



**INTERVIEW:**  
**Dharanidhar Khatiwada**



**FACE TO FACE:**  
**Mohan Vaidya/Rajendra Mahato**



**ARTICLE:**  
**Batu Uprety**

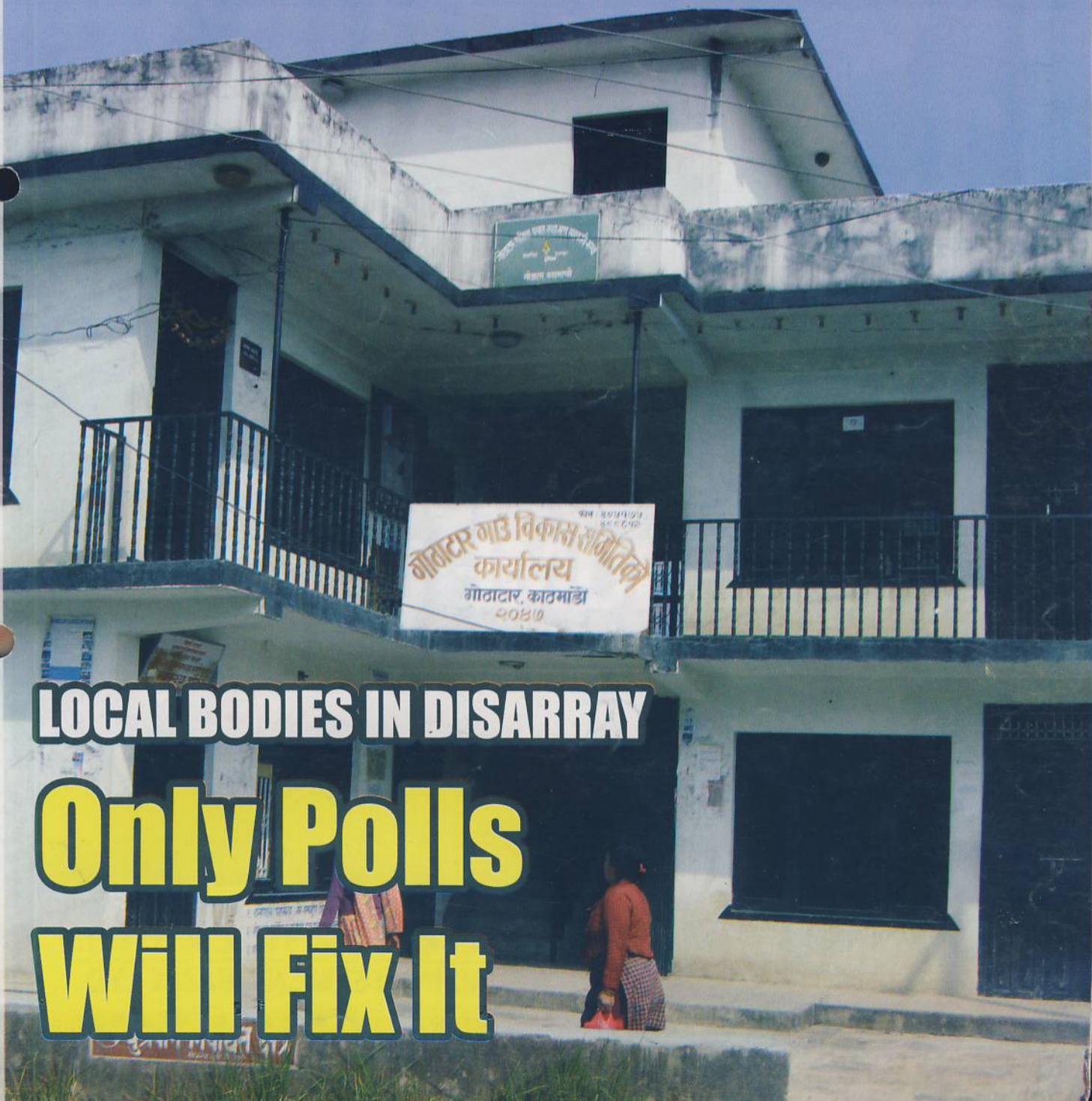
New

# SPOTLIGHT

Mar.08 - 21, 2013

FORTNIGHTLY

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## LOCAL BODIES IN DISARRAY

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## From The Editor

At a time when the country is traversing an uncertain political course, with no sign of new government anywhere soon, the current prolonged political instability will definitely disrupt the development activities, and hit the poor and vulnerable population. Even as almost 16 years have passed since the elections of the local bodies were held, there is no sign of an elected and accountable local self government coming anytime soon to serve the interests of people. In this context, we have decided to make the elections agenda of the local bodies as our cover story. We look at various aspects of local self governance in Nepal and its implications. As a basic institution to associate with the day to day life of the people, the agenda of local government should receive the top priority. One of the positive parts of the current political process is that even the national parties have shown the interest to hold the elections of the local bodies. They have virtually agreed to hold the elections. As the country's local bodies are heading towards a more chaotic state, holding the elections will be the only way out.

*Keshab*

Keshab Poudel  
Editor

# NEW SPOTLIGHT FORTNIGHTLY

Vol. : 06 No.-18 Mar. 08 -2013 (Falgun 25, 2069)



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Editor and Publisher : Keshab Poudel, Senior Editor: Alok Tambahangphey, Senior Correspondent: Saroj Dahal, Correspondent: Uma Kanta Khanal, (Jhapa) Abijit Sharma (New Delhi), Reporter: Debesh Adhikari, Niraj Aryal

Marketing Manager: Madan Raj Poudel, Tel: 9841320517, Nabin Kumar Maharjan Tel: 9841291404, Photographer : Sandesh Manandhar

Cover Design/Layout : Hari Krishna Bastakoti, 9841456791

Editorial Office : Tel: 977-1-4430250 E-mail: spotlightnepal@gmail.com, P.O.Box: 7256

Office : Kathmandu, Nepal

Printers : Pioneer Offset Printers (P.) Ltd., Dhapasi, Kathmandu, Ph: 4363624

Kathmandu DAO Regd. No. 148/11/063/64, Central Region Postal Regd. No. 36/067/068

US Library of Congress Catalogue No. 91-905060, ISSN : 2091-0711 (Print), ISSN: 2091-0754 (Online)

## EU Audit, Finance Training

The Delegation of the European Union to Nepal organised training for Nepalese auditors and accounting officers in grant projects on the different aspects of auditing. This was the first time the European Union Delegation invited auditors and partner organisations dealing with grant contracts to provide a platform to discuss general rules related to auditing practices and the overall approach to ensure quality while carrying out the audits related to projects funded by the European Union.

During three successive days starting from 25 February, a senior auditor of Ernst & Young, Brussels, Renaud Bolly, gave the training to around 120 auditors and accountants.

Addressing the final day of the training, Dr. Alexander Spachis, Ambassador, Head of the European Union Delegation to Nepal, said that the



European Union has been assisting Nepal in different areas of development such as education, peace building, food security, mitigation of negative impacts of climate change to mention a few.

"The European Union has been assisting Nepal's efforts for development and democratization despite the economic hardships that the EU Member States have been facing back home," Dr. Spachis said adding this makes additional attention to "value for money" and good governance in our projects even more important.

## Dance Motion USA In Nepal

A company of eight dancers and staff from the Seattle-based Spectrum Dance Theater arrived in Nepal recently to launch the worldwide DanceMotion USA cultural exchange program sponsored by the U.S. Department of State. Spectrum is the first of four American dance companies to cover four continents to promote dance and the arts as a means of cultural expression and diplomacy. Following a week in Nepal, the group was to travel to Bangladesh and Sri Lanka.

The company, led by Artistic Director Donald Byrd, had visits to schools and conducting dance workshops with artistic organizations in Kathmandu and Pokhara on schedule. This vibrant cultural diplomacy program is designed to share the rich dance culture of the United States with international audiences through performance and cultural exchange. The majority of participants will be young Nepalis from a variety of diverse backgrounds.

## KOICA Hands Over Equipment

The Korea International Cooperation Agency (KOICA) handed over equipments and software for the "Modernization of Customs Administration in Nepal" project to Department of Customs (DoC) on February 25, 2013 in the presence of KOICA Deputy Representative Park

Sangbaek and Director General of Department of Customs Dr. Mukti Narayan Paudel and other officials working in the IT sector in DoC. The handover comprised IBM racks, Server, Network equipment, Data Storage and software: OS Oracle Database, Data Warehouse (ETL, OLAP), Data Mining, WEB, WAS, 30 desktop computers, computer table, chair and etc.

In the handover ceremony, Director General Dr. Paudel mentioned that DoC is the first department under Ministry of Finance to be computerized, with the support of KOICA DoC is now changing its system after 17 years. Furthermore, he assured that they will make a proper use of the equipments and hence will be well maintained. Lastly, he thanked KOICA for organizing a training program in Korea for the DoC staff and guaranteed that they will implement the acquired knowledge and skills in their work. Adding to this, Park from KOICA expressed that this project will support DoC in achieving its target of increasing the revenue, providing user friendly service and enhancing the capacity of customs officials.

The government of the Republic of Korea through KOICA spent US\$

5 million for this project. This project will implement the Business Process Reengineering (BPR) and draw up Information Strategic Plan (ISP) and will support in improving the efficiency and transparency of the administrative process of DoC. KOICA developed and established Clearance Management Module, Risk Management Module and Data Warehouse. This project will improve the ICT operating condition and capacity of the DoC.

## Japan's Assistance for Child Labor

The Government of Japan has decided to extend financial assistance of 110,733 US Dollars; equivalent to approximately 9,632,663 Nepalese Rupees to Shapla Neer - Citizens' Committee in Japan for Overseas Support under the Grant Assistance for Japanese NGO Projects scheme of the Government of Japan in Japan's Fiscal Year 2012. Shapla Neer will implement the second phase of the Project for the Prevention and Reduction of Child Labor in Restaurants in the Kathmandu Valley in coordination with local NGO, named Child Workers in Nepal (CWIN).

The Grant Contract relating to this Project was signed and exchanged between, Shuichi SAKAKIBARA, Chargé Affairs of Japan to Nepal, and Maki MIYAHARA, Country Representative of Shapla Neer - Nepal Office.

## WFP-backed Team Summits Mt. Kilimanjaro

Early this morning, an all-female climbing team supported by the UN World Food Programme (WFP) in Tanzania, reached the summit of Mt. Kilimanjaro, Africa's tallest mountain.

The 10 women made the ascent to highlight the importance of girls' education and of school meals. The team, who timed their climb to mark the week of International Women's Day on 8 March, documented their journey on Twitter using the hashtag #WFPkili2013.

The expedition includes seven Nepalese women who scaled Mt. Everest in 2008 and three African women. Nimdoma Sherpa is a former recipient of WFP school meals in Nepal, and Anna Philipo Indaya - a member of Tanzania's endangered Hadzabe people - is a teacher in a WFP-supported primary school in Arusha, Tanzania.

"We are on the top! Nothing is impossible if we struggle to pursue our dreams," said Nimdoma Sherpa from Africa's highest point. ■

## “When Everyone Does Politics, How Can A Country Prosper?”

INDRA BHAKTA SHRESTHA

*Veteran businessman and industrialist, and former President of Federation of Nepalese Chamber of Commerce & Industries (FNCCI).*

In your life you have seen lots of ups and downs in the country. What do you think about your journey?

I have experienced many things. All experiences have their own importance and fun. Some are very sad while others are happy. The thing that I experienced most is the change in time. In the past, society was disciplined, now discipline is lacking. People are lacking dedication and honesty. There is corruption and hardship.

Why do you think this negative change has happened in the society?



During the Rana regime there was discipline in the society. Apart from the habit of keeping national money into their own pockets, there were many positive things about the Rana regime. They used to give justice quickly. As the country used to run on whims of Ranas, the habit of speaking without thinking of a lot of rulers used to cause a lot of troubles. After 2007 B.S, democracy came. The 2004 strike played a huge role in bringing

democracy and I had also participated in that historical event.

You said apart from putting nation money in pockets, many other things about Rana regime were not bad. But even people like you had to live in boundaries, wasn't it true?

Yes, it was. If we were able to make them happy, then everything would work, if not, nothing did. They used to come to Tudikhel on horse riding, then there would be lines of people to make them happy. People who had more contacts and who were close to the Royals used to go to the Durbar directly for making them happy. If rulers were happy, they were able to give anything.

What changed after democracy?

After democracy, dictatorship ended. Earlier, businesses were solely dependent on whims of rulers, there was no chance of business prosperity. To change that, we needed democracy. We even went to the airport to welcome back King Tribhuvan after 2007 B.S. There was a huge crowd, including of parties and other general people. But we were not able to interact with the King. We, businessmen, had decided to open a federation of businessmen.

What changes do you see when you compare the current open economy and economy during that time?

Our population is increasing. Along with our population, our demand is also on a rise. This has increased imports. But we have not been able to increase exports. Things that used to happen that time are still happening now. We are still not able to do scientific agriculture. In the election of 2036 B.S, we destroyed so many of our forests. From the presence of foreign banks and donor organizations, our economy has got the needed support. Only human export (remittances) has been able to hold our economy. Otherwise how would we have been able to bear billions of losses? At around 2016 B.S. Tibetan refugees came to Nepal. With them we imported a lot of gold and money. Along with that we also received the skill to make carpets. With the help of Swiss we were able to improve that skill.

Nowadays, the exports are decreasing while the imports are rising. If remittances are taken out of the economy, our economy would nearly collapse. Likewise, the prices of petroleum products were also very low. We are not able to bring industrial and agricultural revolution. Government policies were very ineffective and didn't do much good. When everyone does politics, how can a country prosper?

*(Extracts of interview published in Nagarik daily)*

LENDING FOR HYDEL

## Powerful Support

Although Nepal has high potential to generate hydroelectricity, the lack of sufficient investment in this sector has put the whole nation in the dark. People have to go through extremely harsh load-shedding hours and the economy of the nation has suffered a lot due to the lack of electricity.

In such a scenario, the Asian Development Bank (ADB) is lending \$150 million for a \$500 million project that will build a hydropower plant of a 140-megawatt capacity.

The hydel plant will be built on the Seti River in Tanahu district to generate electricity all year around. The plant will be the country's first major hydropower plant with water storage capacity and a sediment flushing system.

Currently, nearly all of the hydropower plants generate power from the run of the river, which makes for lower output during the dry season as the flow in the river decreases.

At a time, when even a single megawatt of electricity is deemed precious, the funds provided by the ADB will come in as a major boost for the country.

“Nepal has an energy crisis, and this is affecting badly economic prospects,” said Yongping Zhai, Director, Energy Division in ADB's South Asia Department. “This energy project is a means to stop this crisis.”

Electricity demand is growing at 10% every year in Nepal, but no significant moves have been taken in this sector to solve the power problem.

Currently the country's total installed power generation capacity is around 700 megawatts – largely from hydropower. This represents only 1.5% of Nepal's hydropower potential.

To ensure steady supply even during the dry winter months of November through April, the plant will be fed from a 7.26 square kilometer reservoir, according to ADB.

