



NEPALI CONGRESS: The New Team

NAPA: Fresh Promise



Viewpoint:
Dr. Tilak Rawal

New Spotlight's Investigation: Dharan Municipality

Interviews:
Ramesh Chanda Thakuri

SPOTLIGHT

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Army Chief On UK Tour

Army Chief General Chhatra Man Singh Gurung left for the UK to pay an official visit at the invitation of the former Chief of the General Staff General Sir David Richards, from 4th to 8th October. He was accompanied by his wife, Kamala, and the Army Inspector General, Major General Netra Bahadur Thapa.

The two Army Chiefs discussed matters of mutual interest, including support to UN Peacekeeping Operations, Britain's Brigade of Gurkhas, and resolution of the peace process in Nepal. In addition, the General will meet senior staff at the Foreign Office and the Department for International Development.

Norwegian Deputy Minister Visited Nepal

The Norwegian Deputy Minister of International Development, Ms. Ingrid Fiskaa, visited Nepal on October 4 and 5. Ms. Fiskaa's visit is to support Nepal's National Action Plan for the implementation of United Nations Security Council Resolution (UNSCR) 1325 and 1820 on women peace and security. Ms. Fiskaa participated in the sharing and endorsement of the National Action Plan on UNSCR 1325 and 1820 on October 4 by the High Level Steering Committee.

Call for Peace

The Heads of Mission of the European Union, Canada, Japan, Norway, the Republic of Korea and Switzerland are encouraged by the positive initial steps taken by the parties to resolve the issue of integration and rehabilitation of the former Maoist combatants.

'We particularly welcome the recent

decisions made by the Special Committee, including the establishment of a Secretariat, the transfer of the chain of command of the former Maoist combatants to the Special Committee, the decision to provide the Special Committee with relevant data of the former Maoist combatants and to develop a workplan with a timeline for the remaining steps to be taken," said a press released issued by Norwegian Embassy on behalf of those countries.

Voter Register Cost Shared

A cost sharing agreement was signed between the Election Commission of Nepal (ECN), the Danish Embassy and the United Nations Development Program (UNDP) for the US\$ 2.1 million support being provided by the Government of Denmark for the new Voter Registration system.

UNDP as the Election Commission's coordinating partner of the donors will administer the funds through its Electoral Support Project (ESP).

Danish Ambassador to Nepal Morten Jespersen remarked, "We have been supporting the Election Commission of Nepal for the last 19 years."

UNDP Country Director, Ms. Anne-Isabelle Degryse-Blateau also spoke on the occasion.

USAID Pledges \$316.5 M In Five Yrs

The U.S. government, through the U.S. Agency for International Development (USAID), recently amended its five-year agreement with the Government of Nepal to increase the total expected amount of the agreement by \$111.5 million.

This brings the U.S. Government's total five-year (2009-2014) development assistance in Nepal to \$316.5 million. The funding provided for 2010 alone is \$47.7 million.

In a brief ceremony at the Finance Ministry, Lal Shankar Ghimire, Joint Secretary of the Ministry of Finance, and Dr. Kevin A. Rushing, Mission Director of USAID/Nepal, signed the agreement on behalf of the two governments.

First Indian Project In Solukhumbu

A Memorandum of Understanding (MoU) was signed by the Embassy of India, Kathmandu with District Development Committee, Solukhumbu for providing Indian grant assistance of

NRs. 3.95 crores for drinking water supply project in Khumjung and Kunde Villages of Khumjung VDCs in District Solukhumbu under the India-Nepal Economic Cooperation Program. This is the first development project in Solukhumbu being undertaken with the assistance of Government of India.

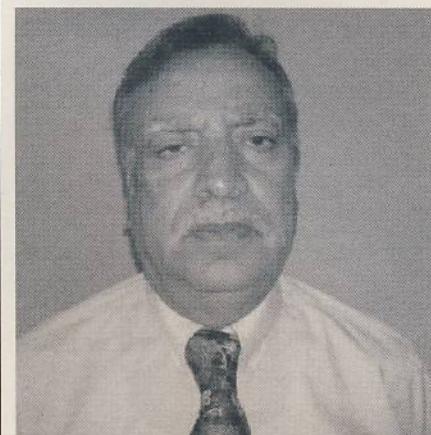
U.S. Medical Care To Nepal

U.S. military medical personnel treated, free of cost, over 50 Nepalis for cleft lip and palate, chronic ear disease, and cataracts. As part of 'Operation Sight, Sound and Smile,' a team of eight medical professionals from Tripler Army Medical Center arrived in Kathmandu on September 9 for the ten-day humanitarian mission at the Birendra Army Hospital.

