, regulators, to commercial banks and other microfinance practitioners, to reach to the broader spectrum of rural demography. The summit also worked on providing financial services to 3 million people, especially women, by 2010.

Highest Growth

NIBL achieved the highest industry growth in terms of deposits, assets and capital base. Its deposit base grew from



NIBL : Promoting Sports

Rs 46.69 billion to RS 50.09 billion making it the largest private sector bank in deposits, adding 83,000 new clients, the highest addition of customers in Nepal. It has the highest net profit among all commercial banks of Rs. 1.26 billion. NIBL is also the highest loan provider of Rs 40.95 billion. Similarly, its Tier 1 capital is also the largest of any bank in Nepal at Rs 4.55 billion.

"Our Assets grew from Rs 53.01 billion to Rs 57.30 Billion, the highest volume growth and highest level in Nepal. Our Loans and Advances grew from Rs 36.8 billion to Rs 40.94 billion, making NIBL the largest lender in Nepal," said Pande addressing the bank's AGM last week. "We have ventured aggressively into the remittance space with exclusive partnerships with Maybank in Malaysia and Bank Al Bilad in Saudi Arabia. We have a substantial presence in the Middle East making NIBL one of the largest players in the remittance industry."

He said NIBL capital base was significantly higher than that of its nearest competitors and the bank was in a position to grow the assets at a higher rate. NIBL has maintained a consistent rating from Indian Credit Rating Agency, ICRA, an affiliate of Moody's Investor Group, receiving a rating of Nepal [A], reflecting its strong creditworthiness and its position as the first and only bank in Nepal to have a credit rating adding extra transparency to the shareholders.

This year alone the bank added 10 more branches with (18) new ATM kiosks alongside. At present the bank has a sum

total of 40 branches and (70) ATMs throughout the country. For the FY 2067/68, the main strategy relating to branches will be the consolidation and to increase profitability of branches.

The bank has also introduced three new products: NIBL Special Fixed Deposit with interest rate of 11% and Saving Bonanza with 7.5% and Karmachari Bachat Khata with 6% interest rate.

NIBL added a record of 110,954 customers in the past 15 months. The Bank added (300) domestic remittance disbursement agents during this period. NIBL now has 14,000 new users in the e-banking platform giving the highest base of e-banking customers in Nepal at 28,000. There have been new and innovative added features in the e-banking products, such as online airline ticket booking and payments, alongside enabled Online and ATM pre/post paid bill payments for Telecom companies including PSTN landline payments throughout Nepal. NIBL also tied up with Nepal Derivatives Exchange allowing the e-banking users to conduct derivative transactions.

NIBL released an electronic payment gateway, enabling secure VISA, MasterCard and PayPal transactions and e-commerce on the internet for the e-banking customers. The bank has also expanded its remittance business into the Saudi market. Bank Albilad has awarded NIBL the Best Remittance Partner Award 2010. The award was given on the basis of NIBL's steady performance level, outstanding support

and excellent customer relations.

American Life Insurance Company, ALICO has also tied up with NIBL to offer its life Insurance Products through NIBL's Bancassurance program.

NIBL also qualified to join the Global Trade Finance Program offered by the International Finance Corporation IFC, enabling the bank to conduct international finance arrangements with a wider range of correspondent banks greatly benefitting our corporate clients. NIBL has received a trade finance facility of \$5 million, the largest extended to any Nepali bank which will enhance our support for local enterprises and boost international trade opportunities.

NIBL has entered into an arrangement with China Development Bank CDB to promote project relationships in infrastructure finance in terms of project cooperation, financial consultancy, credit grants and currency swaps. This arrangement will enable NIBL to finance Hydro-Power projects in Nepal and enable the bank's corporate client's access to international debt markets.

"We recognize the important role of human resources to successfully meet our business goals. The Bank is committed to provide quality learning and working environment for our staff and help them develop their knowledge, skills & attitude required to perform well in their career," he Pande said.

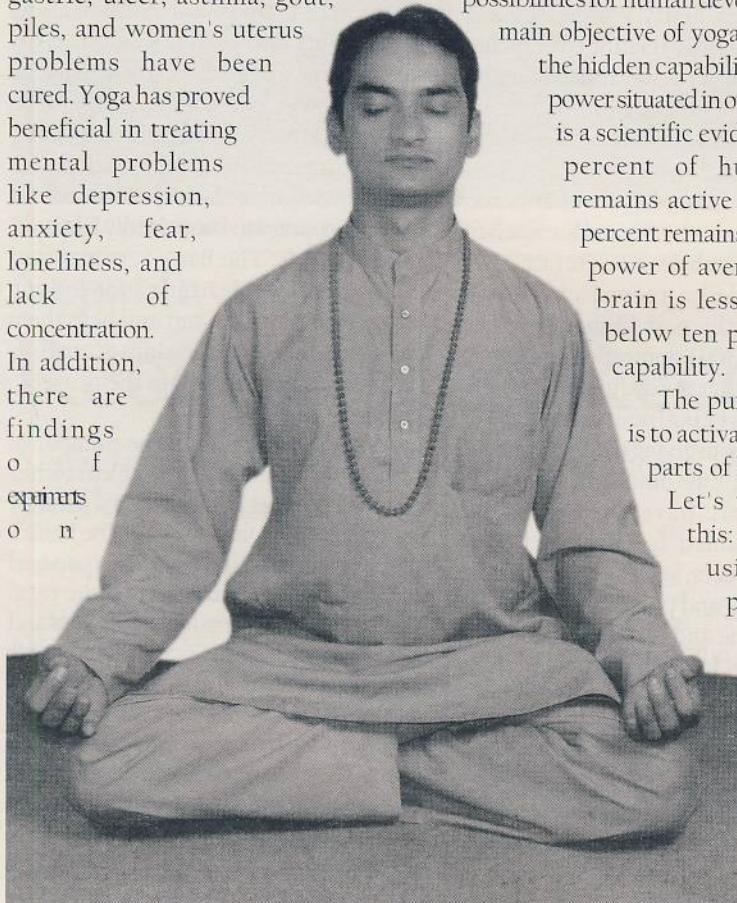
With the increase in the number of branch representation and customer base, the bank is committed to prompt and reliable customer service. The Bank's total workforce has reached 877 compared to 766 in the previous year. Of the total staff strength, 41% are female staffers and 80 staff members have completed more than 10 years of service in the institution.