In addition to building the plant and a transmission system, the project will also provide at least 17,636 homes in the area of the hydropower plant with direct connections to the national power grid. Only around one-third of households in Nepal are connected to the electricity distribution grid, with connection rates much lower in rural areas.

The project will be co-funded by ADB and the Japan International Cooperation Agency lending, the European Investment Bank, and the Abu Dhabi Fund for Development.

## Binod Chaudhary In Forbes List Of Billionaires

Industrialist Binod Chaudhary has become the first Nepali to be listed in Forbes' global list of billionaires, with a net worth said to be at US\$1 billion.

“Binod Chaudhary is Nepal's first billionaire but built most of his fortune overseas,” said Forbes. Forbes has listed him as 1,342nd richest person in the world. Chaudhary, 57, has been featured as 20th among 21 Forbes' 2013 Billionaires: Notable Newcomers'.

“It is an honour; I am happy to have our four decades of hard work recognised,” said Chaudhary. “It has introduced the Nepali corporate sector to the world and will help encourage young entrepreneurs to explore new horizons.”



# A Nation Prone To Blackmail

By YUBARAJ GHIMIRE



The debate over whether the same person should be the Chief Justice as well as the Prime Minister has not yet died down. President and leaders of the Four Parties—Maoists, Madhesi Groups, UML and the Nepali Congress as well as President Ram Baran Yadav—are still keen that Khil Raj Regmi holds both posts until the elections in June, and then comes back to occupy solely the CJ's post.

But they are supporting this issue for different reasons, mainly their self interest. President Yadav showed no courage and character to play the role of the 'Guardian', and instead chose to associate with the 'deviants four'. Why has it become necessary or the only options to do something that the Interim Constitution prepared under 'consensus' of these parties expressly forbids?

Maoist Party and Prime Minister Baburam Bhattarai have been successfully imposing their agenda and policy in the manner they want: Their message is 'it is not important to follow the rules or principles or the provisions of the constitution or the established process. It should happen the way or in the manner we want,' is the message they have given.

From the first meeting of the now defunct constituent assembly, or even in the life of revived parliament, they have dictated the agenda. Speaker Subhash Chandra Nembang as well as the leaders of the Nepali Congress and the Communist Party of Nepal- Unified Marxist Leninist (CPN-UML) have only acted like compliant in almost all the cases. They have not yet said that 'we were fooled by the Maoists' but they have certainly started cribbing about being 'betrayed by the Maoists'. So far, they have confessed that they were wrong in believing that Maoists were not honest when they promised that 'they will transform into a democracy if we gave up monarchy.'

Nationalism, national pride and democracy have now ceased to be the life and death, or even a priority issue for the NC and UML. Rather, they have become vulnerable to any political maneuver, internal or external or both. President Yadav has come into much bigger controversy by his active involvement in politics of power as well as conflicting stance on the CJ-as-PM issue. In his response to the case, he has said three contradictory things: one he has initiated an exercise to appoint successor to Bhattarai as the Prime Minister under article 138(1). Two he still insists that the CJ-as-PM is a hypothetical issue totally concealing his active support to it in Shitalniwas. And Three, and most dangerously, he claims that formation of a cabinet is a political issue implying that should be outside the purview of judicial review. It also implies seeking totally immunity to the political breed including himself on anything they do. In Brief, President has become a collaborator to those wanting to establish a totalitarian rule

and demolish the principle of accountability for which death of independent judiciary is necessary. A last minute slip between the cup and lips on the CJ-as-PM issue will possibly prolong the rule of Baburam Bhattarai, and the President will only stand to gain personally out of it because both will continue unethically for some more time, until the organized public fury will declare the collective failure of the President, leadership of the four parties and ridicule CJ Regmi as collaborator in the sins of the first two against democracy.

Undoubtedly, Bhattarai has proved himself a totalitarian—corrupt to the core promoting his family, a threat to the norms of democracy and probity in public life—his inevitable departure from the post, nevertheless, will also mean formal and final death of the agenda that India inspired 12-point agreement and its aftermath, have brought about. Bhattarai, like all the dictators, may want to destroy any institutions, shed any amount or volume of blood in the street, take on any individual—both inside the party and outside—to stay in power. He knows he enjoys the immunity so long as he is in power.

What could be a better example of his being able to expose and humiliate Prachanda who was denied Rs six million from the government coffer—the amount he promised in Chitwan's Madi district for Badarmude carnage—by the Bhattarai government. A helpless Prachanda finally had to bank on the Maoist Party fund? And what could be the bigger humiliation and insult for Prachanda (by Bhattarai) than the Prime Minister's decision to release Rs 30 million for a Foundation set up in the name of his father in law Dharma Ratna Yami who loyally served King Tribhuvan and Mahendra and got huge land and a house where Hishila Yami was born and brought up? The insult inflicted to Prachanda will perhaps lead to a bitter personal rivalry with political fallout in the days to come, but Prachanda knows he will be vulnerable to any 'action' by the government if he challenges Bhattarai so long as he is in power. In fact, it can be safely presumed that both the President and the CJ also face Prachanda's predicament in some manner given their obvious involvement in the back-room deals on power centric politics. Individuals become stronger and dictators rise when state becomes weaker. That is what the players of 'consensus politics' did post 2006 April when they placed themselves above the institutions and the constitutions with the full backing of international community. Unfortunately, even the international community that blindly supported Bhattarai, is still prescribing a wrong pill—CJ as PM—instead of making a collective and holistic review of their own role. Elections is no doubt, the most crucial process in democracy, but it cannot set right every violation of every process committed deliberately by the four parties. ■



Koirala, Khanal (Centre), Dahal

## POLITICS

# Uncertain Again

*At a time when the process of appointing the chief justice as the prime minister prolongs, the name of vice-president is being floated as an alternative candidate to lead the next government*

By KESHAB POUDEL

Looking at the ongoing political activities, it seems that there is a long way to go before any political settlements happen. What is certain now is a prolonged political instability, with controlled anarchy here and there. The proposal by 34 political parties to appoint vice-president Paramananda Jha as the new prime minister has indicated the possible scenario in case the court's verdict goes against the proposed appointment of chief justice Khil Raj Regmi.

Similarly, the emerging new alliances of previously hostile forces against the chief justice appointment as the new prime minister is also an indication to a protracted political struggle. At a time when four major political parties, with tactical support of rightist RPP-Nepal, are lobbying in favor of chief justice Regmi, CPN-Maoist, a radical and authoritarian breakaway faction led by Mohan Vaidya, has received tactical support from rainbow coalition of all political parties and civil society members, who oppose chief justice Regmi's appointment.

Whether chief justice Khil Raj Regmi will lead the caretaker government or not is a matter of little concern. Regmi is able to unite the hostile political forces and hostile ideologies together in the current round of political battle. No matter where one stood ideologically in the past, chief justice Regmi's proposed appointment has brought the strange bedfellows together in the name of separation of power. On the other hand, the name of vice president also appears to be circulating.

Following the disagreement on certain issues, parties have made it uncertain again if they will appoint the chief justice to head the caretaker government. Leaders of major political parties have already made it clear that it

will take a few more days to announce the political agreement to pave the way for CJ Khil Raj Regmi to be the prime minister. Even president Dr. Ram Baran Yadav has made it clear that he will not appoint chief justice Regmi as the prime minister until the court gives its verdict on the case.

"I am not in a hurry to appoint the chief justice as I will wait for the verdict of the court before taking any decision," president Dr. Yadav reportedly told UCPN-Maoist leader Pushpa Kamal Dahal Prachanda in his recent meeting.

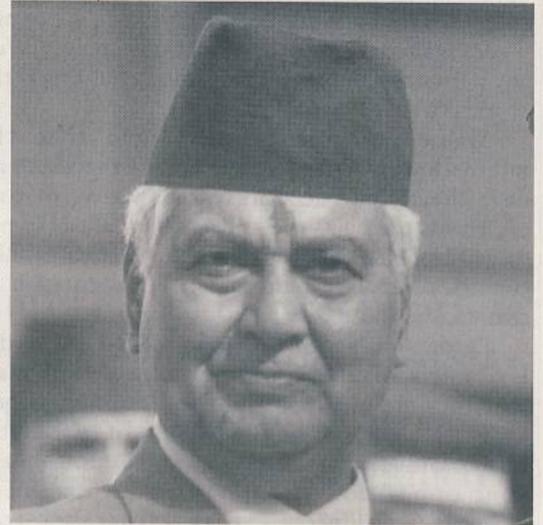
Although president Dr. Ram Baran Yadav was reportedly one of the persons to recommend chief justice Khil Raj Regmi for the new role in the caretaker government, his sudden change in tone might have hinted at some reason or compulsion, as Nepal's four major political parties are trying to fathom.

As the Supreme Court was beginning a hearing on the show cause notice regarding the appointment of chief justice Khil Raj Regmi as a neutral prime minister, it was expected that the process would take a week. After the decision, the possibility of holding the elections by the last week of May 2013 comes to an end. Even the leaders of major political parties have already made it clear that fresh Constituent Assembly (CA) elections cannot be held before November/December.

At a time when the disputes continue to grow, Minister for Health and Population Rajendra Mahato has said that the country would get an outlet to the ongoing constitutional and political crises within a few days. Stating that the necessary process to form the Chief Justice-led election government for a free

and fair election has begun, he claimed that the CJ-led election government would be formed soon.

Similarly, a meeting of the top leaders of the major political forces — UCPN (Maoist), Nepali Congress, CPN-UML and the United Democratic Madhesi Front (UDMF) — held at Prime Minister's official residence, Baluwatar, decided to finalize the matters related



Vice President Jha

to removing the constitutional difficulties by March 5.

## Political Options

If political parties are unable to find political solutions, President Dr. Ram Baran Yadav is likely to forward another option acceptable to all. In his recent meetings with political leaders, president Yadav has already reminded leaders of political parties about his constitutional role to hold the elections for Constitutional Assembly and initiate the constitutional process.

## What Next

The next move of the president will be to push vice president Parmananda Jha as a candidate to head the next government. If all options fail, it is likely we get to see the government under president Dr. Ram Baran Yadav in the coming days.

As senior advocate and eminent constitutional lawyer Ganesh Raj Sharma, retired from his profession, used to say that everyone was doomed to fail to predict Nepal's political situation given its complex geo-strategic location, where people have to believe in dancing ghosts in real life. ■

### “Parties Bowing Under Foreign Pressure”

MOHAN VAIDYA



UCPN-Maoist almost a year ago, CPN-Maoist leader MOHAN VAIDYA KIRAN spoke to NEW SPOTLIGHT on various issues. Excerpts:

**Why are you opposed to the proposal to make the chief justice the new prime minister?**

This is unconstitutional. It will harm the interest of democracy and people. It is strange to see even a party which always supported separation of power as a value of democracy supported the chief justice. We have been opposing it because it goes against the spirit of separation of power. We don't have any personal enmity with individuals, but this is the question of ideology.

**Major political parties argue that this is an internationally agreed practice. As Bangladesh and Greece have already practiced it, what is wrong to do so here?**

This is the point the leaders of so-called big parties want to make public. One has to see the context of the particular countries. Nepal has different a political situation and context than that of those countries.

**Leaders of Nepali Congress, CPN-UML and Samyukta Loktantrik Madheshi Morcha have already made it clear that they are in support of the CJ-option as proposed by UCPN-Maoist, out of compulsion to replace the current Prime Minister, Dr. Baburam Bhattarai. Don't you think your opposition is supporting to extend Bhattarai government's life?**

We are the first party to demand the resignation of this government. We have been demanding its dismissal. The president should have dismissed this government soon after the expiry of the Constituent Assembly and called a roundtable meeting to form the next government and hold the elections.

**Leaders of four political parties have been saying that it is their compulsion to back the chief justice. How do you look at this?**

There is no reason other than foreign pressure. Political leaders, who claim themselves to be the leaders of the largest party, are bowing down to the agenda of foreign powers, particularly India and Europeans. Actually, this is not their proposal, but a proposal pushed forward by India and some Europeans.

**Nepal needs an election and the agenda was proposed by UCPN-Maoist publicly. How do you see India and Europeans behind the move?**

The actions speak volumes. India has been interfering in Nepal's internal affairs for long. After the People's Movement II, India has been directly intervening in Nepal's political decisions. We can see their presence all over Nepal to interfere in political affairs. Recently, even some Europeans are supporting India's move in Nepal. Holding the elections under the leadership of CJ is not in the interest of Nepal and Nepalese people.

**If election under the caretaker government of the chief justice is unacceptable to your party, what solution do you have in mind?**

Our party has proposed a roundtable meeting of all political parties to decide the upcoming course. The roundtable will take the decision what course suits to settle the political stalemate. ■

### “Don't Blame Foreigners”

RAJENDRAMAHATO



Leader of Sadbhavana Party and Minister of Health and Population Rajendra Mahato argues that the only way out of the current political stalemate is to hold the elections under the chief justice-led government. Mahato spoke to NEW SPOTLIGHT on various issues. Excerpts:

**How do you look at the present political scenario?**

Nepal has been passing through a very difficult political time. We need to hold the elections for the CA to fulfill the aspirations of the people to write the constitution through the Constituent Assembly. People living Madhesh, who have been deprived of their rights for a long time, want the CA elections. Similarly, oppressed, Janajati, Dalits and other backward people also want elections. If we are able to hold the elections, the political process will pass smoothly.

**Do you think CJ-led government will hold the elections?**

There is no option before us. As there is so much distrust among major political parties, placing a neutral care taker government should be the first priority. There is no one for that role except the chief justice at the present situation.

**Civil society groups, lawyers and other political parties have been opposing the move saying that appointment of chief justice is against the spirit of separation of power. How do you look at it?**

Nepal is not the first country to hold the elections under the leadership of chief justice. Bangladesh has been practicing this for a long time. Even European countries like Greece have this provision. If these countries see the appointment of CJ under the spirit of democracy, what is wrong for us to follow it? I don't buy the argument that this is against the spirit of separation of power.

**CPN-Maoist leader Mohan Vaidya has already said that this is India's proposal. How do you look at this?**

It is a typical ploy of radical communists from Nepal to blame India in all the affairs. It was the proposal forwarded by us and approved by UCPN-Maoist. Holding the elections under the chief justice is the best option. We want to hold the elections for us, not for others. Accusing friendly, neighboring countries is not going to benefit Nepal.

**As the case is under court hearing, what political move will four parties take in case the Supreme Court issues a negative verdict on this?**

As all of us want a political settlement through holding the fresh elections for the Constituent Assembly, I have not thought about a negative verdict. I hope that the chief justice will take the reign of the government to hold the elections as early as possible.