"This mission has been a tremendous opportunity to interact with our military medical colleagues in Nepal to share experiences and educate each other while providing valuable care to the local population," said LTC Scott Roof, mission commander of Operation Sight, Sound and Smile.

Upadhyay Wins International Award

Executive chairman of SAPROS Nepal Shrikrishna Upadhyay won the international 'The Right Livelihood Award 2010', also known as The



Alternative Nobel Prize. The executive chairman and the organization, that is, SAPROS Nepal, are recognized "for demonstrating over many years the power of community mobilization to address the multiple causes of poverty even when threatened by political violence and instability."

The Right Livelihood Awards for 2010 go to four recipients who will share the €200,000 cash. ■



On Show: Thailand Today

A daylong exhibition 'Thailand Today' was held at Hotel Yak & Yeti on 25th September. The sole objective of this exhibition was to promote different products of Thailand.

There were stalls of cosmetic products, automobile products, children's books, different airlines, information on different universities of Thailand, medical services provided in many of the Thailand's hospitals and there were stalls of the famous orchids of Thailand along with the indigenous fruit products.

The exhibition was inaugurated by foreign minister Sujata Koirala. Ambassador of Thailand Maris Sangiampongsa said that this exhibition was to promote the medical, health, education and travel sectors of Thailand so that the people of Nepal could come to Thailand for many reasons other than holiday.

The exhibition had many presentations. The first presentation was about tourism in Thailand. The second presentation was about Thailand's medical service. The third presentation was about the Study of Thailand and the last presentation was by Thai Airways International.

The exhibition ended after a lucky draw sponsored by Thai Airways. The first prize of this draw was a free ticket from Kathmandu to Thailand and back.

By NITISH DEV BHATTARAI

Tamang Nominated Goodwill Ambassador For NTY 2011

Prashant Tamang, the ex-Indian idol, has been nominated as a goodwill ambassador for the Nepal Tourism Year (NTY) 2011. Tamang who became Indian Idol in 2007 was nominated as the goodwill ambassador by Nepal Tourism Board (NTB). The NTB officials hoped that Tamang will be able to further promote Nepal in India. NTB chief Prachanda Man Shrestha said that Tamang can promote the country by dropping in good words during his interactions in various programs abroad. Tamang himself expressed happiness at having been bestowed the title.

Survey Of Narsimhagad Project In Final Stage

As experts have pointed out the urgent need to develop storage-type hydropower project to overcome the problem of

load shedding, the Nepal Electricity Authority (NEA) is nearing completion in the hydrological and geological survey of Narsimhagad project located in Jajarkot in mid-west. According to a project development director of NEA Bishnu Bahadur Singh, there will be a need to erect dam of 170m to 200 m height, along with 6 km long tunnel for the project. The project is expected to generate around 400 MW of power. The initial estimates put the cost of project at Rs 40 billion.

NEA Wants To Hike Power Tariff By 30 PC

The Nepal Electricity Authority (NEA) has said that it wants to hike the power tariff by 30 percent. But since the winter season is round the corner, the NEA officials have now resigned themselves to the fact that the hike may not see the light of the day at least till another year. "It would have been beneficial to hike the power tariff during wet season. In winter, there will be severe load shedding and one can neither have the power to sell nor the public will be any bit supportive towards the proposal," said Jibendra Jha, executive director of NEA. The NEA has not increased power tariff since last 9 years. It wants to hike the tariff for those consumers who use over 20 units. The NEA officials have said that their accumulated losses have already totaled Rs 18 billion.

2012 Diversity Visa Registration Opens

The application period for the 2012 Diversity Visa program begins from tomorrow October 5, 2010 and ends November 03, 2010.