"We continue to place great value in quality and service and our development objectives ensure that our staffers are motivated with high levels of productivity and loyalty. During the year, 533 participants attended 75 training courses/ workshops on various areas like SME Lending, Risk Management, Anti Money Laundering, Signature verification & counterfeit notes, Customer Service, Operations and NRB guidelines. Six staff members attended workshops in India and abroad. The Bank also supports team-building activities like sports, yoga, meditation focusing on job satisfaction and personal growth." ■

Yoga For Living Better

DR. LAXMAN PRASAD ADHIKARI

Yoga is receiving increasing attention and publicity as an important aspect of life these days. It is neither a specific religious group nor any religion per se. Instead, it is a system of full of medical practices. Due to regular practice of yoga, various diseases are cured without any side effect. Hence it has attracted many followers in the context of the present world. There are many scientific examples that due to regular practice of yoga, physical diseases like diabetes, constipation, blood pressure, obesity, gastric, ulcer, asthma, gout, piles, and women's uterus problems have been cured. Yoga has proved beneficial in treating mental problems like depression, anxiety, fear, loneliness, and lack of concentration. In addition, there are findings of experts on



positive improvement in patients of cancer, HIV/AIDS, hepatitis etc. due to regular practice of yoga.

In the beginning, it is important to learn techniques of yoga from a trained yoga teacher. They can be followed up later at home according to one's own

needs and availability. One can be physically smart with cool and peaceful mind for the whole day after having one hour yoga every day in the morning.

A majority of people have the impression that yoga is only the means for curing diseases. This belief is misleading and shows lack of adequate understanding about yoga. The relationship of yoga cannot be limited only with human body and mind. It travels up to a level of supreme conscious mind.

The practice of yoga energizes all possibilities for human development. The main objective of yoga is to achieve the hidden capabilities and inner power situated in our brain. There is a scientific evidence that ten percent of human brain remains active while ninety percent remains inactive. The power of average person's brain is less used, often below ten percent of its capability.

The purpose of yoga is to activate all inactive parts of human brain.

Let's think about this: if, in place of using ten percent of our brain, we could use hundred percent of our brain's ability through continuous progress

made in modern science, what would be the human progress like?

Once swami Vivekananda visited the United States of America to participate in a program. One afternoon he entered inside a library and requested a book for him to carry home. The librarian told him

that he will be leaving USA the next morning and will have no time to read the voluminous book. The librarian advised a thinner book. Swami Vivekananda said he would borrow the voluminous book and return after reading the whole of it the next morning. When Swami Ji was in the library to return the book, the librarian asked, "Were you able to finish this book?"

Vivekananda replied, "Yes I did; if you don't believe, you can ask me any question from any page of this book." The librarian actually asked questions from the book.

To the librarian's surprise, Swami Vivekananda replied to all her questions with explanations. Normally, it would take at least a week to read the whole book.

This incident surprised many in the USA. All praised Vivekananda's brain.

So, human beings are supreme creatures with thoughtful and powerful characteristics. But most remain at idle conditions. If we become able to activate these capabilities through the practice of yoga, we will be able to establish ourselves as reputed personalities in the society. As a result, we will be able to lead our life full of energy.

Adhikari is affiliated with Satyam Arogya Yoga Center, Satdobato

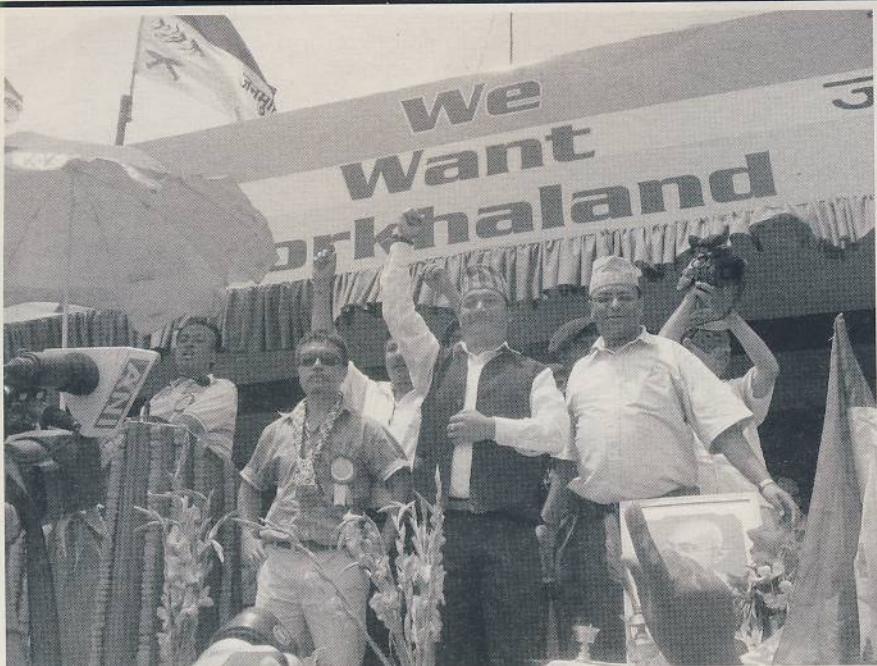
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DARJEELING In A Lull

Darjeeling is quiet now as a lull before a storm

By UMA KANTA KHANAL
in Jhapa

Following a couple of calm months, Gorkha Janamukti Morcha, a party agitating for a separate state within India, has threatened to revive its agitation if talks fail.

The Morcha has threatened to reject the proposed set-up for the Darjeeling hills if it perceives that the CPM-led Bengal government is trying to drag the issue and defer the formation of the interim authority, piling pressure on the state and the centre for a hard bargain before the next round of talks.

Up to October 11, there had been eleven rounds of talks in the administrative level.

The eleventh round could not resolve the issues. The meeting decided to hold

a political dialogue tentatively at the end of October. The Morcha has warned that the forthcoming meeting will be the last political-level meeting.