**It is reported that there are differences among political parties on some of the agenda proposed by Samyukta Loktantrik Morcha. What is the main point of disagreement?**

The difference is almost settled now. As we are going to hold the elections for CA, we don't want to deprive the people from voting. All Nepalese, who are born in Nepal, should be given the right to vote. This is the bottleneck. However, a provision in the citizenship law denies the right of the children of citizens living in Madhesh. We want the removal of the anti-Madheshi provision of Citizenship Act and all the citizens of Nepal living in Madhesh should be allowed to vote. ■

## LOCAL BODIES IN DISARRAY

# Only Polls Will Fix It

Nepal's successful experiment of the grassroots level participatory democracy is now in disarray and the vacuum of elected representatives since its dissolution in July 2002 has already created a lot of problems. At a time when the pressure is building to hold the elections for local bodies from various sectors, a report of Rapid Governance Assessment conducted by Media Initiative for Right, Equity and Social Transformation (MIREST-Nepal), a civil society organization, reveals that elections are the only way out to fill the political vacuum that exists in the local bodies

By KESHAB POUDEL

Bimala Gautam, secretary of Naikap Village Development Committee of Kathmandu district, took Rs. 15,000.00 (160 US dollars) as the additional money for her work. Along with Gautam, three other staff also got the same amount of money to conduct an inspection of the flood affected people. According to VDC regulations, a secretary of village development committee and other employees cannot get additional remuneration, besides their salary, for regular work.

Thus, the audit of Naikap Village Development Committee raised the question on the amount saying that it is unjustifiable to use the budget allocated for flood affected population to be used for the purpose of allowances.

Similarly, Dhruva Kumar Thapa, secretary of Dancchi Village Development Committee, has made repeated mistakes by distributing the money without proper documents in the

nutrition distribution for the children of Dali community. Mulapni VDC, a neighboring village of Dancchi, has distributed Rs. 286,000.000 as a subsidy to the poor people without valid documents.

Along with social benefits, there is a rampant misuse of resources allocated in the development sector. Naglebhari Village Development Committee has a different story to tell as the money distributed through the User Group to construct the road has gone to the pockets. During the site inspection, the auditor team found neither any user group, nor any road.

Along with the heart of the capital city, there are reports of such irregularities in absence of proper mechanism and accountable local bodies. A few months ago, the government suspended all the employees of Janakpur Municipality and took action against the officials at Mahotari

and Saptari District Development Committees on rampant misuse of resources. Recently, a new corruption scandal rocked Bajura District Development Committee, 600 kilometers, in the western hills, from Kathmandu. As there is the absence of elected and accountable representatives, Nepal's 3900 VDCs, 75 DDCs and 54 Municipalities are under the leadership of government employees or nominated members of political parties.

As basic units directly associated with the people, functional local bodies also form the backbone of democracy. Due to lack of elected representatives in the villages, the police office also faces a lot of pressure.

"Due to lack of elected representatives in the local bodies, the police personnel are very much under pressure to look at all kinds of disputes, including the petty issues related to personal transaction and other family matters,"

said chief district Police Superintendent of Police Manoj Neupane.

After receiving a number of complaints regarding the irregular presence of village secretaries in their office, Chief District Officer of Bara Krishnahari Pushkar issued a warning to take stern action against those secretaries who don't appear regularly to their offices. "Local people are not getting the basic services from VDCs in the absence of secretaries. I will take actions against those who don't join the VDCs," said Pushkar.

With the lack of elected representative, the local bodies are now in mess. Given the current political trend, local body's elections is least priority of the government. However, everybody has been facing the problems in absence of local bodies.

Even vice president Parmananda Jha shared his bitter experiences in a program organized by MIREST. According to him, the official papers of the district showed that all the people in Saptari have access to road and electricity. However, his own village of constituency 7 lacks such facilities in reality. "If vice president of this country can be put in such illusion, what might be the situation of common people? Vice president Jha asked.

Despite over a half century long experiences of running the local affairs by through the elected representatives, this is for the first time the bodies remain without elected representative for such a long period. As Village Development Committees VDCs, District Development Committees (DDCS) and Municipalities are the primary political institution at the grass root level, every political party wants to control it. As there are huge resources and main institution at grass root level and direct connect with the livelihood of local population on day to day basis, political control of local bodies is important for main stream parties. According to Ministry of Federal and Local Development, there are over Rs. 40 billion annual budgets allocated to the local bodies to perform social security and development works.

"No one has the right to ignore the demand of local level elections in order to stop corruption and irregularities at

## 'Ministry Always For Local Polls'

DINESH THAPALIYA

At a time when there is a growing pressure to hold the elections for local bodies, DINESH THAPALIYA, joint secretary and spokesperson of Ministry of Federal Affairs and Local Development, spoke to New Spotlight on various issues faced by local bodies. Excerpts:

**How do you see the importance of local bodies?**

Local bodies are the institutions which are supposed to be run by the representatives elected by the sovereign citizens. However, these institutions are without elected representatives for the last ten years. It gives birth to major issues: first disarray in the root of democracy, denial of right to exercise the sovereignty, the questions of accountability is complex, weakening in accountability towards the people.

**Recently, MIREST-Nepal released a report which has revealed so many things, among others, the holding of the elections for local bodies. How do you look at it?**

The Ministry always takes such efforts, if they are done accordingly, in a positive manner. I agree that there is no way out other than to hold the elections for local bodies to make it accountable to the people. Even Deputy prime minister and Minister of Federal Affairs and Local Development Narayan Kaji Shrestha has made it clear that he is willing to hold the elections. This is his commitment. The Minister has already proposed to hold the local elections along with national elections.

**Since there is still lack of agreement on the national and local elections, what is the Ministry considering to make it viable and appropriating institutions before the elections?**

The high level decentralization commission in 1996 recommended the need for restructuring of the local bodies and even the ninth plan had recommended the need to look for its size and numbers. However, the process of restructuring has never taken place. The situation is that there is a VDC with 70 up to 85,000 population and municipalities from 6500 to 1.7 million population. We have such diversity. Our challenges now are how to make them viable, financially and on the management side. The second agenda



is the elections, the third agenda is to constitute appropriate mechanism till holding the elections. We have already discussed on several models and alternatives.

**How much money is being spent through local bodies?**

Local bodies generate over 4 billion rupees annually. Local bodies also get about Rs. 40 billion under central subsidy, including conditional and non-conditional subsidy, and for planning and social security. All this money does not go for use in development. According to the budget allocation, we spend almost Rs. 25 billion for the development purposes. This is a big money. Out of this, Nepal's development partners are providing over Rs. 11 billion as a grant and Rs. 3 billion for development and planning. The Ministry acknowledges the contribution of Nepal's development partners. We are also concerned about how to manage this amount. We are now trying to implement Public Expenditure Financial Accountability at local level analyzing to reduce fiduciary risk.

**How do you see the possibility of elections?**

I am optimistic that there will be elections. From Supreme Court to the current political parties, all have expressed their commitments to hold the elections for local bodies. Federations of local bodies and civil society members have been actively lobbying for the elections of local bodies and there is some agreement among major political parties to hold the local elections and even deputy prime minister and Minister of Federal Affairs and Local Development Naryan Kaji Shrestha's recent commitment gives a sign of hope.

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local bodies. In order to improve the status of accountability and transparency in the country, local level election should be held," said Norwegian Ambassador to Nepal Alf Anre Ramslien." The Rapid Governance Assessment (RGA) conducted by MIREST-Nepal will be helpful in the process of implementing the government's development policies in the local level."

Local Self-Governance Act, 2055 (1999) was promulgated after more than five decades long struggle for devolution of power with an aim to make provisions conducive to the enjoyment of the fruits of democracy through the utmost participation of sovereign people in the process of governance by way of decentralization. Local Self-Governance Act 1999 deals local bodies making them accountable to the people under the principle of policies of Local Self Governance.

The clause 3 (d) says: having the Local Bodies oriented towards the establishing the civil society based on democratic process, transparent practices, public accountability, and people's participation, in carrying out the functional devolved on them. The clause 3(e) says for the purpose of developing local leadership, arrangement of effective mechanism to make the local body accountable to the people in its own areas. However, less than two years after the implementation of the Act the tenure of elected representatives of municipalities expired in 2002.

"The findings of the report are critical for reporting to the responsible authority. Local governance is the closest state organ for the people to deliver voices and choices through local governance," said Shoko Noda, UNDP's country director. "The perception of government depends on the perception of local people about their local governance."

One of the primary functions of the local bodies is to institutionalize the process of development by enhancing the participation of all the people including the ethnic communities, indigenous people and down-trodden. The members nominated under the recommendation of political parties pay attention to their party and personal interest but the

## 'Local Elections Urgent'

SURESH ACHARYA,

SURESH ACHARYA, president of Media Initiative for Right, Equity and Social Transformation-Nepal (MIREST-Nepal) spoke to NEW SPOTLIGHT on various issues regarding the local bodies.

**How do you see the functions of local development in the context of the recent assessments conducted by MIREST-Nepal's 'Rapid Governance Assessment' report?**

Our assessment report has shown very bleak scenarios of the state of local bodies at the moment. What we have found is that an overwhelming number of our respondents stressed the need to hold the elections for local bodies. It is very unfortunate that the elections of local bodies have not been held in the last 16 years.

**How do you view the present state?**

Nepal's democracy is faced with such a dilemma that 68.38% of the total registered voters (above the age of 18) have not cast a vote even once in their lifetime and a huge group under the age of 33 years today have not even participated once in the election of local bodies and experienced local democratic processes and practices. If the present situation continues for another ten years, the number of people who participate in the local elections in their life time will come down to zero.

**As there have been no elected representatives for over a decade, what do the people want?**

Local interim election is the demand of the people for strengthening democratic and Local Self-governance Act, 2055. Due to an increase in the influence of the users committee, the status of the political parties has been deteriorating in the local level and there is a lack of accountability.

**What is the modality of RGA?**

Under Rapid Governance Assessment (RGA), separate group discussions were held with service providers & service receivers, primary field data were collected from DDCs, municipalities & VDCs and opinions of 1,537 people, including employees of DDCs, municipalities, VDCs and devolved sectors (service providers) and general public (service receivers) were collected through questionnaire. RGA was conducted on the basis of 5 parameters that deeply affect local governance. The assigned parameters were: 1. Implementation of Legal and Policy framework, 2. Voices of people and accountability, 3. Transparency, 4. Planning process and Citizens participation and 5.



Service delivery.

**What are the major findings?**

Elections in the local level have become the most imperative in consolidating good governance, according to both service receivers and service providers. Increase in public hearings by the local bodies are of utmost importance in order to improve the status of local governance, particularly enhancing accountability and strengthening service delivery, according to service receivers. Public hearings at local bodies, especially by external institutions, has been found as a key to the introduction of effective and responsive governance system, importantly on planning process, resource utilization, service delivery, transparency and accountability mechanisms of local bodies.

**What is the RGA process?**

The process of Rapid Governance Assessment (RGA) conducted by MIREST Nepal was a new and virgin area of engagement in local governance in Nepal. Although, it was found to be useful tool for assessing the status of local governance, the RGA was more complex than anticipated. MIREST Nepal's shift from the project from the constitution making process to strengthening the local governance process requires a few changes in its level of expertise, both on programmatic and management aspects. To monitor and evaluate the results of this project, some internal capacity building mechanism is required. Also, for deepening the understanding and knowledge about the local governance process amongst policy-makers, citizens and media, the successful practices and show-cases of countries, where local governance programs were successfully implemented, need to be brought-in for better future intervention.

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institutionalization process of development is often ignored.

According to Local Self Governance Act 1999, there are various provisions to run the affairs of local bodies. An elected local body consists of elected representative chairman, vice chairman and, ward chair, woman ward member and ward members. Similarly, there is a position of executive secretary appointed by the Ministry of Local Development. The functions of local bodies are divided into executive and legislative. The local bodies also exercise the judicial functions.

#### Local Bodies in Disorder

Although People's Movement II was launched to restore complete democratic rights of the people, political parties have been ignoring the essence of grass root democracy. No political parties raise the voice to hold the elections.

Yet, some positive changes are coming against the misuse of resources. Local civil society groups have already launched the mission to clean the mess in the local bodies. "The government has been making its best to create the order in the local bodies. "The government has been taking measures like Citizens' Charter, Citizen Ward Forums and Reflect Center in order to improve the status of local bodies in the country," said Bodh Raj Niroula, joint secretary at the Ministry of Federal Affairs and Local Development.

#### History of Municipality

Nepal has a long history of local governance beginning from the Kirat period but the growth of modern municipal institution is just over six decades old. One of the persistent characters of the local bodies is that they hardly get the political support in the process of institutionalization.

In 1948, then Rana prime minister Padma Sumsher promulgated the Constitution of the Government of Nepal Act 1948. This constitution envisaged the establishment of Panchayat system as a basic unit for local government bodies. According to constitution, there was gram Panchayat for village, Nagarpalika representing town or city with 15 elected representative. The Panchayat of all categories were



Norwegian Ambassador to Nepal Alf Anre Ramslien Addressing MIREST's Program

empowered to increase the local revenue like taxes and to run and construct local level development activities like drinking water, sewerage and shed house. In 1949, Panchayat act was introduced with clear cut provisions.

The second phase began following the promulgation of interim constitution in 1951 following the revolution of 1950. The interim government act of Nepal 1951 or Interim Constitution mentioned about the local bodies.

The first elected government under the Constitution of Kingdom of Nepal 2015 recommended for 7 provinces, 32 districts and 76 sub districts, 165 blocks and 6500 gram Panchayats to share the power with smaller units for efficiency and democratization of government functions.

Though it was regarded as an undemocratic constitution, the constitution of Nepal 1962 gave the constitutional guarantee to the local bodies. The constitution recognition of the local bodies was great strength and the constitution directed the governments to formulate the law to define the constitution, duties, functions and powers of local bodies.

The attempts were made to devolve functions and powers upon the then local government institutions like village Panchayat, nagar Panchayat and district Panchayat by implementing a number of plans/schemes. Though the constitution of Kingdom of Nepal 1990 claimed to a more democratic than the earlier one, no provisions were there to define the local bodies. The aspiration of the people to self govern was so strong that the government was forced to formulate the Local Governance Act 1998. This act was enacted to strengthen the local government system through effective devolution of functions and powers at local level.

There has been no elected local government in place since July 2002. The local level governance structure was functioning under the leadership of political parties through the All Party Mechanism (APM), before its dissolution in December 2011.

As there appears a rampant corruption in all local bodies, the only way is to make this institution functional is to hold the elections and make it accountable to the people. ■



# Information Sharing: A Sound Tool

By BATU UPRETY

Information sharing is a legal requirement in Nepal's environmental assessment (EA) system. People need information about the environmental implications of a development proposal. Their participation is necessary to make the proposal environmentally sound, sustainable and people-friendly. A policy guidance, in the 1980s, introduced the EA of major infrastructure projects, such as road and hydroelectricity. EA was brought to further effect after the enforcement of the Environment Protection Act (1996) and its Rules (1997).