There are three major changes to the program for 2012: Applicants must register online during the 30 day registration period. Applicants must check the Diversity Visa web site to see if they have been selected. Winners will not receive a letter by mail or email and applicant photos must be uploaded at a resolution of 300 dpi (dots per inch) or better. According to US Embassy Press release, entries must be submitted electronically at www.dvlottery.state.gov during the registration period that begins noon Eastern Daylight Time (GMT-4), Tuesday, October 5, 2010, and ends noon Eastern Daylight Time (GMT-4), Wednesday, November 3, 2010. After registering online, applicants will see a confirmation page that includes an Entry Status Check and instructions for checking the status of an entry.

Official notification from the U.S. Department of State will be done electronically between May 1, 2011 and June 30, 2011. Applicants must go online to www.dvlottery.state.gov with their Entry Status Check to learn whether they have been selected. Unlike previous years, lottery winners will not be notified by mail.

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best wishes to all our patrons and
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Whither Maharagate Inquiry?

More than a month has passed since an audio tape of Maoist leader Krishna Bahadur Mahara had surfaced in which he purportedly sought money from an unnamed Chinese to buy votes for the prime minister's election. It was widely condemned for a few days. Mahara appeared to admit that the voice in the audio tape was that of his, although the Maoists did never gave a satisfactory response to the allegations. Alas, the episode has died down without any investigation into it. A serious issue such as this should have been a matter of parliamentary investigation. That it has not is a serious attack on the parliamentary norms. Has its relevance has become redundant because of (Prachanda's) withdrawal from the race for the prime minister ship? If not, such an issue of public interest is brushed aside. In a country where reports of inquiry committee are not even put into action, inquiry has not been initiated on this particular issue. Is the New Nepal envisioned by the Maoists intended to keep such serious issues behind the curtain? (*Suman Regmi in Budhbar, Sept 29*)

China Shocks India

China has smashed the Indian design of preventing Nepal's communist parties from getting united. The design was aimed at stopping Maoist chairman Prachanda from winning the prime minister's election in the constituent assembly. The recent high level Chinese delegation facilitated the atmosphere for an agreement between the two big

communist parties (the Maoists and the UML) which has resulted in a three-point



deal between them. It is questionable, however, if the deal can last. Such doubts are natural too because the Nepalese leftist movement has long been influenced by India. The KP faction of the UML is unlikely to be easy with this leftist unity. Expectedly, Oli has begun pouring venom at the deal. He has totally ruled out a Maoist-led government which he dubbed a daydream. (*Jana Dharana, Sept 23*)

Maoists Mar Foreign Investment

The Maoist threat to obstruct the construction of 14 proposed power projects with the Indian investment has affected the environment for foreign investment in Nepal. Half of these projects were approved by the Maoist government itself following its declaration that 10000 megawatt power would be produced in 10 years. So, the latest Maoist move is contradictory. (*Tarun, Sept 27*)

Watch Out Both India And China

Some Nepalese politicians think that it is only India which does interfere, not China. That's not the case. If China made a foothold in the Nepalese economy Nepal will have to face much serious problems than with India. We must take notice of the Chinese presence over the past two decades in south east Asian nations such as Malaysia, Singapore, Thailand, Indonesia and the Philippines and the economic advantage it has taken there. So we must protect Nepal as much from the national surrender to India as from China. The way a Chinese businessman spoke with Krishna Bahadur

Mahara about 500 million rupees shows the Chinese business interests. This is an instance as much of the mischief of the Nepali leaders as of the Chinese. So, let's make Nepal, located in the laps of Everest, an independent and sovereign nation that neither bows its head

before Delhi nor salutes Beijing. (*Arun Baral in JanaAastha, Sept 29*)