"If the meeting fails to form an interim set-up, we will resume our agitation for Gorkhaland, and nothing less," Morcha's press and publication secretary Harka Bahadur Chhetri said.

"Although the last meeting decided that the next political level meeting would be held at the end of October, this is the time for Durga Puja and Tihar, so we are unable to fix the date for the forthcoming meeting," Binay Tamang, assistant secretary of Morcha, said over the phone.

By the end of the eleven rounds of talks with the central and the state governments, the Morcha failed to

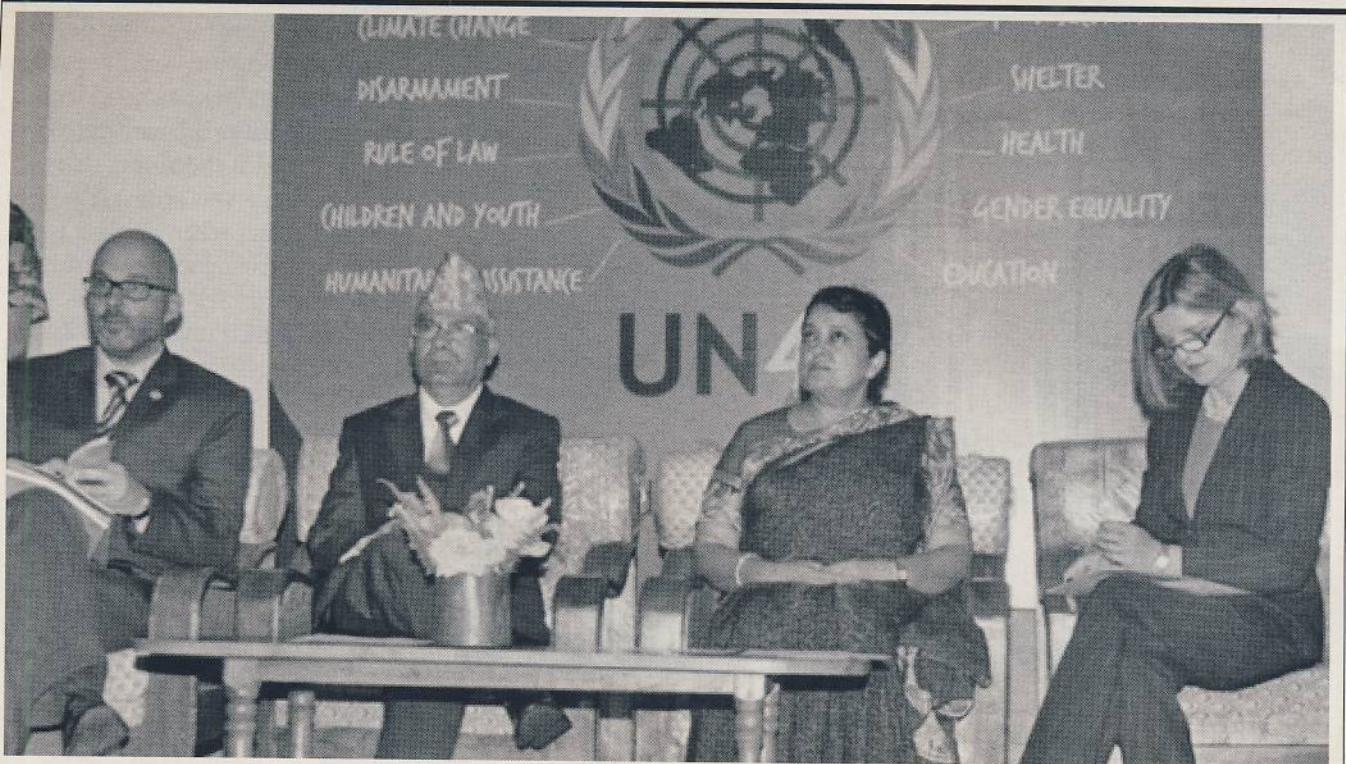
convince the central ruling parties about their demand for a separate statehood. Many analysts have claimed that no single call for separate statehood was articulated at the time of talks.

The example was seen a few days ago in Darjeeling when a ruling party in the centre, Trinamool Congress chief Mamata Banerjee - railway minister in the centre, denied division of Bengal. She was addressing a public rally in Darjeeling. She said, "Gorkha Janamukti Morcha leadership met me and they did not talk of a separate state, rather all their demands pertained to developmental issues. You all are agitating for development, for employment and for civic amenities."

Banerjee emphasized the ongoing agitation was for developmental needs only. She had promised that she would soon meet the Prime Minister to confirm the special package of development for Darjeeling hills.

The state government is also not in the intention to divide the state from the initial phase of the demand of Gorkhaland. "We want the Morcha to drop its demand and let an elected body take charge of the set-up," state urban development minister, Ashok Bhattacharya, said. The state government of West Bengal has regularly been attending the tripartite talks for the last eleven rounds.

It is not only Morcha in Darjeeling hills to have threatened a movement. Akhil Bharatiya Gorkha League, which has been criticising the state government's failure to arrest Nickole Tamang, the key accused in the Madan Tamang murder case, who had escaped from CID's custody, has said that it would launch a movement soon, demanding CBI inquiry into the killing. "After the festivals are over, we are thinking about renewing our movement, demanding the arrest of Nickole and other culprits," League's working president, Dawa Sherpa, said. Madan Tamang, who was president of Akhil Bharatiya Gorkha League, was killed in Darjeeling at the time of preparation of a mass meeting on May 21. ■



Celebrating UN Day

MDGs

Lopsided Progress

Although Nepal has made certain progress in terms of MDGs, challenges, particularly in the area of eradicating inequality and social exclusion, remain

By A CORRESPONDENT

Neal has made significant gains towards meeting the Millennium Development Goals (MDGs) in reducing infant mortality, increasing enrolment rate in primary education and minimizing the percentage of people below the poverty line.

The progress, however, has been lopsided with respect to geographical location, gender and social group. According to Nepal Millennium Development Goals Progress Report 2010, enhancing employment opportunities and eradicating inequality and social exclusion remain major challenges.