Nepal underscores the importance of

**...EIA report of any sector and any project to provide the stakeholders with additional opportunities to raise their concerns, and provide views and suggestions on the final EIA report.**

people's participation in the EA process. The proponent must publish a 15-day public notice in the national newspaper before the submission of the Scoping Document of each project requiring an environmental impact assessment (EIA) to address the concerns and issues of the stakeholders and affected people in time. After the preparation of the draft EIA report, the proponent must conduct a public hearing at the project site, and submit the recommendation letter from VDC(s) or municipality(ies) where the project will be implemented. Furthermore, the Ministry of Science, Technology and Environment must publish a 30-day public notice before the approval of the EIA report of any sector and any project to provide the stakeholders with additional opportunities to raise their concerns, and provide views and suggestions on the final EIA report. These legal requirements provide multiple avenues to the affected people to voice their concerns, know the nature, magnitude, extent and duration of impacts people will be likely to face, and also know adverse impacts of mitigation measures, and get involved in project construction and implementation.

Based on current practice, the proponent prepares and shares an information note during the scoping exercise, and impacts – beneficial and adverse, reversible and irreversible, and direct and indirect – on physical and

chemical, biological, socio-economic and cultural environment, including mitigation measures and monitoring requirements during public hearing. During consultations and public hearing such as of a hydroelectric project, people raise concerns on compensation, employment, rural electrification, bridge or road construction, and support to school, health and drinking water facilities.

Proponents have benefited from public consultation, particularly in: (i) providing information about the projects activities and environmental impacts that affect local people and resources; (ii) knowing the concerns and issues of the local people in advance and take timely actions; and (iii) informing

stakeholders and requesting institutions for timely decision on aspects that affect the project implementation. Similarly, local people and stakeholders have the benefit of: (i) knowing their land and property to be affected by the project activities, and demanding for compensation and employment; (ii) appealing to least damage the natural resources; (iii) selecting priority activities that need project support; and (iv) offering concerns, opinions and suggestions to the proponent timely. In a nutshell, public consultation process has developed a sense of ownership, and has enhanced responsibility to make the project environment-friendly and sustainable by both project developers and stakeholders.

Proponents have also faced problems in consultations. Local people and stakeholders demand for non-project related supports or for activities not related with the project. The project may require skilled manpower while local people might demand employment as their right, and conflict might arise between proponents and interest or affected groups.

Some proponents are still not prepared to disclose necessary information and consider public consultation as a process of collecting the people's 'wish' list. Experience shows that public consultation can be made productive by: (i) identifying stakeholders, particularly the people

directly affected by the project, and considering them as 'partners in development'; (ii) informing stakeholders in advance with user-friendly information; (iii) ensuring adequate presence of project affected people in consultations; (iv) providing adequate time to 'voiceless', vulnerable, seriously project affected families and women to raise their concerns; and (v) documenting their issues, concerns and suggestions and telling them frankly which will be addressed by the project. Public consultation has been a 'vehicle' for raising concerns and getting additional support from projects.

In a nutshell, Nepal's legal provisions on public consultation have enhanced the understanding on the environmental aspects. In many projects, they have raised expectations that all local problems should be solved by the project. Projects might suffer during the implementation of the EIA report due to higher expectations. Experience shows that many reports are prepared by consultants with low or non-engagement of proponents, who don't even see what is in these reports. Impacts are generic and non-site specific and mitigation measures are also inappropriate and theoretical. Study teams might have the commitment during the public hearing or data collection to provide all facilities to the local people. There are additional issues related to 'right-holder', use-right or ownership right on public property, and payment for environmental services which need legal treatment. It is equally important to define and clarify benefit sharing amongst the proponents, affected people or local bodies and the Government in projects using public resources.

People's project related issues and project induced-impacts must be addressed properly. A single project might not fulfil the 'rising expectations' of the locals and 'interest groups' in an economically poor, but ecologically rich Nepal. EA is a legal document and the proponent should be penalised in case of non-compliance. Compliance will provide information on what worked and what did not which will be a guidance to benefit from the EA tool in the future. In a nutshell, EA is a proven tool to make the project environmentally sound, sustainable and locally adaptable and it ensures benefits to the affected people.

## NARAYANKAZI SHRESTHA

# Rhetoric & Result

*Foreign Minister Narayan Kazi's personal whim seems to be dictating Nepal's foreign policy*

By A CORRESPONDENT

Recently, foreign minister Narayan Kazi Shrestha has been making efforts to prove his nationalist credentials by using all options. However, his nationalist slogans have brought some anti-national results. The Foreign Minister tried to gain a mileage by accusing prime minister Dr. Baburam Bhattarai as a foreign stooge and criticized BIPPA treaty with India.

However, he surrendered his stand after damaging Nepal's core interests. His so-called nationalist stand on double lock system compelled Nepal to give up its demand to have access to alternative sea port and some other facilities in India.

When caretaker government led by Dr. Baburam Bhattarai is counting its days, deputy prime minister and foreign minister Shrestha came out with an issue to shut down India's transport liaison office in Biratnagar.

Similarly, his new idea to streamline

foreign aid at the local level will definitely spark a new controversy. At a time when the government is yet to allocate enough budget at the local level, Nepal's development partners remain as the only source to support the development work. Here, the foreign ministry considers India's current support to local development issues as a threat. One cannot say for sure right away whether Shrestha's move may make any difference to India or not, it will definitely discourage Nepal's western development partners.

Along with the foreign aid to local bodies, the government has just formed a committee to review overall Foreign Aid Policy of Nepal. The government recently formed a taskforce led by former Chief Secretary Madhav Prasad Ghimire to prepare a draft of the new Foreign Aid Policy with the committee comprising members of the finance ministry, foreign ministry and the



Narayankazi Shrestha

National Planning Commission.

Officials at the Ministry of Local Development said they have recently forwarded a proposal to the Ministry of Finance on streamlining Indian aid being spent at the local level without prior knowledge of the concerned government bodies.

"Once the proposal gets endorsed, donor agencies will not be allowed to directly channel funds to local projects such as construction and renovation of school buildings and construction of roads and bridges, among other things," foreign minister Shrestha reportedly told the media.

It is not yet clear where Nepal will go in this recent anti-India rhetoric. It is almost certain that Nepal will have to face more difficult times due to anti-national results of the rhetoric. ■

## RELEASE OF COLONEL LAMA

# Right Diplomacy

*Finally, Nepal Army's quiet moves helped secure the release of colonel Lama*

By A CORRESPONDENT

After the failure of the political leadership to secure the release of Colonel Lama, Nepal Army's quiet moves helped in the bail of Colonel Lama. Although Colonel Lama was released on bail, he needs to appear before the British Court as and when necessary. This is going to be one of the major achievements of Nepal Army chief Gaurav Shumsher Rana during his tenure.

Unlike the political leadership, which made efforts to expose the case, Nepal Army chief Rana followed a quiet diplomacy in dealing with the case. He quietly conveyed to the concerned authorities the organisation's full adherence to human rights and rule of law.

Although Colonel Lama's arrest is reportedly linked to his defiance to pay compensation to a victim as imposed by the district court, this is just one part of the event. Colonel Lama's arrest is also a part of Nepal's government apathy towards rule of law, growing incidents of impunity and failure to handle the rights abuse during the period of insurgency. For instance, the government

continues to withdraw criminal charges and release those involved in heinous crimes, obstructing the investigative procedures, and allowing persons like Bal Krishna Dhungel, who was facing life term for killing a person, go scotfree. Besides, the failure to bring the acts on Disappearances and on Truth and Reconciliation also compounded with the problem.

The failure to secure release of Colonel Kumar Lama on bail from Britain is a failure of the Maoist-led government to firmly convince the international community that the government is sincere to protect the human rights and deal with the insurgency related rights issues firmly by promulgating the laws.

Although Nepal Army's quiet diplomacy helped to secure the release, the arrest of Colonel Kumar Lama and the refusal of bail by the British lower court earlier indicated that Nepal's security and political leaders will have difficult times ahead.

The coalition government, led by UCPN-Maoist, which did everything to humiliate and

tarnish the image of Nepal Army during the insurgency and after joining the peace process, half-heartedly defended the case.



Army chief Gaurav Shumsher Rana

Whether it is in a hurried or calculative move, foreign minister and Deputy Prime Minister Narayan Kazi Shrestha lodged the protest against British government summoning its ambassador to Ministry of Foreign Affairs. This move of foreign minister Shrestha shut the doors to quiet diplomacy.

Many saw the UCPN-Maoist led government's move was neither diplomatically correct, nor enough to assure the international community that it would heal the wounds of conflict through the formation of Truth and Reconciliation Commission. Similarly, the response of the two major political parties, Nepali Congress and CPN-UML, was also discouraging.

Although political leaders have their own vested interests in power politics, it is high time political parties came to support the Nepal Army, Nepal's oldest institution devoted to guaranteeing security and protecting sovereignty, in its battle. ■

# Ministry Building Peace

DHARANIDHAR KHATIWADA

As Nepal is close to completing the Peace Process, DHARANIDHAR KHATIWADA, secretary of the Ministry of Peace and Reconstruction spoke about the present state of peace process and the work done by his ministry in the last six years. Having completed several appointments during more than three decades of his career in civil service, Khatiwada possesses diverse experiences. He handled the press during the crucial visit of Indian prime minister Atal Bihari Vajpayee and Pakistan's president Parvej Mushraf's during the SAARC summit at the hype of the tension in 2001 in terms of their bilateral relations. Similarly, Khatiwada was the director general of the Department of Information when US secretary of State Colin Powell visited Nepal. As he now is heading the Ministry of Peace and Reconstruction, Khatiwada spoke to New Spotlight on various issues. Excerpts:

## How do you see the role of the Ministry of Peace and Reconstruction?

The ministry's function is very challenging in the political context as the peace process remains the work in progress, and involves a large number of stakeholders. It is also under the international scrutiny as the window for government support and actions related to the peace process.

## How do you view its mandate?

A narrow interpretation of its mandate and role extends to aid project coordination and funding for infrastructure reconstruction and disbursement of relief funds to conflict affected persons as well as management of the cantonments and rehabilitation of combatants. A wider aspiration and interpretation expects the ministry to provide active and technical support to the on-going peace process and negotiations as well as being an agent for peace building and conflict transformation.

As the integration of Maoist combatants to Nepal Army has already completed and other issues are also nearing completion, how do you look at the new role of Ministry of Peace and Reconstructions at present?

Integration is not the only part of peace process as it involves many other elements, including rehabilitation and reconstruction of various elements of the decade long conflict. Of course, the integration process is near complete; but the Ministry has still many things to do. As you know the ministry has already completed the rehabilitation and reintegration of Maoist combatants as 13,822 combatants chose the rehabilitation and 1,444

choose reintegration in Nepal Army.

## What is the state of the rehabilitation process?

One of the mandates of the Ministry is to make peace negotiations and agreements with political parties, insurgency groups and social organizations. Under the program of development, rehabilitation and reconstruction for peace, we have already completed negotiations with 54 different armed groups involved in the violent conflict and they have already handed over 151 weapons. Due to this, there is a relative peace in the country. During the period, we have deactivated 53 landmines and we have been launching mine risk education to reduce the causality from Improvised Explosives, IEDs.

## What is the status of reconstruction?

We have already completed the reconstruction of 594 infrastructures, spending 1.14 billion rupees. There are 1,598 infrastructures under construction and the government has already allocated over 1.3 billion rupees. Under the Peace Fund, 99 infrastructures of Nepal Police have been completed and 171 infrastructures under Nepal Police are under construction. After this, there is a realization of the presence of the government at the local level.

## What do you say of the role of Nepal Peace Trust Fund?

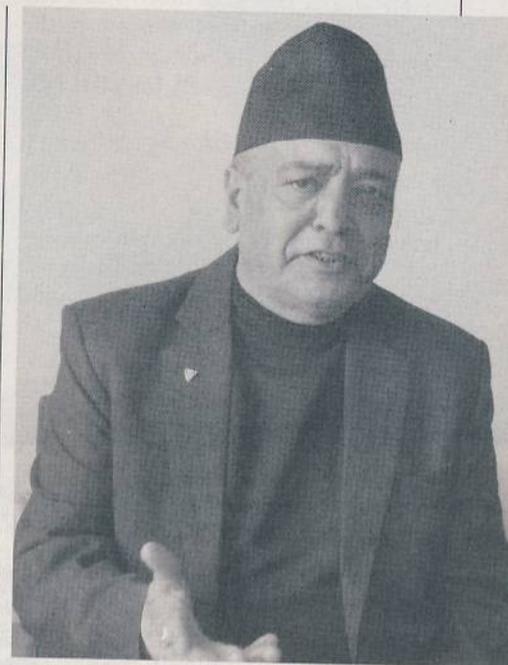
NPTF is a fully government owned funding mechanism under the Ministry. Its major fund is provided by the government of Nepal along with technical and financial support by eight donors, namely Denmark, European Union, Finland, Germany, Norway, Switzerland, United Kingdom and United States. It provides strategic directions, approves projects, funds and regularly reviews the performance of the NPTF. Approval of projects goes through a rigorous process of appraisal and approval. For the coming elections, the Peace Fund has allocated 2.48 billion rupees budget. NPTF has 55 projects in total. A total budget of Rs.14 billion has been approved so far.

There are reports of massive irregularities in distributing funds. How do you look at this?

I don't want to comment on fabricated and misleading news. As a secretary of this ministry, I can tell you that nothing as such has happened. Our system is open and transparent. There are procedures and criteria to distribute funds.

## Do you have criteria for development?

We have already set criteria, working plan



and policies to provide relief to the conflict affected people in a transparent and impartial manner. We have already distributed 2.18 billion rupees to the conflict affected people during the last five years. Our aim is to give social justice to the victims of the conflict.

## What legal remedies are you providing?

In the process of legal remedies to the victims of conflict and in respect of the human rights, the ministry is making efforts to draft the Disappearance Act and Truth and Reconciliation Commission Act in consultation with various stakeholders. The government has already submitted two ordinances to President Dr. Ram Baran Yadav. Once the ordinances are approved, the process of reconciliation and punishment of rights abusers will begin.

## What about the UN Resolution?

We are also implementing the national plan of action on UN Resolution of 1325 and 1820 and National Plan for the Rehabilitation and Reintegration of Children affected by Armed Conflict. We hope that it will enhance the predication of the women in all level and provide security to women.

We are also implementing a working plan to rehabilitate the women and children affected by the conflict. There are Peace Committees in 75 districts, 29 Municipalities and 2,162 Village Development Committees. We have been making all out efforts to make the local Peace Committees to enhance their participation effectively in all the projects implemented by the Ministry. ■

# Friendship Forgotten - 1887

By BIPIN ADHIKARI



The Rana rule has often been the focus of many writers who wrote the history of Nepal following the rise of Prime Minister (General) Jung Bahadur Rana.

Perhaps the only book which comprehensively deals with Prime Minister Ranadip Singh, who succeeded Jung Bahadur upon his death in February 1877, is the book of William Digby – a British author, journalist and humanitarian. As Digby was an independent critique, and differed so much with the rulers of Nepal and the British establishment in India, his point of view about the transition could be interesting for many readers.