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Confused Commoners

DR. TILAKRAWAL



It seems Nepalese are now losing their patience to wait for their leaders to find solution to the outstanding political issues, which would also free them, hopefully, to concentrate on so far ignored economic problems. In fact, people have no where to look to for relief. Economy is in an unprecedented mess and leader-created political problems appear insolvable. Deals are struck not to resolve issues but to further confuse people and make issues all the more complex. The deal struck on 29th of Jestha, which facilitated extension of constituent assembly term by one year, could not be executed as neither Prime Minister Nepal resigned nor the Maoists budged an inch to fulfill the commitments agreed upon in the three-point tripartite agreement. While the Maoists wanted Mr. Nepal to resign first, the other two parties in the deal (NC and UML) and those enjoying power wanted the ex rebels to fulfill their commitment before the resignation of government. After weeks of unrest and confusion, Mr. Nepal gave in to the pressure from outside and from within his own party, mainly by a strong fraction of the party led by party president J. N. Khanal who wanted a national

unity government to prepare new constitution and take the peace process to a logical end. Three months have passed since Madhav Nepal resigned and successive rounds of election in the legislative parliament have remained inconclusive. Khanal's candidacy was withdrawn before the voting commenced as he could not garner the support of two-thirds parliamentarians, a condition set by his party for him to get into the race. Maoist chairman Prachanda and NC leader Poudyal fought inconclusive electoral battles till the seventh round held on 7th of September. Tired of the futile electoral exercise and several rounds of fruitless and undependable so called negotiation with leaders of Madhes-based parties to form a majority government Prachanda inked a three point deal with Khanal of UML, which, among others, required Prachanda to opt out from the priministerial race to facilitate formation of a unity government. Amidst controversy about the deal and doubts whether Prachanda would really opt out of the race, the two parties signed another four-point agreement cementing the earlier deal. In Keeping with the spirit of the deals, Maoists withdrew their candidate before voting for the eighth round commenced on the 26th of September leaving Poudyal alone in the race to lose election one more time. People desperately wanting a government have taken the recent two deals in a positive manner but to their utter bewilderment some top UML leaders have not spoken favourably of the deals, let alone NC that has described the agreements

struck between the two parties as a conspiratorial move. These divergent views rule out the possibility of a national unity government in the near future. Too much cold water is being thrown on confused commoners.

Nepal's economy is in an unprecedented mess. Double digit inflation is continuing since last two years, the country saw an astonishing negative balance of payment of around Rs.17 billion, trade deficit reached a-never-before level of 26 percent of GDP and everything is in short supply except uncollected stinking garbage and dust. Prices are rising and will continue to do so in keeping with IMF prediction that prices of oil and non-oil products will rise by about 22 and 16 percent, respectively, in 2010. Economies face ups and downs occasionally as is being witnessed all over the world. The global recession that started towards the end of 2007 is not over yet. A relapse can not be totally ruled out at least in the US and some parts of Europe. Greece is in trouble, so is the situation in Ireland and soaring budget deficit has become a major problem for the new government of David Cameron in UK. The striking

Parties are as polarized as they were before on question of budget and formation of a new government confusing the hard-pressed commoners very much. Not much different is the state of around 90 percent of some 600 CA members, said to be privileged, who have to walk the line drawn by their leaders not knowing what their leaders are up to and whose tune their masters are dancing to. The confused Nepali commoners should be happy that they are on the same boat with majority of CA members as far as political confusion is concerned.

difference between us and others is that while others confront the problems with required measures, in our case the problems remain unattended and ignored. Till date, on the pretext of political problems of serious magnitude, leaders have ignored economic problems affecting day to day life of the commoner. We are already into the third month of the fiscal year without a budget and the legislative assembly-approved sum, one-third of the last fiscal year's total, is about to be exhausted. Concerned officials of Nepal Government have made it clear that it would be difficult to pay salaries to civil servants if the budget was not passed by mid-November. As in the past, economic activities are slacking and it may be difficult to achieve the growth rate of last year, a disappointing 3.5 percent, despite expected good performance of agriculture this year. It may be noted that in the 75 days of the current fiscal year only a paltry sum of Rs.160 million has been spent under development expenditure head. In the last couple of years, rate of growth of revenue has been more than the growth rate of capital expenditure showing increased level of public consumption, which is not desirable. As a result of impressive revenue collection in the last couple of years, government could save something each year (revenue surplus) for development activities, after meeting recurrent expenditure and debt obligations. As a proportion of GDP, revenue collection had reached 15 percent in 2066\2067, which is encouraging. In the

initial period of this fiscal year, however, revenue collection is far from satisfactory. PM Nepal is trying to bring the full budget for the current fiscal year but the major parties do not seem to be ready for unconditional approval. People want a new PM soon so that the new government could present the new budget. This does not look likely as the major parties are polls apart on the question of forming a new government. Economically, the commoners are bound to suffer more in days ahead.