"Compared to urban areas, rural areas are still far away from getting the benefits. It is imperative that all of the country's people reap the benefits of

development, including the hard-to-reach poor and those living in remote and inaccessible areas where delivering services is especially difficult. The well being of those who are hardest hit by discrimination, exclusion, poverty and unemployment is a major concern," said vice chairman of National Planning Commission Jagadish Chandra Pokharel, Ph.D.

Large numbers of women, dalits and janjatis are still excluded from the national mainstream. The marginalized communities are yet to reap benefits of development. In September, world leaders reconvened to take stock of the progress on Millennium Development Goals, 5 years away from the 2015 deadline.

"Particular countries were singled out for the progress in particular areas with Nepal receiving plaudits particularly for

its progress on MDG5, addressing maternal mortality," said Robert Piper, UN Resident and Humanitarian coordinator for Nepal addressing the UN Day Ceremony.

In making such progress, Nepal has received support from development partners. The support given by UN agencies based in Nepal is very important. Nepal needs more support in coming days to tackle the issues.

"That the work for example, of UNICEF on nutrition or social protection, of UNESCO on mother tongue literacy, of FAOs reach to 100,000 households in the past year with inputs, or UNFPA's reproductive health support to 70,000 women and girls, of the ILO's recent support on labor market legislation or UNAIDS's efforts to strengthen coordination, advocacy and resources for HIV/AIDS, of IFAD's help to some of the countries' poorest farmers or the ongoing work of WHO on leprosy and other diseases, have played some part in Nepal's success. A more equitable distribution of this progress must nevertheless remain a priority for the MDGs to find their true place in Nepal's peace process," said Piper.

Despite making big strides, exclusion of large sections of Nepalese needs to be addressed. Although the numbers of people living below the poverty line

declines, inequality is increasing alarmingly. 'At last year's UN Day ceremony, I underlined the UN Country Team was anxious to redouble efforts to support the longer-term transition agenda. I referred to the need to reverse Nepal's rising inequality, bring historically-marginalized groups onto an equal footing, and tackle impunity and strengthening fundamental elements of good governance, such as accountability and transparency. In today's climate, these important issues continue to compete unsuccessfully against the urgent one for the attention of leaders, policy makers and resources.'

Nepal has been passing through a very critical phase in its history and political instability continues to create hurdles. In this context, the coming days will be more difficult. 'Frankly speaking the policy environment for the MDG has been fairly favorable since 2005. The first three years plan 2007-10 also gave high priority to the areas of poverty reduction, inclusion and targeted programs. The current three year plan 2010-13 has stressed the need to reduce the gaps and make plans to achieve the MDGs within the deadline of 2015,' said vice chairman Pokharel. 'As Nepal achieved such progress despite unstable politics and

violence, we can achieve remaining targets easily.'

Nepal published the first MDG report in 2002 and second in 2005. However, the current report was published after the gap of five years as the period was marked by political instability, change in the country's economic policies, the absence of local elected bodies, the energy crisis and price hikes. As the development budget heavily focused on post-conflict construction, the investment in other sectors had suffered.

As Nepal is in the process of constitution writing, it is expected to address the issues like social and geographical exclusion. The Constituent Assembly is drafting a constitution that aims to be progressive and inclusive with regard to representation of minorities, ethnicities and geographical areas, both in the governance system and with regard to access to resources.

Another challenging issue is addressing poverty and disparity as Nepal's peace is determined by it. Nepal has made major progress since 1996 to reduce the level of poverty. Between 1996-04, the level of poverty declined by 11 percentage points from 42 to 31. As Nepal's poverty reduction process continued, it declined from 31 percent to 25.4 percent between 2005 to 2009.

Although Nepal's poverty declined, disparities grow between urban and rural areas. Urban poverty was 10 percent in 2004 but rural poverty was 35 percent and now it is eight percent and 22 percent. From regional perspective, mid-western region has still higher prevalence of poor compared to the central region.

According to Millennium Development Goals Progress Report 2010, disparity between genders, castes, ethnicities is also high and persistent. The gap between rich and poor is increasing and high. Thanks to this, there is consequential effect on other sectors such as education, health and environment.

As Nepal's poverty reduction is basically relying on remittance, it will have adverse effects in case of any changes in the international labor market. 'With the country's transitional political situation as well as remittance dependent economy, it is essential to ask what the impacts of these might be on achievement of the MDGs in 2015 and beyond,' writes the report.

'With the set agenda and targets, we will achieve the targets set by MDGs. The challenge before us is to sustain the present progress and strive for others where we are falling behind,' said vice-chairman Pokharel.

events in the book including mundane life of rural people, family costumes and values.

Pandey did not hesitate to narrate the story and events about himself and his family. The difficulties he faced during the early days of career and the old Kathmandu where only a few buses and vehicles ran in the city when he lived in a rented house. He became a section officer in 1987, was promoted to assistant secretary in 1993 and joint secretary in 1999. He secured all his promotions through open competition.

Pandey has a number of creative works to his credit: novels, short stories, poems and book on administration. His new book is also interesting to read. For the younger generation, the book reads like a story of many centuries ago. The transformation which one is experiencing today was out of imagination a few years ago.

As he is going to retire from civil service, what he gives is a very valuable and interesting book to his readers and colleagues. One can learn many things from his memoir where he honestly places all the incidents he has faced. ■

REVIEW

On Personal Experiences

After more than 25 years in civil service, secretary Yuba Raj Pandey highlights all the struggle of his life in his book

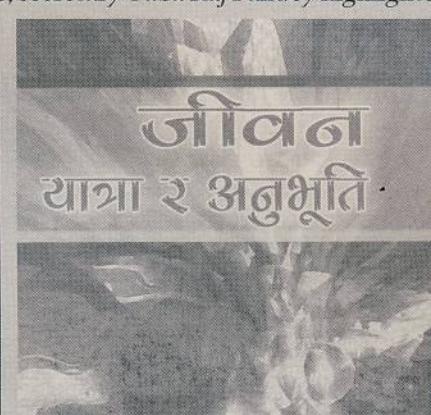
By A CORRESPONDENT

Born in Arghakhanchi district of western Nepal, Yuba Raj Pandey took a long journey to become the secretary of Nepal government. After completing his tenure, 54 year-old Pandey is retiring from his position as a secretary to National Planning Commission.