In *A Friend in Need: 1857: Friendship Forgotten - 1887* [London: Indian Political Agency, 1890], Digby writes about the brutal killing of Prime Minister Ranadip Singh, also spelt Renaudip or Ranodip in Nepali texts, in November 1885 by his nephews in order to usurp Nepalese throne of hereditary prime minister established by Prime Minister Jung Bahadur. As per the family law of succession, he succeeded his elder brother Jang Bahadur following his death in 1877. The putsch established Bir Shumshere in power. Along with Ranadip Singh, the other person killed was Jagat Jung, who was known as 'Mukhiya Jarnel' at that time.

The author argues in the book that the British government based in Calcutta was most dishonest to Nepal, especially to the Prime Minister, who was brutally killed in the coup d'état. Not only it ignored the change of government, it also refused to help Ranadip Singh's family to deal with the situation. The author reminds that Ranadip Singh's brother, Prime Minister Jung Bahadur Rana, and his army was the most trusted and obedient supporter of the British cause in India. Their help to the British government in dousing the flames of revolt of 1857 was not a small thing. Also known as India's First War of Independence, the revolt had begun as a mutiny of sepoys of the East India

Company's army, in the town of Meerut, which soon escalated into other mutinies and civilian rebellions largely in the upper Gangetic plain and central India, with the major hostilities confined to present-day Uttar Pradesh, Bihar, northern Madhya Pradesh, and the Delhi region. Jung Bahadur and the Nepal army that he led were crucial to help suppress the revolt. As an aftermath, the East India Company was dissolved in 1858, and its place was taken over by the British Crown.

Explaining the objective of his book, Digby states: "the story told in the following pages is one with which, unfortunately, the annals of our [British] Indian empire are familiar. No public department in any country, despotically or constitutionally ruled, ever had so short a memory, or one more oblivious to the teachings of history and the claims of justice, than the Calcutta Foreign Office has proved itself to possess. Its course is strewn with wrecks." He believed that the reigning family of Ranadip Singh had special claims, the strongest of which was the consideration for services rendered to the East India Company in the past – "rendered too, at a time when friendly assistance was of special value and of supreme importance."

Digby clearly expresses his dislike for the divide and rule strategy being applied to a trusted friend – a friend in need. He maintains that the British gave little importance to the fact that the government of Nepal was subverted by an ambitious officer, the reigning prime minister, a friend of the British government, was foully murdered, his family was forced into exile, and the 12-year old king, was virtually made prisoner in his own palace. In these circumstances, he questions why the British government does not respond, even though the senior members of the royal family and the exiled princess already appealed to the ex-vice-roy of India for help. The appeal, according to Digby, was rejected with "what seems like studied contempt."

There are some additional important observations in the book. William Digby describes the decision makers in the British Indian Foreign Office as 'apologists' for stating that they had no other choice, but to recognize Bir Shumshere, because the Nepal Durbar was very quick to appoint him the next Prime minister. He emphasizes that this is a policy "so full of ingratitude and so fruitful of mischief." The author pleads that the argument of the Foreign Office that China is Nepal's suzerain, and we are bound to respect China's rights is wrong. "The government of India went to War with Nepal in 1814, without for a moment thinking of China's suzerainty; nor did China help her feudatory in that conflict, or take any steps to prevent the cessation of Nepalese territory to India."

The author also remarks that the contention that Bir Shumshere was popular among the Nepalese people justifying the British recognition of the new regime is incorrect. "This is no more true than was the boasted popularity of British rule in upper *Burmah* when dacoit bands were resisting British arms in every district. The people of Nepal are quiet solely for want of arms and of leaders but to infer from this seemingly tranquility their cordially acceptance of Bir Shumshere's rules would be as rational as to conclude that a violence is extinct because for a time its fires are quiet and its action is not perceptible to the distant observer, who knows nothing of the unseen workings destined speedily to blaze forth. [In fact], the suddenness of the *coup d'état* at *Khatmandu* in 1885, and the unexpected British support of the usurper, at first stunned the Nepalese."

William Digby has authored a very exciting book. It helps understand Nepal of that time very effectively. The quotation with which the book starts is a powerful remark of Jung Bahadur Rana addressed to the British patriarchs: "I know my nation is not equal to yours, nor our power to yours. *But there is one thing in which we are and ought ever to be equal, namely, Justice – Mutual Justice.*" A very commanding expression, indeed!

The conclusion of the book is that the government of Britain was failing in this pursuit and the quest for justice was not yet over. ■



A friend in need, 1857: Friendship forgotten, 1887  
William Digby



## Ex-Guerillas In New Avatar

By GUNA RAJ LUITEL

Nepali national politics is in troubled waters. Like Bhupi Serchan so aptly wrote in a famous poem *hami aaphai milna nasakne, kasaile hamilai milaidinu parne*, our political leaders cannot build harmony by themselves, someone else should do that for them.

Leaders of political parties, including the UCPN-Maoist, have failed to carry on with consensus politics. The country is teetering to fall apart because of their inability to democratically handle the state affairs. Maoist leaders used guerilla tactics to achieve their goals. They failed, and eventually, chose to rehabilitate their fighting forces in the local society as per the peace agreement.

Unlike the discordant central leaders, the local Maoist cadres have been coping with life creatively and harmonically. They are becoming the real social leaders in many respects. These Maoists are trying to fill the vacuum created after the Maoist 'people's war', gradually stepping in as the local leaders, social activists and development workers. They even receive requests to settle disputes among the locals. These former Maoist guerrillas, the locals know, have the experience of their own legal system—the Kangaroo court.

The former guerrillas have now learned to live peacefully. Some of them were scared initially to reconcile their new role with their own past activities. In a largely tolerant Nepali society, however, they are forgetting the past and moving on. Most villagers consider these guerrillas wise, intelligent and learned.

"I had heard that there were fights between the former PLA and the community people," Sarmila Lama Ghalan, teacher of Janahit Rastriya Primary School of Padampur 8, Chitwan, recounts. "We have a different experience. Here, they are settling the disputes."

The former Maoist fighters are engaged in various social activities. They are willing to speak in front of the people, with villagers and outsiders, on developmental or other activities.

Recently, a media trip was organized by Support to Peace Process (STPP) of GIZ in Nawalparasi and Chitwan to see the activities of former combatants in their respective communities. Praising the activities of the organization, Rishiram Marahatta of Padampur 8, Chhayababhe Bigha of Chitwan, requested to support the local school.

Former combatant Marahatta was well versed: "You're supporting us from our cantonment days. We've a heritage - a school

in this village, the government hasn't been giving attention to it. We've been paying the school teachers from locally raised funds. Please help our school."

The cheering locals applauded his statement. This is the best tactic to be popular in the community. They often engage in developmental activities. They've been learning new techniques in vegetable farming and other activities, easily commanding respect from the local people. If you show some good aspects with the local people, that surely pays positively. That strengthens the relations with the local community.

"Some people claim that there's misunderstanding between former People's Liberation Army (PLA) and local communities," Marahatta further elaborates. "I'm surviving here with the kind of support from the community brothers and sisters. I often request them for their help."

He was a co-battalion commander and he got NRs 700,000 in compensation. From that money, he has built a small house in this community where he runs a provisional store. In addition, he's been growing vegetables in his small chunk of land.

Former PLA members have some 50 households in this community. Interestingly, many of these former guerrillas have chosen to stay in the communities nearest to their former cantonments. Even the local community has welcomed these new members of the society. Some I/NGOs are engaged with them for their further development by providing various skill trainings and opportunities.

It's not easy for them to settle in a small place, which is far from their previous settlement. Many of them are from mid-western hills and many other former Maoist hotbeds. In addition, they had their dreams raised by their party and doctrines. However, they have accepted the reality and started settling in various villages as commoners. Some of them feel left out from their party as well. But they have learned to accept the harsh reality of politics.

These former PLA also try to bring development to the local community because they know most of their comrade-in-arms are in various influential positions, including in the government. "They have helped to bring electricity in the village," Ghalan says. "It was not easy before. The local people were not capable to buy the electricity lines."

The local community has been benefitting in other ways as well. Government and some I/NGOs are attracted in the former PLA



Former PLA Members

settled communities to carry out developmental works. That has been helpful to the locals as well.

However, many of former PLA look desperate too. The money they've received is not sufficient to eke out their livelihood. So they have been trying hard to make their life easier through economic activities. However, former PLA couples who are benefitted from the compensation are in a better off condition than a single beneficiary.

The condition of Tikaram Gharti Magar of Talawang 8, Rolpa, who has settled in Jhaltungdanda of Nawalparasi, is not easy. He has to visit the doctor thrice in a month and is surviving with a bullet in his head. He is unemployed and couldn't join Nepal Army because his right eye had not been functional since he got injured in the war.

He can't go back to his own village. "I left my home village 16 years ago," he says. "I don't have moral strength to go back there."

Many of those who have opted to stay near the former cantonment area have given them some opportunities and helped to save them from the disgrace in their respective villages. Due to this difficult situation, they've been trying hard to have a new avatar in their life.

These former PLA are in difficulties though they are the trained local leaders for local community. In addition, they'll fill the vacuum in the local community. It's for sure that they will be helpful in coming election for UCPN Maoist or CPN-Maoist. However, the open political situation wouldn't spare them as well. They might reach in other political parties too.

Luitel is associated with Nepal News Network International (NNI)

## EDUCATION

# System Gap

*The GCE qualifications are seen as a major attraction by the students who want to pursue higher secondary level education in Nepal.*

By **DEBESHADHIKARI**

Niraj Parajuli and Soul Raj Joshi from Rato Bangala School, Kathmandu, were awarded the title of "Top in the World" in Mathematics in the list of Outstanding Cambridge Learner Awards. The awards recognize the outstanding academic achievements of secondary school learners in Nepal.

Along with Niraj and Soul, over 35 learners received awards for exceptional performance in Cambridge examinations of the June 2012 series.

At a time when the education level and system in the country is going down due to the lack of effective measures taken by the national educational institutions, the GCE qualifications are seen as a major attraction by the students who want to pursue higher secondary level education in Nepal.

The current higher secondary level courses offered by Nepali institutions are viewed as very ineffective and outdated.

"Many of the students, after completing their School Leaving Certificates (S.L.C) examinations, prefer A-level education over the +2 level. The difference in the quality of courses offered is seen clearly. Courses offered by Cambridge are revised nearly every year according to the need of the time, whereas the +2 level courses remain very similar when it comes to revising their course content," said an educational expert.

Even when it comes to joining bigger universities of the world for higher education, the students who come out from the A level certifications have clearly outperformed the students of +2 levels.

As the 35 students have already proved that there is no problem in the competency of Nepali students, the problem is clearly in the level of education they are taught.

They have shown that Nepali students can not only compete in the global level but also come out on top. Many of the students have earlier achieved similar results as well.

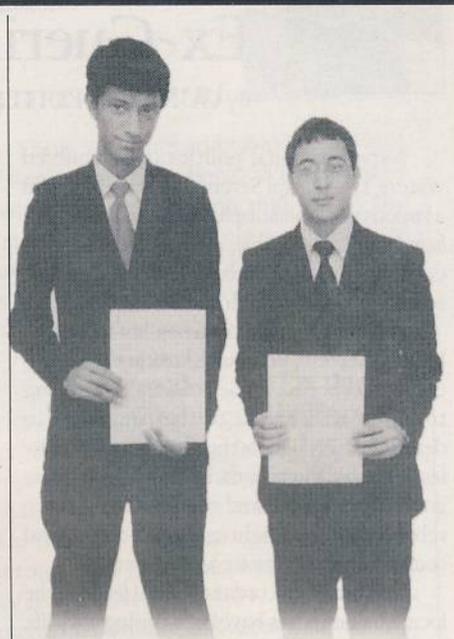
The winners out-performed thousands of candidates worldwide who sat examinations in Cambridge International AS and Cambridge International A Level exams.

"It is encouraging to acknowledge the high standards of education offered by schools across the country as is reflected through these exceptional results," said Suzy Chowdhury, Schools Development Manager Nepal.

In Nepal, some 42 schools provide the General Certificate of Education (GCE) qualifications. GCE is viewed as one of the most internationally recognized qualifications at the secondary level, according to British Council. GCE examinations are set by the University of Cambridge International Examinations.

Approximately around 4,000 students are currently enrolled in the GCE qualifications. The craze in Nepal for those courses are going high every year as more students have started to prefer the international education courses over the educational qualifications of Nepal.

So, why wouldn't any one go for the A-levels instead of +2 levels when they can get quality international education



here at home?

"The only problem with the A levels is that they are too costly for an average Nepali. Not everyone can afford these courses. So, there is a need of major reform in the Nepali colleges and especially in the courses offered," said an expert.

## Bigger troubles

Problems in the current educational system of the country lie apart from their syllabus offered. The problem is so severe that the Association for Private Educational Institutions Nepal (APEIN) shut down the educational institutions of the nation recently demanding the end of irresponsible behavior of the government, and other political parties and their affiliated student organizations.

"We had to shut down schools to draw the attention towards our problems. If the government doesn't want private educational institutions, then they should say it clearly, otherwise our problems should be solved," said Yuba Raj Sharma, general secretary of the Higher Secondary Schools Association Nepal's (HISSAN).

The private sector schools have taken up the responsibility of providing education to more than 20 million students at all levels and there are more than 8,000 private institutions in the country. ■

## BANKING &amp; FINANCE

# Made For Merger

By **DEBESHADHIKARI**

Manakamana Development Bank, Infrastructure Development Bank, Yeti Finance and Valley Finance have recently signed a memorandum of understanding (MoU) for a merger. After the completion of the merger, the bank will have a paid-up capital of NRs.2.75 billion, making the new institution an 'A' category commercial bank.

Global Bank, IME Financial Institution and Lord Buddha Finance merged last year to form the Global IME Bank. Global Bank is the first commercial bank to combine with two finance companies.

Likewise, NIC Bank and Bank of Asia Nepal have also signed a merger agreement. This is the first merger in Nepal between two class 'A' financial institutions.

Mergers among the banks of Nepal gained a pace after the realty setback, which at once threatened to engulf the whole banking sector of Nepal.

There are more than 200 financial institutions providing purely banking services in Nepal, including some 32 commercial 'A' category banks, as of mid-2012.

In a small country like Nepal, the number seems very high. Ironically, the access of people to banking services is limited to far less than half of the total population. Although the access of people towards banking service is gradually rising, the number of financial institutions is still clearly on the higher side. The low access of the people towards the banking services has been attributed to the urban-centric locations of most of the banks in search of profitability.

The number of banks in the country is high even when analyzed from the total economic size. With an economic growth at around 5 percent, the number of financial institutions are clearly way too

many to give the economy any boost.

Too many financial institutions mainly means too many scattered resources. "Banks should undergo merger if possible, the higher number of banks does not signify anything and does nation no real good. This just means scattered resources. If banks merge, they can form bigger institutions with bigger resources. Then only they can make bigger investments, like investment in hydropower or infrastructure development, on their own," said an economic expert.

Nepal Rastra Bank (NRB) governor Yubaraj Khatiwada has been repeatedly stating that the number of banks in the country is on the higher side. He has been suggesting the troubled banks should go for a merger with another bank to improve the banking situation of Nepal.

From encouraging banks to giving threats, the governor has tried many ways to bring the financial institutions together to stabilize the economic condition of the country.