Commoners of Nepal thought that the deal signed between the two left parties and flexibility shown by Maoist chairperson on issues of army integration would facilitate formation of a unity government which would conclude the peace process in a meaningful manner. Contrasting views coming from a section of UML and NC leader Poudyal, the sole contender in the PM race, accusing Maoist chairperson Prachand and Khanal of UML of merely paying lip service to national consensus, have more or less consigned the three-point deal to dust. Castigating the deal as an attempt to sideline NC, Poudyal appears rhinostripped in that he intends to remain in the race, with full backing of his newly-elected NC president, despite repeated mauling of his act by the Legislative Assembly. PM Nepal's recent observation that Poudyal need not withdraw from the race seems to have further strengthened his stand and the NC leader is not likely to withdraw unless the top job that Mr. Poudyal is desperately wanting is offered to him. Parties are as polarized as they were before on question of budget and formation of a new government confusing the hard-pressed commoners very much. Not much different is the state of around 90 percent of some 600 CA members, said to be privileged, who have to walk the line drawn by their leaders not knowing what their masters are dancing to. The confused Nepali commoners should be happy that they are on the same boat with majority of CA members as far as political confusion is concerned.

Dr. Rawal is a CA member and former governor

PRACHANDA

Mission Impossible

By SAROJ DAHAL

London. Singapore. Hong Kong. Now, Kuala Lumpur. Prachanda's rendezvous, according to a Maoist politburo member, with Indian intelligence operatives at distant locations never seem to end.

Accompanied by the fellow leader of the Maharagate fame, the Maoist supremo was ostensibly on a tour for "party work."

If the recent rhetoric and the actions of the Maoist party are any indication, it becomes clear that the "party works" remain focused on regaining the seat of power Pushpa Kamal Dahal was forced to vacate one and a half years ago.

After the three abortive trips earlier, Prachanda this time flew to Kuala Lumpur following a series of "positive" meetings with two of his *bête noire* - president Ram Baran Yadav and prime minister Madhav Kumar Nepal.

Yadav's action over the army chief row was instrumental in Prachanda's exit from Baluwatar where Madhav stepped in to replace him.

In his meeting with Madhav, Prachanda agreed to be "flexible" to resolve the vexing Maoist combatants' integration and management issue.

The meeting with Yadav over dinner was aimed at regaining the trust of the president who is being allegedly readied to take another drastic action to end the long-running political stalemate.



Prachanda

Prachanda has since then withdrawn from the prime ministerial race in parliament and has shown a surprisingly accommodating position on the combatants' issue.

Insiders say, what he is trying to achieve is winning the hearts and the minds of key actors for a comeback to Singh Durbar central secretariat.

Confident that he had done it at home he flew out to gain it across the border.

It is not clear yet whom did he meet in the Malaysian capital and what mandate his guest there had.

What is, instead, becoming clear is that his Kuala Lumpur mission proved to be no different from London, Hong Kong and Singapore. ■

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NEPALI CONGRESS

The New Team

The newly elected central committee of Nepal's grand old party (GOP) throws open new questions than provide answers

By SUSHIL SHARMA

The election of Sushil Koirala at the helm of the country's oldest functioning democratic party was not a surprise.

That the only rival, Sher Bahadur Deuba, exceeded own expectations of a little over one fourth of the votes to finish reasonably closely behind Koirala was a surprise.

The septuagenarian Koirala succeeds octogenarian Girija Prasad Koirala five months after the latter breathed his last.

The junior Koirala has his task clearly cut out: breathe a new life into the party that was born barely a decade after him.

But unlike the comfortable victory but the road ahead will by no means be as comfortable.

Not because of the last-minute strong showing by Deuba nor for that matter, of 'the Deuba panel' in the new executive body.

What will make his job too challenging is the composition of the newly elected central working committee (CWC) that will make Koirala's journey a roller coaster.

On the surface of it, his 'panel' has a clear edge over what has been described as 'the Deuba panel'.

In reality, there was no real panel as such. If there was any, it was the individual-centric and unprincipled panel.