Like Pandey many secretaries have already retired from their positions but only a few have written a book sharing their experiences. In his book *Yatra Ra Anubhooti*, Pandey discusses his entire life beginning from his school days.

The book includes his struggles for promotion, in family life and in other surroundings. Pandey observes the transformation of his society, village, family and entire civil society in the last two and half decades of his service.

He narrates about his marriage in ru-



A Collection of Memories

By Yubaraj Raj Pandey

Published by Tannerai Publication

ral surroundings, his study and finally the life of Kathmandu valley when he passed the examination of section officer from the Public Service Commission. Although the book is published in low cost paper, one can find a lot of interesting

NEPAL LAW SOCIETY

Bridging The Info Gap

At a time when the gap in information about constitution making is growing between the common people and CA members, NLS and International IDEA have come up with programs to bridge it

By A CORRESPONDENT

When the country as a whole is stuck in the middle of an uncertain political course and is suffering from delay in the process of constitution writing, Nepal Law Society (NLS) and International IDEA have come up with two programs that will help generate optimism.

Differences remain over major constitutional issues in the drafts of thematic committees of the Constituent Assembly. A high level committee formed under the chairmanship of UCPN-Maoist leader Pushpa Kamal Dahal Prachanda to sort out the differences is yet to accomplish its task. As the CA passes through a very critical phase amid continuing political deadlock, negative views about the relevancy of CA and its members are getting stronger.

In such a situation of growing despair, NLS and International IDEA have drafted a new model constitution - on the basis of reports of 11 thematic committees - by involving constitutional experts.

If things go as planned by NLS and

International IDEA, their program will contribute a lot in the dissemination of information. They hope that their efforts will help the CA when it goes to the people for public view collection on the first draft of the constitution.

The model constitution will provide a technical basis to prepare the much needed framework and guidelines.

Likewise, the creation of Information centers will help disseminate information on constitution building.

Established with the support from Constituent Assembly Secretariat, the Constitution Information Center will bridge the information gap in the process of constitution writing.

Five such information centers have already been opened in Dhangadi, Nepalganj, Pokhara, Bharatpur and Biratnagar.

"We plan to take these centers to all 75 districts by the time the first draft of constitution reaches the public," said Krishna Man Pradhan, executive director

of NLS. "We are very encouraged by the enthusiastic response to the centers from all stakeholders, including local people, CA members, local media persons, lawyers, community leaders and political leaders."

Even though the CA members have completed a hugely important task by preparing thematic committee reports in the last two and a half years, the common people do not know about this due to lack of proper communication channels. Only the negative reports of delay and inefficiency have been aired - leading to an extremely difficult environment.

Established with an aim to share information about constitution related materials and activities of the CA and



Constitution Information Centre

CA members with the general public in collaboration with the CA Secretariat, the Constitution Information Centers can play important role in the coming days when the process of constitution making gains pace.

"CA Members Are Working Hard"

KRISHNA MAN PRADHAN

KRISHNA MAN PRADHAN, executive director of Nepal Law Society (NLS), is a well known figure in legal circle. Having worked for a long period of time in the constitution making process, Pradhan had several things to share when he spoke to NEW SPOTLIGHT. Excerpts:

What role is Nepal Law Society playing in the process of constitution making?

With an objective to support the Constituent Assembly, we are working on a model constitution. We have hired experts in various stages of the drafting process. Under the leadership of some eight constitutional experts, we have already arrived at the final version of the model constitution which will be released soon.

On what basis have your experts drafted the model constitution?

The basis of our model constitution is the guidelines given by the 11 thematic committee reports. This draft will support the Constituent Assembly and its Constitutional Committee. Since all the reports of 11 thematic committees are like a bundle of notes of dissents, our experts have drafted the model constitution showing how those differences can be minimized. Our draft includes the opinions of experts in minimizing differences. We hope our draft will help the constitutional committee of CA and CA in their work.

How do you look at the present process of constitution writing?

Nepal is in a historic stage of writing

its constitution through the CA. The new constitution will be written by the people and for the people. This is a very good methodology. Despite so many good things about the process, the constitution is also a technical document. Thus, it requires the support of technical experts.

Didn't you find it difficult to sort out contentious issues included in thematic committee reports?

The reports of 11 thematic committees include not only materials for constitution drafting but also include suggestions, and elements for guidelines, acts and regulations, which will be required in the future. With the support from CA Secretariat, International IDEA and Nepal Law

Society separated the materials to be included in the constitution and those that can be included in future acts and rules. Our priority is now to pick up elements required for drafting the constitution. We hope our efforts will help the CA in preparing the final draft of the constitution.

There are a number of model constitutions that have come out. How is your model constitution different?

A number of model constitutions have been published by various organizations. However, they are not based on CA's thematic committee reports. Those model constitutions were drafted by women, youths, janjatis and others. Our constitution is exclusively based on CA thematic committee reports. The model constitution written by Nepal Law Society and International IDEA could be the model constitution for CA. This model constitution was drafted with the active involvement of CA members, constitutional experts, political party leaders and other key stakeholders. I am confident that this will help CA in the process of drafting its new constitution.

You have recently set up the Constitution Information Centers in five regions. Why?

Nepal Law Society and International IDEA have established Constitution Information Centers in five districts to disseminate and update information regarding the activities and role played by the CA among the grass root people. With the support from Constituent Assembly Secretariat, these centers are now up and running in Biratnagar, Bharatpur, Pokhara, Nepalganj and Dhangadi.

Why do we need such centers?

Our aim is to minimize the negative views on the CA. Although the CA has completed many important works in the last two and a half years, everyone blames CA for doing nothing. For instance, 11 thematic committees have already presented their drafts to the CA which is making all out efforts to prepare the final draft of the constitution. However, due to lack of information at the grass root level, the level of mistrust and distrust has increased.

How will it support the constitution making process?