Nepal, for the first time, witnessed merger of two commercial 'A' category banks with the merger of NIC Bank and Bank of Asia Nepal. After the merger, the capital fund of the bank will be some NRs. 5 billion, and the paid-up capital around NRs. 3.31 billion.

"The increased capital base will allow the bank to finance large projects on its own," was what Chief Executive of NIC Bank, Sashin Joshi said when the merger was first initiated.

"When two banks come together not only their investment capabilities increase, but also their cost of operation decreases due to economics of scale. In Nepal, if banks have to invest in big projects like hydropower, which is the need of the time, then banks have to come together and join hands even for small projects. No bank alone can invest in big projects," said another economic expert.



Governor Yubaraj Khatiwada

In the fiscal year 2011-2012, more than 35 financial institutions were involved in the merger process. Although majority of those institutions were mostly development banks and finance companies, there were some big 'A' category commercial banks as well. So if the financial institutions of the nation want to make huge investments on their own for the betterment of the nation, merger or acquisition should be the top priority. Merger not only helps increase the capital base but also provides the ways to cut the cost of the operation of financial institutions.

"Merger not only strengthens the financial position of a bank but it also aids in reducing their operating costs, and also helps to expand business operations and enlarge credit portfolio without putting a strain on capital position," said the governor. ■

## NEW SPOTLIGHT

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## Rio+20 Outcome Document: Basis For Charting 'The Future Nepal Wants'

By MADHAV KARKI



### Rio+20 Outcomes:

The Rio+20 outcome document: 'THE FUTURE WE WANT' adopted by recently concluded Rio+20 Summit has received mixed reviews and reactions from different stakeholders. While a number of organizations and participants have termed it as an important step in the right direction, many others have criticised it as being too weak in content, unexpectedly silent on reiterating past commitments such as on women's and indigenous peoples' rights and concerns, and short on meeting small farmers' needs and so on and so forth.

### Nepal's perspective:

Nepal being one of the most prominent mountain developing countries in the World has been working on mountain issues with national focus and global outreach through its Mountain Initiative (MI) programme. Nepal also, as the coordinator of the least developed countries (LDC) at the UN has been playing an active and leadership role in championing the cause of least developed countries. Both of these efforts were able to be linked in the form of Nepal's position paper in both the preparatory phase and during the Rio+20 conference. Nepal's government agencies working on the Rio+20 preparations with support from its development partners generated and shared information and knowledge and organized high level networking and knowledge sharing events nationally and globally that achieved a good response and collaboration from other mountain countries. As a result of globally coordinated efforts, the Mountain Chapter (Paras: 210-212) in the Rio+20 outcome document is considered one of the most positive outcomes. However, Nepal's efforts, as the coordinator of the LDC countries at the UN, to obtain substantive commitment on the means of implementation i.e., finance, technology transfer and capacity building support did not yield the expected results.

Nepal therefore, should look at the outcome document both positively and negatively based on: a) good strength of the declaration to promote the Sustainable Mountain Development (SMD) agenda; and b) the reaffirmation and commitments of the document on other issues and topics that are relevant to address the most important challenges faced by poor and vulnerable countries and marginalized communities in the context of climate change, globalization, and conflict. Nepal being a country rich in water, forests, biodiversity, and hydro energy should also feel happy that the theme of 'Green Economy for poverty reduction

and sustainable development' was overwhelmingly adopted by the conference and that 'Food security, nutrition and sustainable agriculture' was also given high priority.

### What does the outcome mean for Nepal?

Nepal should utilize the Rio+20 outcome as an opportunity and a basis to recommit itself to work on the agenda of sustainable development much more vigorously. It can pick out several forward looking statements such as: a) reaffirmation of commitment to the full implementation of the Istanbul Programme of Action for Least Developed Countries (IPOA), b) the Almaty Programme of Action for Landlocked Developing Countries, c) invitation to member states including development partners, to speed up further the implementation of the specific actions for vulnerable and LDC countries, and d) specifically mentioning the areas of support to the Landlocked developing countries such as the construction, maintenance and improvement of their transport, storage and other transit-related facilities. On the Mountain issues, Nepal can utilize the call made to member states 'to strengthen cooperative action with effective involvement and sharing of experience of all relevant stakeholders, by strengthening existing arrangements, agreements, and centers of excellence for sustainable mountain development, as well as exploring new arrangements and agreements, as appropriate'. Rio+20 declaration have recognized mountain communities as the true stewards of mountain environment and ecosystem resources. Nepal and other mountain countries' and global development partners' efforts to raise the urgency of paying more attention to the increasing vulnerability, growing impacts and immediate needs for launching adaptation activities in mountains, have been heeded by the Rio+20 negotiators as the declaration implicitly supports the call to make 'continued and concerted efforts to address the common problems including poverty, food insecurity, nutrition deficiency, social exclusion and environmental degradation' that the mountain communities face.

### Way Forward Ideas:

Nepal therefore should start formulating actionable policies, plans and programmes in transforming Nepal's economy and development paradigm into low carbon green economic pathways. This approach will help Nepal start realizing the potential benefits that are possible from the global commitment made in the form Rio+20

declaration. Nepal should translate the Rio+20 document into *THE FUTURE NEPAL WANTS* vision document. For example, Nepal can sustainably utilize its rich mountain ecosystem goods and services through programme such as REDD+, CDM, and Payment for Ecosystem Services that can get Nepal increased climate and development finance. The specific commitments in Rio+20 document on Agriculture, Biodiversity, Water, Forests, and Energy should also be considered as points that strengthen the position of Mountains and LDCs in the post Rio+20 scenario. The text on water stresses the role of ecosystem management for maintaining water quality and quantity and calls for integrated management of water resources. The stress on development of sustainable agricultural technologies as well as developing value chains and agricultural co-operatives can enhance our food security. On climate change, adaptation and resilience building an immediate and urgent national priority has to be mainstreaming climate change in all climate sensitive sectors. Disaster risk reduction has been rightly linked to food production, poverty reduction and climate change which points to the need to integrate adaptation and disaster risk reduction in Nepal's climate change related programmes. The recognition of the additional financial needs of developing countries to implement sustainable development goals and also the commitment to devise options of finance in post 2014 development agenda can help meet the financial gaps.

Finally, from Nepal's perspective, a roadmap for developing and implementing nationally tailored and country driven sustainable development policies, plans and programmes need to be immediately prepared.

In this endeavour, Nepal should also reach out to other Himalayan and SAARC countries and work in a collaborative manner to operationalize the Rio+20 declaration in a 'common but differentiated' manner since there are number of regional dimensions in achieving sustainable development in Nepal. Nepal's strategy should be to assess the key issues and challenges facing Nepal and identify suitable opportunities considered as low hanging fruits to initiate Green Economy for sustainable development and poverty reduction by following good governance and enabling institutional framework and principles.

Senior Research Faculty, ISET-Nepal;  
karki.madhav@gmail.com



## Tracing the Disaster

*Technology has become an integral part of the urban life even in Nepal. OpenDRI Nepal is trying to make full use of the technology for a cause and is trying to grow the OpenStreetMap community in Nepal.*

By DEBESHADHIKARI

Geologists have predicted that a big earthquake (around magnitude of 8 in the Richter scale) will hit Nepal every 75 years. Some 78 years have passed since a big earthquake hit the country. So, a major earthquake might be looming around the corner as we are already late according to the clock.

In Nepal, the most significant damage is supposed to be caused to Kathmandu valley where many reports have predicted there will be more than 200,000 casualties if a big earthquake hits the valley. And many of those casualties will be caused by the lack of prompt rescue.

Are we prepared when a major earthquake hits Kathmandu? The city is unplanned, haphazard construction of buildings are already completed and there are not many open places.

Nobody can stop natural disasters like earthquakes but we can definitely do something when it comes to preparing for the disaster. But seriously, what can we do individually apart from being afraid of the future as most of things are already done? The World Bank's Open Data for Resilience Initiative (OpenDRI) is working on another idea.

### Map the City

It is said that even in most difficult of circumstances, damage can be limited if we have proper knowledge of the situation.

OpenDRI Nepal is supporting OpenStreetMap community to create open data on existing asset infrastructure such as road network, schools, health facilities, public buildings of the Kathmandu valley. The data can be used to analyze and prepare for an earthquake when it ultimately strikes. The data will facilitate a seismic risk assessment to produce quantitative loss data that informs future disaster risk reduction activities.

"OpenStreetMap ([www.openstreetmap.org](http://www.openstreetmap.org)) works on crowdsourced model, in which a large number of digital volunteers contribute data about the places they know. The idea is that when we aggregate small contributions from many individuals, we get a rich dataset. Hence, no single individual or institution collects this data", said Nama Raj Budhathoki, one of the OpenStreetMap enthusiasts who now leads OpenDRINepal project.

As OpenStreetMap uses open source

platform, the data collected will be open to everyone and anyone can freely use and download the data.

OpenDRI Nepal team, with the help of many independent volunteers, have already mapped many places within the Kathmandu Valley. Along the side, Nepal's OpenStreetMap community is also growing everyday. As a result, major point of interests (POIs) like shopping malls, restaurants, temples, schools, hospitals along with the footprints of buildings within the Kathmandu valley have already been mapped.

It is said that local people have the most knowledge when it comes to local places. OpenDRI team is also trying to mobilize the local people. Everyone can contribute to the process who have access to the current technologies like internet and computer or mobile devices. All they need to do is log on to OpenStreetMap website and map their surrounding places.

"If you compare Kathmandu between now and some 4 months ago, you will notice huge difference. A lot of mapping has been done over the last few months, especially after The World Bank's open data for resilience initiative. The best way for people to contribute to this civic project is to map their surroundings. Those who cannot map will still be able to contribute just by using the map others have created", said Budhathoki.

### Open Data Day

OpenDRI Nepal co-organized the International Open Data Day On February 23, 2013 for the first time in Nepal. In the event which saw an encouraging participation of the enthusiasts of open data, the importance of open data were highlighted and on-going open data projects showcased.

On the Open Data Day, OpenDRI organized a fun event called Mapathon (i.e. map in a marathon style), in which some more than 40 students from Kathmandu University, Institute of Engineering, Nepal Engineering College, and Amrit Science College took part in mapping for 4 hours. They contributed to create an open map data using open source software. They also participated in a geo-caching treasure hunt. Those activities were complimented by international mappers from around the globe, see this for example. ■

# Water Power Issue Everywhere

By NIRENDRA BASNET

Every *Pani Satsang* has contributed something to the current challenges of development in this country. The original idea of a *Satsang* involved the process of listening and reading from the scriptures, reflecting on them, even meditating on the messages and discussing ways to integrate them in our daily lives. The ideas of *Satsang* have changed over the millennia but the concept has been practised during every *Pani Satsang*, thus holding true to the creation of *Satsang*, and making it relevant with the discourse of water issues in the country.

The 33<sup>rd</sup> *Pani Satsang* discussed, "The Transmission Lines" and highlighted their effects on the energy infrastructure, and economy of the country. There were representatives from diverse professional backgrounds, such as private investors represented by Super 6, government's current and ex-officials, journalists, and consultants. They provided a wide range of opinions on the issues, challenges and solutions, with their respective expertise in the energy sector, namely the transmission lines.

The challenges identified were to be resolved by the government and private developers for further improvement in the hydro power sector. The hurdles noted were distribution of license to developers, the planned government project and the private developer's incentives. Basing it on expected challenges, it was suggested to provide the transmission lines license to qualified specialist constructors and not only to the Hydro power developers. This would mean specialist constructors for transmission lines only, resulting in uncluttered license mechanism and developers. The government challenges that could be resolved with parliamentary debates include acquisition of land from agriculture, forestry, and government lands to construct transmission lines. The international border was also an issue as sometimes parts of the land belong to the international border territory. Conflicting lands and bureaucratic processes have added to more delays to the commitments made by the developers and the government officials to the projects.

From the government ex-officials, one

of the issues identified was the number of projects in hand. It was suggested that they must complete the current projects before distributing licenses to future projects. Since the government has been making future commitments based on the projected KV demands, the current projects are overdue for completion. Also it was cited by the government officials that the laws for land acquisition are very ambiguous in nature and the process very strenuous. No new laws have been created to clearly address this as the country still follows the Land Acquisition Act 2034 BS. There is no specific law respecting and promoting the acquisition of land by the private developers. The environment and forest guidelines and Acts are the hurdles for transmission lines construction. The



guidelines mention clearly that for every tree cut the project must plant 25 trees and for clearing a hectare of land the project must compensate for the forest department with 16 hectares. If the country has to invest in hydro and base it as the economy, the laws have to be a match of environment – investor friendly in order to conserve the environment as well as attract foreign investments. Also the budget constraints seem to be one of the factors for delay in construction of transmission lines, adding to the hurdles for PPA investment opportunities. According to a NEA source, it costs Rs 11.5 million to construct one kilometer of transmission line with 133 kV capacity. But the budget allocation for the development of this sector is much less than what is required.

From the private developers' perspectives, there were different sets of challenges identified which were based on intensive research by the developers on the current projects. Besides the constant bandhs and strikes by the

unions and labors, there were also government commitment issues. There has not been enough commitment in terms of compensation on behalf of the government to the private investors. As was agreed by the government in the case of the projects delay the developers are to be "suitably compensated". From the governments, half this amounts to 45 percent of the total revenue of the project. However, as the developers have also to pay the amounts to their respective lenders it is considered to be a bare minimum. Furthermore the tariff rates for the private investors such as the Super 6 meet the bare minimum to pay off the debtors. As the projects above the 25 MW require significant amount of overseas funding to construct the projects, the tariff rate must be more attractive, in order to bring in more investors.

The common citizens too have their own set of challenges to confront, besides the challenges of government and private developers, having to deal with the issue everyday. With the current load shedding hours increased to 14 hours daily, the solution seems to be nowhere near. A person has to adjust their work to the load shedding hours, thus reducing the productivity at office. As a result many organizations have installed diesel generators in their offices. They also have installed it in the Hydro stations to keep the turbines running. The country instead of matching the environment – investor friendly guidelines, it seems to be creating a 'Nuevo' hybrid system. This system uses fossil fuels, to keep the hydro industry – which is directly linked with the environment – running, therefore creating fossil – hydro match. Which in turn has created a pressure on the GDP of the nation to increase fossil fuel imports, and being labeled as an addiction of fossil fuels.

Since most of the capital inflow to the nation goes to pay to import fossil fuels, therefore, minimum remains to invest in domestic production of environment friendly goods and services. Many analysts and foreign researchers believe that, if we as a nation have to move forward, based on domestic economic growth, it cannot be from fossil fuels. If this is the case then, sooner we will be moved to a rehab facility, with new challenges, namely how to escape from it? ■



AIN

## Media Engagement

*Despite their contribution to the development process of Nepal, there is a growing criticism against the International Non-governmental Organizations (INGOs)*

By A CORESSPONDENT

By working in the remote parts or in the urban areas of Nepal, INGOs have been providing a valuable support in the nation's development efforts, at improving the situation of water and sanitation, climate change, environment, gender, media, education, disaster, health and poverty or other issues of the people with disability, or rights and what not.