Before the first draft of the constitution is prepared, these centers will be informing the general public about the key issues being discussed. They will help create a critical mass of informed general public, who will be better poised to give their opinions and feedbacks when the CA goes to them with the first draft. The Centers will also help the committee on Civil Relations in the

dissemination of information. The aim of the Committee is to contribute towards better communication on CA related issues. Our centers will assist in implementation of the objective of the Committee on Civic Relations and Committee on Collection and Coordination of Public Opinions.

What materials do these centers share?

The Centers will share materials that enhance public faith in the CA by highlighting the contributions made by CA members towards the constitution making process. We are also sharing the basic features of the 11 thematic committees' concept papers, preliminary drafts, project commentary notes and the first draft constitution. The centers will also share updated information by the CA with the district level stakeholders. The centers will also disseminate major issues raised by the political parties and CA members. Along with this, the centers will also receive and forward any feedback about constitutional issues from the stakeholders. We will prepare and educate the district level stakeholders so that they can provide useful feedback on the draft constitution.

What documents, for example, are there in the centers?

The centers provide the materials published by the Constituent Assembly Secretariat, Nepal Law Society, International IDEA, UNDP, civil society members and other institutions. The centers are also operating a library that have CA concept papers and other related documents.

Do you plan any other activities?

The centers will organize orientation programs from time to time. Along with holding the information sharing programs, the centers will also organize discussion programs in schools, colleges, and among communities to share information on CA and constitution making process.

What is expected to be the most important task for the centers?

One of the important tasks of our centers will be to disseminate the first draft of the constitution to the public. Before the publication of the first draft of the constitution in the gazette, the



centers will work with the Committee on Civic Relations to disseminate information and educate general public. The centers will act as a two-way-bridge - by helping disseminate the CA related information to the public and bringing back the public feedback to the CA. Those who enter the centers need to register their names. We will monitor their feedback at the district and local levels.

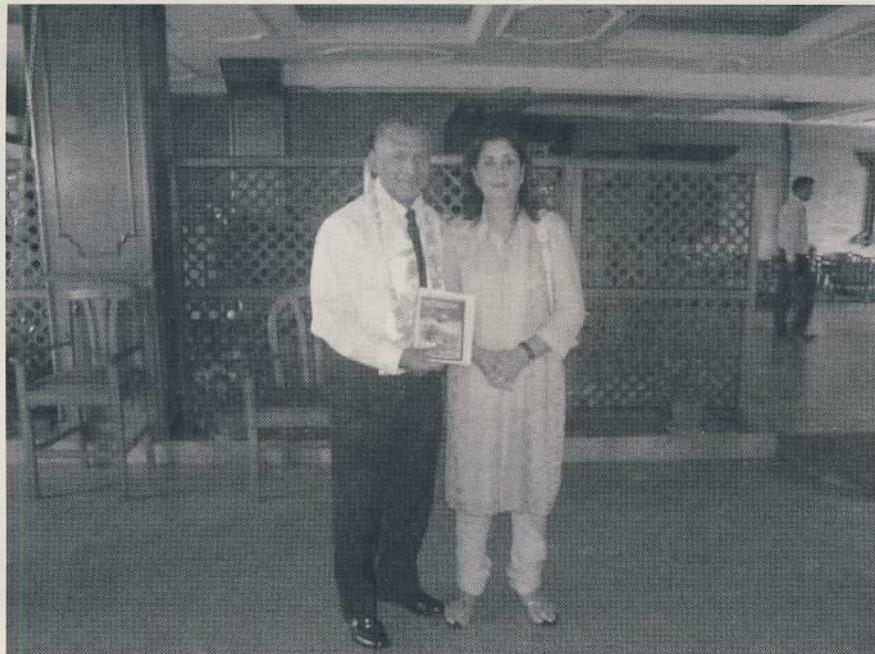
What are the regular programs of the centers?

The centers are organizing information sharing programs every Friday at the district level by inviting district level stakeholders. The participation of the people is growing in our program. Nepal Law Society is working as a bridge between the Constituent Assembly and the people. Norwegian government is supporting us and other donor countries are also showing interest to support the program. Our aim is to disseminate the information of CA throughout the country up to the village development committee level.

Have you noticed any change in people's perception of CA and its members?

Yes. We have seen a lot of changes. The perception about the CA and CA members is changing. Our program has helped to enhance the image of CA. Through interaction programs at the village and district levels, we are disseminating the information and activities of CA and CA members. Despite the limitations of CA members, they have been doing quite a lot of hard work but the people are often ignorant about it. We share information with local groups on what CA members and CA have been doing in constitution making process.

(For more detail please contact - nls@wlink.com.np)



**MAJ GENERAL, CHARLES.F.BOLDEN JR, NASA ADMINISTRATOR,
WITH CHANDA RANA ,**

CHANDA RANA

Carrying On The Battle

Environmental activist Chanda Rana's lone battle has been able to raise national and international awareness against the alien plant Mikania Micrantha

By A CORRESPONDENT

Chanda Rana is distinct among environmental activists. She dares to go

it alone. Rana, chairperson of SEF or Save the Environment Foundation, started her

"My Aim Is To Make This As A Global Issue"

Environmental activist CHANDA RANA spoke to New Spotlight about her battle against Mikania Micrantha. Excerpts:

What is the state of the alien plant Mikania Micrantha?

The situation is alarming as it is gradually covering the entire national park, and surrounding areas, including the buffer zone. Most worrying thing about the plant is that it is now spreading along Mugling-Narayanghat highway.

Have you done something new about this?

I have been doing a lot of things. Just a few weeks back, I got a golden opportunity to meet Maj. General, Charles.F. Bolden Jr., NASA's Administrator in one of the international conferences in Kathmandu. I handed him my documentary. I also requested him to give his feedback about the presentation. The documentary consists of the findings of my study and field observations. Apart from this, I have tried to include the voices of the concerned stakeholders who are closely observing the

adverse effects of the invasion and infestation of the wild climber.

What are your worries about the plant?

There is the need to act immediately to save the Chitwan National Park from invasion of wild weed Mikania and preserve one of the world's unique eco-systems and natural heritage sites. If we will not take action, the wild plant Mikrantha will destroy Chitwan's unique eco-system and wildlife habitat.

How big is the threat?

The weed is now killing the habitat areas of world heritage sites. If we are unable to take certain actions, the plant will wipe out the entire national park within four or five years. My two years' experience has taught me that the plant will destroy the forest in case no rapid action is taken against it. Along with surrounding areas of the national park, the plant is now reaching up to the Mugling highway. We need to control the plant by carrying out a survey.

What initiatives are you taking to contain the threat?

work by using her own resources. She raised a number of environmental issues before her campaign against a plant-killer weed Mikania Micrantha in Chitwan National Park drew national and international concern. Thanks to her lone battle, attention has been drawn to the infestation in Chitwan National Park by Mikania Micrantha.

Although the alien plant started spreading in the forest areas since 1994, it was recognized as a major threat to habitat and grass land of Chitwan National Park just a year ago when Rana brought it to the public notice through a documentary.

The issue of Mikania Micrantha is now an issue of national and international concern as it is threatening the habitat of the one horned rhinos, other wild animals, plants and trees of Chitwan National Park.

Last year when Nepal's political leaders and policymakers were concentrating their efforts to articulate Nepal's environmental problems at the Climate Change summit in Copenhagen, Denmark, she presented a documentary highlighting how the alien plant was playing a havoc with the unique ecosystem.

I have been taking the initiative in several ways. I have been meeting people, experts and international experts.

When did you notice the threat first?

During my holiday trip to Chitwan National Park in December 2007, I noticed the infestation by the wild plant. I noticed the entire grassland, bushes, and the main habitat of one horned rhinos was covered by this wild plant.

What is your strategy now?

I want to work with National Conservation Trust, Ministry of Forest and Soil Conservation and Geological Society of London from outside. I want to coordinate with other concerned organizations and I am ready to provide support as per their requirement. I cannot afford to allow the issue to die. I will hold it. My effort will be to carry it on. I stayed one month in the community. I have also presented the documentary at the Geological Society. I also handed over the documentary to WWF. I have already started to raise awareness among the international community about the threat.



Steps To Stop Trafficking

Dr. ARUNA UPRETY

On 30 September 2010, I was invited to testify before a US Congressional Committee on Foreign Affairs panel entitled "Out of the shadows: The global fight against human trafficking". To present a fair and accurate picture of the situation, I spoke with various individuals from the Human Rights Commission, journalists reporting on the issue and policewomen involved in anti-trafficking efforts. I gleaned from each that human trafficking, especially that of women, has existed for a long time but only in recent years, it received renewed attention from NGOs, civil society, the media and the government.

Trafficking-in-person (TIP) is the worst form of human rights abuse. It is a 21st century form of human slavery. TIP dehumanizes people by violating their rights of movement, and freedom of speech, essentially turning them into a commodity. The US State Department's Annual TIP Report cited Nepal as one the major source countries for women trafficked to India and elsewhere for commercial and sexual exploitation. The 10-year Maoist insurgency further worsened the situation as many women and children in rural areas were forced to flee to the safety of urban centers. Nepal is categorized as a Tier 2 country in the 2009 TIP Report, indicating that the Nepalese government does not yet fully comply with the Trafficking Victims

Protection Re-
Authorization Act's

(TVPRA) minimum standards for combating trafficking, but is making significant efforts to comply with the minimal standards for the elimination of trafficking.

Sabin Pradhan of the Forum for Women Law and Development (FWLD) said during our discussion that trafficking of women and children for commercial and sexual exploitation is a long standing tragedy in Nepal. Gender discrimination, poverty, illiteracy and unemployment render large numbers of women and girls vulnerable to trafficking and sexual exploitation. According to U.S. Department of State's 2009 Trafficking in Persons Report, 22,500 Nepalese women, girls and children are trafficked annually for sexual exploitation. Girls in the age group 12-18 years are at most risk, and girls from marginalized groups such as the Dalits (untouchables) are most vulnerable.

The government of Nepal has comprehensive anti-trafficking legislation on the books, but a weak judicial and regulatory system and inadequate resources leads to weak enforcement. For example, the Ministry of Women, Children, and Social Welfare, the government agency primarily responsible for dealing with trafficking, has formed anti-

trafficking task forces at both the national and district levels. But the annual budget for the District Task Force is just \$535.

When I talked to DIG Paravati Thapa and Inspector Durga Singh Chand, both of them were very helpful, drawing from their experience and insights into the situation. Chand talked about girls as young as twelve being trafficked, many ending up as sex workers or domestic servants primarily in India. There are many organizations in Nepal working on these issues and raising awareness at the national and international level. Recently Anuradha Koirala of Maiti Nepal was nominated as one of ten CNN World Heroes and it gives me great satisfaction knowing that her fight against trafficking of women is finally being recognized.

I am part of an organization known as RHEST (Rural Health and Education Services Trust) a small non-governmental organization based in Kathmandu that focuses on anti-trafficking programs and women's health issues through education and trainings . Our partner organization, the American Himalayan Foundation (AHF, USA), is a San Francisco based non-profit organization with over twenty five years of experience in helping communities and the ecology of the Himalaya.

It specializes in supporting and leveraging projects related to basic health care, education, anti-trafficking, economic development and cultural preservation. These two organizations have been partnering since 1998 on an innovative anti-trafficking program called STOP Girl Trafficking. This program addresses the pervasive problem of trafficking of young girls in Nepal by combating trafficking at its source - preventing girls from becoming victims through education. The program currently supports 7,500 girls and since its inception, not a single girl has been lost to trafficking. The program has become a model, whose success is rooted in community involvement and empowerment of poor at-risk and vulnerable girls through the simple mechanism of identifying the girls and keeping them in school.

Nanu Chaudhari (name changed) from Western Nepal was 12 years old when her father sold her to a couple in Sindhupalchok as a domestic laborer for 8000 rupees, 3 years ago. Nanu was forced to work 10 to 12 hours per day without pay and beaten severely if there were minor mistakes. She worked for years without ever having the opportunity to go to school. But one day when the male head of the household tried to rape her, it was unbearable and she fled to one of the neighbors seeking refuge. The neighbor gave her some money so that she could escape. She came to Kathmandu and managed to earn



Dr. Aruna Uprey at US Senate

Does This Drug Work?