INGO's involvement in the development process is all over Nepal. But why are they criticized?

"This is due to their failure to defend their work completed in Nepal. No one can deny their contribution in the transformation of Nepal," said Kunda Dixit, editor of Nepali Times.

Although they are visible actors in Nepal's development, their contribution is yet to be recognized and their role often remains negatively portrayed. To tell their case, the Association of International NGOs in Nepal (AIN) recently organized an interaction with the media.

"We don't want to claim we have made a lot of contribution. AIN wants reporting based on facts that promote development discourse," said Ashutosh Tiwari, chairman of AIN. "This interaction is organized to share our views on development."

Out of 240 registered INGOs in Nepal, over 100 INGOs are associated

with Association of International NGOs in Nepal (AIN). They annually contribute 6 percent of the development budget, 12 percent of foreign Aid and 15 percent of total grant, 45 percent of loans and 18 percent of deficit budget to Nepal.

According to AIN, this result is based on the study, conducted in 2010, of 60 INGOs. If the study is conducted now, their contribution may go higher than this as the number of INGOs associated with AIN is already over 100.

"Whether in peace time or conflict, INGOs have been playing an important role in Nepal's development. We had made valuable contributions to carry out the development activities and other service delivery works during the conflict when the government was just confined

to district headquarters," said former chairman of AIN and Country Representative of Practical Action. "We are also part of Nepalese society working hand and hand with the government to change the life of Nepali people."

INGOs are governed by the Social Welfare Council Act 2049. In accordance with the act, they need to submit their annual financial audit reports to SWC and all AIN members, registered with SWC, abide by its rules and regulations.

However, in the context of Nepal's development discourse, the role of INGOs is projected in a negative way. Instead of supporting their contribution, there is a feeling in general that INGOs are symbols of different kinds of institutions.

"INGOs have been part of Nepal's development process for a long time and want to build the relations with all the media. Our mission is clear, we want sustainable and inclusive development," said Lex Kassenberg, vice president AIN and country director of CARE-Nepal.

"We need to understand each other closely, including INGO's functioning and dynamics. We also need to work together to address the dynamic needs of the needy and marginalized people," said Bharat Devkota, member of AIN. "We can play a complimentary role in a spirit of development partnership and to minimize the misunderstanding."

This is what is lacking. Media often complain that they don't have access to INGOs and AIN complains that media often report without verifying facts with the concerned INGOs. "The time has come for AIN and media to work together to highlight the development challenges and discourses," said Tiwari. ■

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## PRISM

# Helping Poor

Approximately 10,000 to 15,000 people in the Katmandu Valley work in the solid waste management sector. Informal waste workers (IWWs) belong to the poorest of Nepali society and are highly vulnerable to health problems because of their daily contact with hazardous substances. On top of that, they are stigmatized by everyone, despite their vital contribution to the environment. PRISM is a joint project between the European Union and the UK-based INGO Practical Action. Through workshops and campaigns PRISM tries to improve the IWWs' perilous living conditions and attempts to raise awareness to both society and these waste workers. In one year the project is coming to an end, but did it pay off?

By HANNEKEVAGENENDE

In the waste collection center in Balkumari, Lalitpur, a group of young men is taking a break after collecting and segregating garbage all morning. The group in Balkumari consists of 25 men in their 20s. The artificial division into groups is set up by PRISM to address the 5,270 IWWs they have identified more easily.

Lalitpur Sub Metropolitan City is one of the five municipalities where PRISM has its project running. Nabin Bikash Maharjan of the Centre for Integrated Urban Development (CIUD), implementing partner for this project, explains the necessity of the initiative, which is funded eighty per cent by the European Union. "Many things are going wrong in the solid waste management sector," he states. "The municipalities have been spending a huge budget on this already, but there is no proper management. As a consequence, IWWs remain in the informal sector," Maharjan says.

## No 9 to 5 job

Informal waste workers usually live in temporary huts near the riverbank of the Bagmati or in the slum areas in the Valley. Their typical day starts at 4 or 5 o'clock in the morning. They pick up waste, segregate it and sell what is valuable, such as the plastic bottles. According to Maharjan, they just make enough for their day-to-day life due to a lack of bargaining skills. He emphasizes the importance of IWWs entering groups. "These people make an average



A Garbage Collector

wage of 200 rupees per day. They sell what they collect to a scrap owner, who will give them just enough money for the day. Most of them are unable to save. What they get for the day, they need to spend on food. If they are out of money, they will borrow from a friend. So the debt is there already."

By way of accessing a group, PRISM teaches an IWW about programs and

activities such as microfinance. Further, one of the main goals of the project is to increase the IWWs income with 30 per cent. But how will that be sustainable in the long term? "For example", says Maharjan, "one group of 35 IWWs has set up a business plan for a plastic tearing machine. They used to sell the plastic for 6 rupees per kilo. But when it is properly torn and dried, they can earn

24 rupees. That is how we increase their income, by improving their products.”

With objectives such as these, PRISM directly helps at least 4,000 informal waste workers in the Kathmandu Valley. A striking finding appeared during a baseline survey is that almost half of the IWWs are of Indian origin. Maharjan explains why, “There is an open border between India and Nepal and Indians come to Nepal and are likely to end up in this work.”

Sarala Shrestha, Community Development Officer for PRISM, thinks the massive migration can be explained in terms of social stigma. “Indian waste workers often come to Nepal because they are willing to do this work. But they have to put up with an environment that treats them condescendingly. Here, no one knows them.”

#### Trust the treasurer

As a social worker, Shrestha has been present in the field from the moment the PRISM was started. At the waste collection center in Balkumari, she sits together with the group of young men and discusses what each of them was able to save lately. It looks like the group functions as an informal, small bank. They even have a treasurer. “That is what they have to learn,” she smiles, “how to trust their colleagues. Some are afraid that the treasurer will walk away with their money.”

This particular group is led by Rangid Das, the ‘president’. Like many waste workers, he got enrolled in this work because of his parents. As if he was meant to do this. Das lives in a rented room nearby, in Teku. He used to make 700 rupees a day, but due to illness, he now only earns half that money. Still, he feels happier than ever since he got involved with PRISM. “I am saving within my group,” he says. “I save for my future, so I don’t have to ask others for money all the time.”

With these men, the awareness campaigns concerning health and safety definitely have paid off. “If we don’t wear our safety equipment, we can cut ourselves on metal or glass,” Das says. Although these youngsters enjoy their work, it is their dream to start a brick



An Urban Slum

business. “They already have the land to start their enterprise,” says Shrestha. “But for their own insurance, they need a lease agreement with the land owner. The focal person of the Lalitpur municipality is helping them with that, so that already is a huge improvement,” she thinks.

That is a huge improvement indeed. There was a time, not so long ago, when even the local and state authorities despised IWWs. But these informal waste workers actually help municipalities because they make sure 1,500 tons of garbage leaves the Kathmandu Valley per week. Through social campaigns such as public service announcements, PRISM succeeded in bringing about a change in the society’s perception and pulling of respect for IWWs. And yes, municipalities also are part of that society. Rabin Man Shrestha, Chief of Environment Management Division of the Kathmandu Metropolitan City Office, encourages the PRISM project since there was no government initiative. “It’s positive, we finally have data on number and origin of IWWs. Now we can talk to the municipality about making a policy and make these people go from informal to formal work sector. They are high on the agenda, because they are helping us. Before,

there just wasn’t enough budget,” he states. Rabin Shrestha counters Maharjan’s criticism that there indeed was enough money, but that it was not properly spent. “The budget was mainly used to pay our staff salaries,” he admits. **Too little time**

Next year, the PRISM project will end. Nearly all stakeholders agree that three years won’t suffice. “At least ten years are needed for a project like this,” Sarala Shrestha says. Project Manager for Practical Action Nepal, Srijana Devkota Adhikari agrees. “There is enough money but too little time. We have already worked non-stop on this for twenty months. It took us over a year only to identify 4,000 IWWs. Slowly but surely, we are seeing the results. We piloted this project but the municipalities need to make it sustainable,” she says.

Practical Action provided 20 per cent of the PRISM funds. About 125 million euro was given to the project by the European Union. Each year, the EU invests in Nepal some 40 million euro. On a question about the PRISM project, the Delegation of the EU to Nepal wished not to comment.

*Vagenende is an intern from Belgium*

## Bill Made To Generate Employment For Poverty Reduction, 2069

The right to employment is an important right in the life of every individual. In the lack of employment a person cannot live a dignified life. In the lack of employment an individual could be prevented from utilizing all other rights as well. To get employment is not just a service but a fundamental right of all citizens. A citizen denied proper employment and adequate living standards cannot fulfill their duty towards the state and the society. The question of employment is also tied to a person's social prestige and capacity. It also defines the inter-relationship between the individual and the state. Likewise it also indicates towards the structure and stability of the state. A country that has a large number of unemployed cannot achieve political or social stability.

A large population of unemployed is very usually very dangerous for any countries political and social stability. Experiences from many countries around the world have already proven that the presence of a large majority of unemployed aids in the destruction of the social structure and is one of the prime reasons that create grave political instability. According to one World Bank study 55% of the total population of Nepal is under the poverty line while 48% are unemployed. This is a very serious situation. Nepal will never be able to achieve social stability by denying employment and humanitarian living standards to nearly half its population. Creating large scale employment should be the first priority for Nepal, if it is to take democracy and peace forward. It was the massive poverty and lack of employment opportunities that allowed Nepal to go through the process of the armed conflict. At present it is going through a declared peace process. However to change conflict into peace permanently there needs to be serious economic and social changes. For sustainable peace to be achieved the people need to get the benefits of peace. Until the current situation where a large majority of people are deriving their livelihood earning less than a dollar a

day changes Nepal will not have sustainable peace. Creating large scale employment is a considerable step towards sustainable peace.

However our political parties assume that only the management of combatants is the peace process. At present while there is a lack of laborers to work in the rural agriculture sector and construction sector, according to an ILO survey report at least 7 million Nepalis are outside of the country for work purposes. This is a frightening situation. Nepal's economy today is based on remittance. The social cost of a remittance economy is very steep. It has given birth to the process of a breakdown in social order and balance. No country that exports a majority of its active population can never progress forward. Nepal's rural areas today are without the youth, with just the old and the children remaining behind.

Legal and constitutional provisions Employment is a human right. Article 23 of the Universal Declaration of Human Rights, 1948 has placed the "right to work" as a fundamental human right. Likewise Article 24 of the Declaration has reflected the "right to adequate standard of living". Some formulists question the legal importance of the Universal Declaration of Human Rights and argue that it is not legally binding. However, today the Declaration has already come a long way. It is already an integral part of the international law and is called the official provision of Articles 55 and 56 of the United Nations charter. As under Articles 55 and 56 of the UN Charter, the member states have committed to preserve and promote human rights individually as well as collectively.

In this regard the UN Covenant on Economic, Social and Cultural Rights is also very important. This is a mandatory document on behalf of the country ratifying it. Article 6 of this Covenant clearly specifies and includes that those countries ratifying this accept the individual's right to work, which includes the right of every individual to independently choose or accept the work they want to and conduct their lives. The

member states for this commitment shall conduct necessary steps towards ensuring these rights.

This provision of the Covenant is mandatory for Nepal which has ratified it. As per Article 9 of the Treaty Act this is a mandatory document for Nepal. In this regard the provision in Article 18 (1) of the Interim Constitution of Nepal is also very important. This provision states that every Nepali citizen has the right to employment as mentioned in the law. It is the duty of the state to reflect the right to work and create laws accordingly as per the constitution. That the state has not created laws to implement this article of the constitution shows that the state is not responsible towards its duty. A bill to reflect employment and reduce poverty has been made.

To create employment for the citizen is an important responsibility of the state. The state is bound by its constitutional duty as well as by international treaties. That the state has remained indifferent towards its constitutional duty is a disregard for the constitution. Nepal must seek legal, administrative, and other ways to fulfill the various specific responsibilities as per the UN Covenant on Economic, Social, and Cultural Rights. Creating large scale employment is major defense shield for democracy and peace.

A draft of the bill made to reflect employment for poverty reduction has already been prepared. Creating employment is a major tool to reduce poverty. This is a self proving fact that creating employment is an important step towards reducing poverty. The following are the important points of the bill:

1. The Nepal Government can allocate the areas in which the Act can be implemented, at the recommendation of the Central Employment Committee, by publishing in the Nepal Gazette.
2. Provide manual labor work to every unemployed family that is living below poverty in the region where the Act is applicable. If employment cannot be given, provide

- unemployment allowance.
3. It has provisions entailing the requirement of identification cards to obtain manual labor.
  4. It has provisions where an individual with identification, desiring of employment, may provide an application to the Local Employment Committee from 1<sup>st</sup> Shrawan to the end of Kartik.
  5. The Local Employment Committee must provide a minimum of 100 days of work in a single fiscal year to at least one member of a family that is unemployed in either a construction work, employment related work, or a public function that is in its region.
  6. If it cannot provide employment in its own area, it may arrange for employment anywhere within five kilometers of the district.
  7. The wage of the person receiving such employment cannot be less than what has been fixed as the minimum wage for that fiscal year. The wages will be distributed every two weeks. As far as possible the disbursement will be through a bank or a financial institution.
  8. It has been suggested that if it is not possible to provide employment until 100 days in a fiscal year to an unemployed family, such family should be provided half the amount of the minimum wage it would have received for working for 100 days, as unemployment benefits.
  9. In areas where this Act has been implemented, the District Development Committee or Village Development Committees must direct, through cooperatives, to provide employment in development works being conducted in its area.
  10. A Central Employment Coordination Committee has been arranged under the coordination of the vice-chair of the National Planning Commission. Likewise under the coordination of the District Development Committee Chair, there are provisions for a District Employment Coordination Committee.
  11. There are provisions for a Local Employment Coordination Committee under the coordination of the Village Development Committee chair.

12. Provisions have been kept for a Labor Employment Fund with amounts being contributed by the Nepal Government, various foreign governments and international donor agencies.
13. The Central Employment Committee has been given the responsibility of regularly monitoring and evaluating all the programs and activities related to employment generation.

#### Suggestions and Recommendations

That the state is making laws to ensure employment is in itself a positive step. However the proposed draft bill is unable to establish the right to work in a manner that is firm enough. The draft bill seems to have failed from the rights based approach. We have to remember that economic, social and cultural rights are also equally important. Rights are not more or less important whether they are economic or social. Both are equally important. They are sovereign, mutually inclusive, and equally important. The right to work is a fundamental human right and implementing it is the states responsibility. The bill seems directly influenced by the Mahatma Gandhi National Rural Employment Guarantee Act 2009, however it has not been able to incorporate the positive aspects of the Act.