-BUDDHA BASNYAT, MD



There was a time before the 1950s when a drug was thought to work for a certain disease because wise, old doctors said it would work. We have come a long way since that time. Now you need hard evidence. A common term now is "evidence based medicine". In the 1950s, it was Bradford Hill who started this process of doing proper drug trials to determine their efficacy and, importantly also their side effects in the treatment of human diseases.

As I mentioned, prior to Bradford Hill's time, a famous doctor would proclaim the usefulness of a certain medicine and many of us in the medical profession would follow suit.

The evidence-seeking concept is now called randomized controlled trial (RCT). In the classic RCT, to determine if drug x works for a disease y, first you need an adequate sample size of patients with disease y who will be administered the drug x. To a similar number of patients you need to administer a sugar pill or a dummy pill, called a placebo in medical speak. Then over a certain period of time, if you can show that those in the drug arm of the trial did better than in the

placebo arm of the trial, you may be able to conclude that the drug X is effective against the disease y. But the difference in effectiveness has to be what is called, "significant".

And this significance is determined by statistical testing which tries to eliminate 'chance' as the cause for drug x being more effective. Even to eliminate the chance factor, the importance of the term random cannot be overemphasized.

For example in determining who receives the placebo versus the drug in question, the choice has to be random. If the patient is pre selected to receive the drug or the placebo then you have introduced bias into the study and therefore will not be a proper study. In many instances even the investigators will not know whether the patient received the drug or the placebo. This is an example of maths and science magnificently merging together.

Now, just the effectiveness or efficacy as it is often called of drug X is not enough. The drug may be effective for the time being but it may have unacceptable side effects. In 1960 the devastating side effects of the drug

thalidomide forced governments around the world to insist that all new drugs should be tested using RCT method to determine efficacy and to check for side effects. So a world of regulations has spawned around RCTs to make sure they are properly carried out.

One of the first diseases to be subjected to human trials was tuberculosis. At one time only one drug was used for TB, then RCTs revealed that the disease responded significantly better to combination of drugs than just one drug. This lesson was carried over for a more modern scourge, the HIV virus against which a combination therapy is now utilized.

RCTs are now also made use of for studying the efficacy of vaccines. The injectable typhoid vaccine that is used worldwide was first studied here in Kathmandu by Dr I L Acharya and colleagues in the early 1980s using the RCT concept.

RCTs then are the gold standard for testing drug efficacy and side effects. In Ayurvedic, Tibetan and other forms of alternative medicine, RCTs could be potentially useful to determine efficacy of treatments.

some money and went back to her village. Her father, who had previously received payments for her daughter's domestic labor, demanded that she go back. But Nanu refused and now, with help of RHEST is studying in third grade. She says she used to be shy when she started third grade as the other children were so small, but the pain and hardships she had endured in Sindhupalchowk made her determined to pass school so that she and her sister will not have to suffer the same pain. "My father is still not happy with me and scolds me a lot but my mother supports me, and I do a lot of house hold work as well. I am grateful that I am supported by RHEST, when I will have more confidence, I will tell my story with my real name and my photograph."

Nanu was one of hundreds of girls working as domestic laborers in Kathmandu and other cities without any access to education.

During my testimony, I was asked what the Government of Nepal's initiatives to combat the issues were and I pointed out that the government has adopted various measures to combat trafficking of women and girls including formation of special Women Police Cell in Kathmandu and other cities to deal specifically with crime against women and children.

Another is the establishment of the Office of the National Rapporteur on Trafficking in Women and Children (ONRT) at the National Human Rights Commission in 2002. One of the

objectives of this office is to coordinate national, regional and international efforts to combat trafficking in Nepal. Yet another is the establishment of special anti-trafficking task forces in collaboration with non-governmental and community-based organizations and at both the national and district levels.

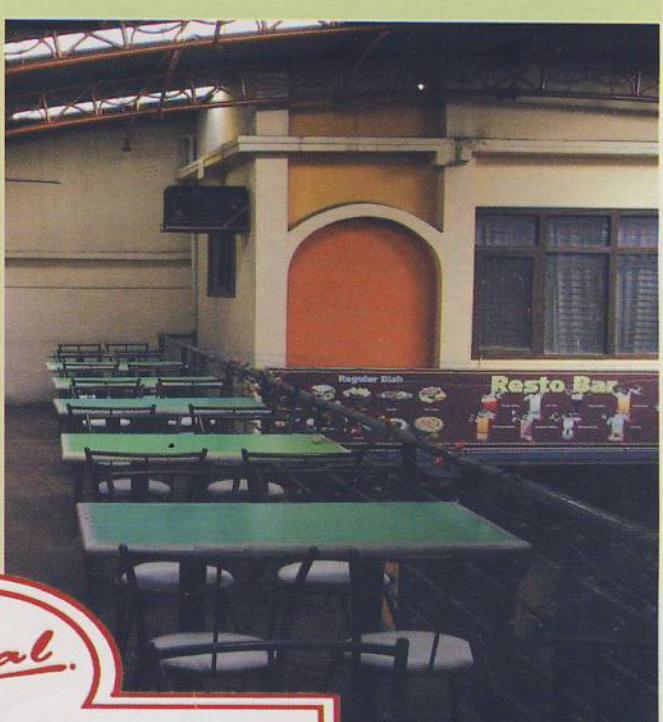
There is an enhanced collaboration with International Non-Governmental Organizations and UN agencies on trafficking issues. Joining the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution has been another step. The convention was signed in Kathmandu in 2002.

It is admirable that the Nepalese government, in spite of its limited resources, is attempting to combat human trafficking. Civil society leaders, NGOs, and media are also bringing it to the forefront by highlighting the gravity of the situation. While private and public initiatives go a long way against the fight in human trafficking, only a fundamental shift in society's values and attitudes can address the root of this problem. Education should be made a priority for all children, along with economic opportunities for adults. Further, young children and women should not be viewed as domestic commodities but as valuable members of society. Only then can we eliminate human trafficking in its worst forms. ■

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