The following needs to be incorporated in this bill:

1. The bill has provisioned for providing labor intensive employment to those "under the poverty line" but has not defined what "under the poverty line is". In reality who so ever wants to be involved in labor work must be provided the opportunity to do so. When the state is under immense poverty, it means that those who are deprived of the means of production are under poverty line. However when the law has not defined it clearly enough, the families that are actually unemployed and under pressure may not be able to get the true benefits of this legal structure.
2. The bill has not been envisioned to be implemented all over Nepal. The country is in a very deprived stage. There are poor people living in all parts of Nepal. Therefore it must be implemented all over the country.

3. The bill has only envisioned providing minimum employment for 100 days in one fiscal year. Those living under poverty line cannot afford a humane life by only working for 100 days in a year. For this they have to have permanent work rather than temporary employment.
4. The bill has only provided for work for one individual per family. It will be better if labor intensive employment can be provided to all those between age 16-65.
5. The bill has provided for filing an application to get employment but fails to state how long after the application has been provided that the agency should be able to give work. The Indian Act very clearly states that work should be provided within 15 days of the application being made. Likewise the Indian Act also provisions that when 15 applications have been received new work must be immediately started.
6. It has been provided that the Local Employment Committee will coordinate with the District Employment Committee and provide labor work within 5 km of the district in either construction, employment, or public works. But in a geographically difficult terrain like Nepal where transportation facilities is limited, especially in the rural areas, the 5 km should be cut down to 3 km. And if work has been arranged further than 3 km, travel allowance of 10 percent must also be arranged.

The investigation and suggestion was prepared by Advocate Dinesh Tripathi for the Nepal Constitution Foundation with inputs from women, Janajati, Dalit, Madhesi, youth and other related pressure groups. The Foundation is grateful to Gopi Biswakarma, Radha Thapa, Pawan Kumar Ojha, Bhup Nanda BK, Phurpa Tamang, Rohini Acharya, Sitaram Agrawal, Shankar Dutta Badu, Keshab Prasad Adhikari, Bijaya Kanta Mainali, Shiva Karki, Tara Parasad Joshi, Bharat Raj Gautam, Abhishek Adhikari and Dr Bipin Adhikari.

*This research has been supported by The Asia Foundation and opinions expressed in this report are of the authors and don't necessarily reflect of The Asia Foundation.*

## Oh Boy, Cops After Hair!

By ADITI ARYAL



When men are stripped off their rights to sporting long hair and wearing studs in an embryonic democracy, it is time for us to question whether democracy is practiced right. Today men are being forced to keep their hair short, tomorrow all citizens will be asked to revert to our traditional dresses, then gradually we all will get inside the burqa and make our nascent democracy something comparable with the Taliban regime. And, meanwhile, all protestors may be behind the bars or shot at the head.

Who needs a good sucker-punch actually is the Nepali Police. They first imposed the *MaPaSe* law, which for some reasons, many women and family people found rather appealing. However, this rule aimed at curbing drinking and driving was imposed in the crudest form possible. There is no basis, such as the allowable limit for alcohol consumption. Everyone is faced with the same charge, be this person taking a peg or a few bottles. People are not even allowed to drink socially, and, funnily, rumor has it that some have been arrested for consuming chocolates, with some minimal concentration of alcohol.

The police, along with its supporters, need to dig their heads inside the history books and legends, where mythological as well as legendary kings, princes and heroes sported long hair and earrings along with other accessories. According to many cultures and traditions, sporting long hair and piercings or tattoos are a must and this is not a deviance in any form. Conforming to own cultures and traditions is in no way linked to being westernized either.

Judging people on their looks or attires is what we have inherited in our society. And judging men with long hair as drug addicts, criminals or hooligans is what we always do as we have learnt it from our elders. We are trying to open up to obscene language, dressings, texts and movies but we will not open up to individualism. We will never learn to respect people for being different or for being free and liberated. If people do not fall onto a certain mindset of ours, they are immediately to be laughed at.

Seems to me like the Nepal Police has nothing better to do than to make lives of Nepalese citizens difficult than easier. Chopping people's hair for invalid reasons is a sheer torture and this violates the right of every free human being in our democracy without a constitution. From a long time it has been always advised never to argue with a Nepali policeman. Perhaps they take it for granted they can do and impose whatever they feel like doing. This needs to be changed. We should argue and fight for what is wrong and unfair, be it on being forced to cut hair or being subject to verbal or physical abuse. Just because they are police, with the backup of their jobs, does not come the liberty to do what they want to our hair, ear studs or clothes. If today we don't ask them to stop cutting our hair, tomorrow they will take our clothes off. If we don't wear them, will they approve? Instead of meddling with lives of normal people, they should go catch the bad elements that are ruining the nation!

And as for the Nepali youth, we are very quick to respond to laws as petty as this; to protest on the streets, to whine and curse all over our blogs. Where is this energy when it comes to issues at a national scale? Why not protest against long hours of load shedding that never seems to have a solution, for rising prices, unemployment, poverty, unstable parliament, and corrupt people running the nation? It is our voices that may change issues because that is what getting what we want in a democracy is all about. ■



## There Will Come Soft Rains

By BIDUSHI ADHIKARI

Jonathan Larson once said, "The opposite of war is not peace, its creation." These words capture the essence of the poem "There Will Come Soft Rains" by Sara Teasdale.

In the poem, Teasdale uses imagery and personification of the animals to contrast it with human beings and war. She talks about how the activities of nature and humans do not affect each other. She refers to a war, the Great War specifically, that the humans have created.

The title of the poem was adapted by Ray Bradbury in his short story. The poem talks about the beauty of nature, the ugliness of humans and the contrast between the two.

Teasdale shows the life of nature that "will come" in the future by describing elements from the spring season and appealing to the reader's senses. She uses words such as "soft rains," "shallows," "shimmering," "singing," and "whistling" to show the carefree and dreamlike atmosphere of the spring that is to arrive.

While describing the nature, she refers to the senses of a living being, giving nature life and meaning. With words like "smell of the ground," "shallows circling," "shimmering sound," "Robins will wear," and "whistling their whims", Teasdale personifies nature to give it a human-like approach. With these words, she specifies the smell, movement and sound that nature embraces. However, as she mentions human beings, the tone of the poem changes dramatically.

As the poem starts to describe humanity and war, the jolly mood changes into a serious one. "Robins...whistling...on a low fence-wire" are the first words that show the presence of humankind in nature. Fence-wires have pointy needles on them, which shows humans' constant paranoia as they try to protect themselves from danger.

Teasdale describes how desperately humans have drowned in their fear to fail that when war breaks out, "not one will know of the war, not one will care." These words suggest that humans are self-destructive and will one day destroy themselves with their lack of understanding, but "Spring herself...Would scarcely know that we are gone."

Through these words, Teasdale shows the sharp contrast between mankind and nature. Firstly, she capitalizes "Spring" and refers to it as a person: "herself", whereas, she does not bother capitalizing "mankind." This shows her preference towards nature over humanity. Additionally, she categorizes nature and people into two distinctive groups, though humans count themselves as an evolution from nature. She furthers this idea when she states how the destruction of humanity through war will not affect nature. Thirdly, the season of spring builds and creates, while war that humans have created destroys and kills. Teasdale gives the human-like characteristics to the nature, as oppose to the humans, to show that humans have lost their human-like qualities by destroying themselves through war. These examples show clear contrast between nature and humans.

In conclusion, "There Will Come Soft Rains" by Sara Teasdale is a poem about the numerous differences between nature and humanity. She uses beautiful, lively words to describe nature, but contrasting words to describe humanity. Sara Teasdale wrote this poem during the Great War. Through this poem, she points out to the world that war is unnecessary and will only result to its separation from nature. ■

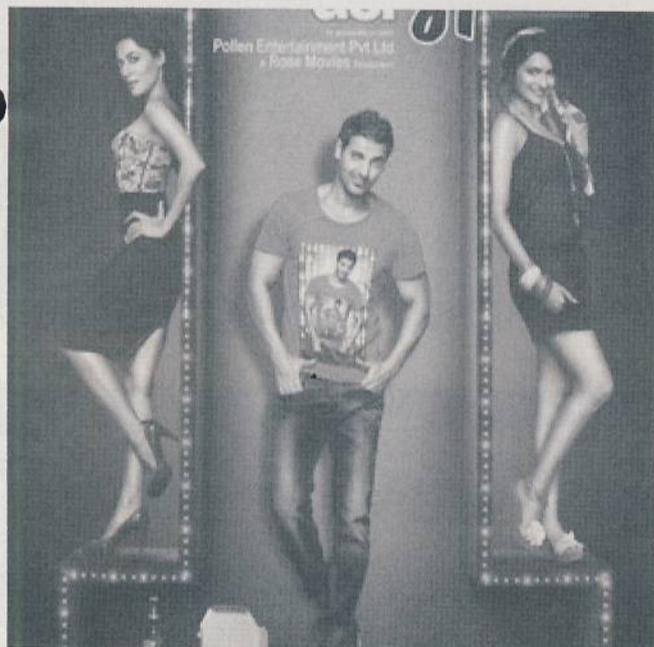
## MOVIE REVIEW

## I, Me Aur Main



The coming of age movie of a man-child has fascinated many a storyteller in the West. In fact, Hollywood has often churned out movies about guys who refuse to grow up. I, ME AUR MAIN, directed by first-time director Kapil Sharma, has John Abraham reprising the role of an adult who's a narcissist, a self-obsessed guy who refuses to own up responsibilities and is also commitment-phobic.

In the past, movies such as KYA KEHNA! and SALAAM | NAMASTE traversed the hitherto unknown path. Also,



the male protagonist in those films did not own up their responsibilities, albeit initially [coincidentally, Saif Ali Khan enacted the part in both the films!]. Although I, ME AUR MAIN is \*not\* remotely similar to those two films in terms of plotline, it does talk of relationships [live-in, child without wedlock et al], but at the same time, it also takes the easy route of drifting into the stereotypical zone, at times.

Kapil brings with him present-day, urban sensibilities, which is evident in a couple of episodes [more on that later], but the drama vacillates between spellbinding and mundane constantly. What emerges is a part watchable fare, despite an attention-grabbing premise. Had Kapil grabbed the opportunity of going unconventional out-and-out, I, ME AUR MAIN would've been in a different space altogether.

On the whole, I, ME AUR MAIN is a decent watch. More for the urban youth!

(Bollywood Hungama)

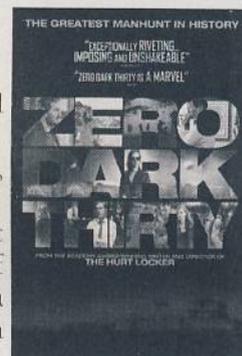
## MOVIE PREVIEW

## Zero Dark Thirty

Genres: Drama, History, Thriller  
 Producer: Kathryn Bigelow, Mark Boal  
 Director: Kathryn Bigelow  
 Cast: Jessica Chastain, Joel Edgerton, Chris Pratt

Maya is a CIA operative whose first experience is in the interrogation of prisoners following the Al Qaeda attacks against the U.S. on the 11th September 2001. She is a reluctant participant in extreme duress applied to the detainees, but believes that the truth may only be obtained through such tactics. For several years, she is single-minded in her pursuit of leads to uncover the whereabouts of Al Qaeda's leader, Osama Bin Laden. Finally, in 2011, it appears that her work will pay off, and a U.S. Navy SEAL team is sent to kill or capture Bin Laden. But only Maya is confident Bin Laden is where she says he is.

Release Date: 08-Mar-2013

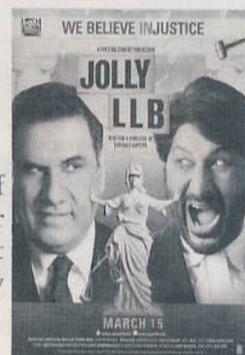


## Jolly LLB

Genres: Comedy  
 Director: Subhash Kapoor  
 Cast: Arshad Warsi, Boman Irani, Amrita Rao

A social satire on the law system of the country, where a small town lawyer Jolly (Arshad Warsi) is pitted against a hugely successful lawyer, played by Boman Irani.

Release Date: 15-Mar-2013



## Manjari

Genres: Drama, Romance, Social  
 Producer: Naresh Pandey, Mahesh Chalise  
 Director: Ganesh Dev Pandey  
 Cast: Gaurav Pahari, Sujata Koirala

A true event presented in a realistic way, set in Butwal. Arrogant, stubborn, childish, young girl 'Manjari', daughter of powerful businessmen Karna Bdr. Chhetri of Butwal, falls in love with a poor guy 'Ishwor' from slum area. Story focuses unusual chemistry between Manjari and Ishwor and their typical romance interestingly. A twist in between takes the story in a very different direction. Thrill, romance, emotions, ups and downs, humors are the component of their love story.

Release Date: 16-Feb-2013





# Irritable Bowel

By BUDDHA BASNYAT, MD

A twenty-eight year old man complains of daily bloating of his belly with abdominal cramps for ten years. He often has multiple diarrhea especially in the mornings, and his symptoms go away with bowel movement (going to the toilet). The patient never has symptoms at night while asleep, and there is no weight loss. In fact he is slightly obese and otherwise feels completely fine. He says the symptoms gets worse when he is under stress. He was planning to work in Dubai, but he is nervous that his condition may cause problems for him. His physical examination and basic blood tests were all normal.

Irritable bowel syndrome (IBS) which this patient has is one of the commonest problem that a doctor (especially a gastroenterologist, a bowel doctor) sees in his clinic in Nepal. This is a clinical diagnosis, that is the doctor makes the diagnosis by taking a careful history of the patient's problems and doing a simple physical exam. There are no especial blood tests, scoping procedures of the bowel, or radiological tests to make the diagnosis. Additional evaluation is not only unnecessary and expensive but also potentially harmful when invasive procedures are ordered. Of course if the patient were older, had fever and chills and weight loss, other more sinister diagnosis may need to be considered.

The most important part of the treatment is that the patient should be reassured that although this problem is annoying and inconvenient, it is not life-threatening.

Sometimes patients who have IBS have concomitant difficulty in digesting milk and milk products, what is called lactase deficiency. Lactase is the enzyme in the small intestine necessary for digesting milk and milk products. Amazingly about 90 % of people from South Asia are deficient in this enzyme

which leads to the classic gurgling noise ("paetgadyangudung") from the belly followed by loose motion after drinking a glass or two of milk. Because this is such a common problem here, it is possible lactase deficiency may overlap with IBS.

So patients with IBS disease should see if not using milk and milk products helps their problem. There is also evidence that IBS is linked to mental problems like depression and anxiety and seeking help in this regard may also be a helpful approach in the treatment of IBS.

This patient in question did see a competent Nepali gastroenterologist who made the diagnosis and helped the patient without resorting to unnecessary, expensive laboratory or radiological testing. The patient is now working in Dubai. ■

हामी नेपालीमा जुनसुकै क्षेत्रमा पनि काम गरेर देखाउन सक्ने अवस्था छ र सफल पनि हुन सकिन्छ । नयाँ तकनिकी र नयाँ क्षेत्रहरूमा हामी जानैपर्छ ।  
मुख्यतः हामीमा प्रतिबद्धता, लगनशीलता, आँट र साहस चाहिन्छ ।



नेपाल सरकार  
सूचना तथा सञ्चार मन्त्रालय  
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