The Koirala 'panel's' elected general secretary, Prakash Man Singh, had



Gagan Thapa

defected from the Deuba 'panel' only last year because he was sidelined over a ministerial berth in the UML-led government.

Deuba's nod to Sujata Korala had angered Singh. Now, ironically, Sujata too happens to be in the same panel as that of Singh.

One of Sujata's close colleagues, Ajay Chaurasiya, has won from the Deuba 'panel' so did a long-time Koirala camp member, Ambika Basnet.

A last-minute Deuba camp deserter, Umakanta Chaudhary, got a berth in the central committee from the rival panel.



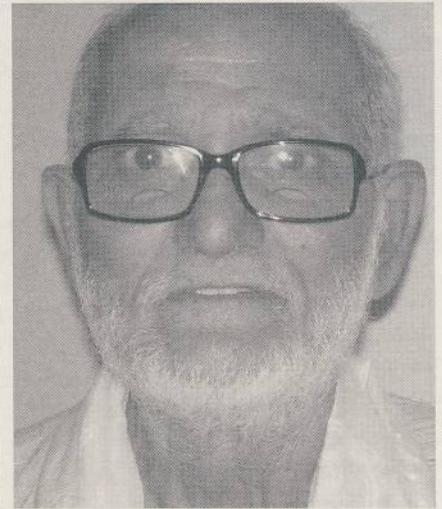
Khum Bahadur Khadka

The ironies do not end there. The fire-brand 'federal republican' youth leader, Gagan Thapa, secured the highest number of votes.

Finishing not far behind was an old brigade member and anti-federalist Khum Bahadur Khadka, who was only recently seen bowing heads with folded hands, at a Kali Baba puja, to the ousted king Gyanendra.

The voters gave big thumbs up, just behind Gagan, to Arjun Narsingh KC, who returned to the Nepali Congress 20 years ago after years of hobnobbing with the royal regime that had banned his mother party.

The same voters almost showed red light to a life-long Nepali Congress veteran, Kul Bahadur Gurung.



Sushil Koirala

Many young and fresh faces made it to the top decision making body so did a number of veteran as well as tainted old faces.

The revised party statute also made possible the 'inclusive' character of the central committee.

Few took trouble to take notice that the party was 'inclusive' even 50 years ago. A visit to the famous Sundarijal jail - now BP museum - should be an eye-opener.

Pictures of six leaders hang on the jail room walls. The names include: Bishweswor Prasad KOIRALA, Krishna Prasad BHATTARAI, Ganesh Man SINGH, Dewan Singh RAI, Yogendra Man SHERCHAN and Ram Narayan MISHRA.

Jailed there after the royal coup in 1960, the six leaders were bound by common values, ideals and principles.

Can the newly elected members boast of the same?

The unprincipled and individual-centric hotchpotch composition of the central working committee is sure to add confusion than clear it on what direction the Nepali Congress will take at the critical political transition of the country.

The newly-elected president Sushil Koirala will have hard time captaining the ship to the destination he wants to lead to.

Hard times are ahead for the Nepali Congress to keep away from the dark shadow of vested national and international interests.

Bhuiputta barga (the upstart class) or adrishya shakti (the invisible forces) - to borrow the phrases from the legendary BP - looks set to dictate the Nepali Congress' future. In power or out of power.

ECONOMY

Forced Retreat

The protracted round of failed elections to choose the new prime minister has seemingly made the politics of the country a laughing stock. But, actually, the joke is on the economy. In the last three months since the country plodded through without a budget, the economic indicators have made a turnaround for the worse. The one-time exploding imports have made a sudden about-turn, the handsome revenue growth is becoming the thing of the past and the domestic manufacturing have almost grind to a halt as producers are uncertain when the new budget will be announced and what policy changes it will adopt.

By SANJAYA DHAKAL

Normally, Revenue Secretary at the Ministry of Finance, Krishna Hari Baskota exudes an air of optimism.

Even during the height of the Balance of Payment (BoP) crisis last year, Secretary Baskota did not flinch an inch whenever he was asked to describe the state of affairs. He used to point at the robust growth of revenue collection as an

indicator that the economy is safe and sound.

But this week he was sporting a despondent look.

'I have started to think that the economy is beginning to wilt under the unending instability,' Baskota said.

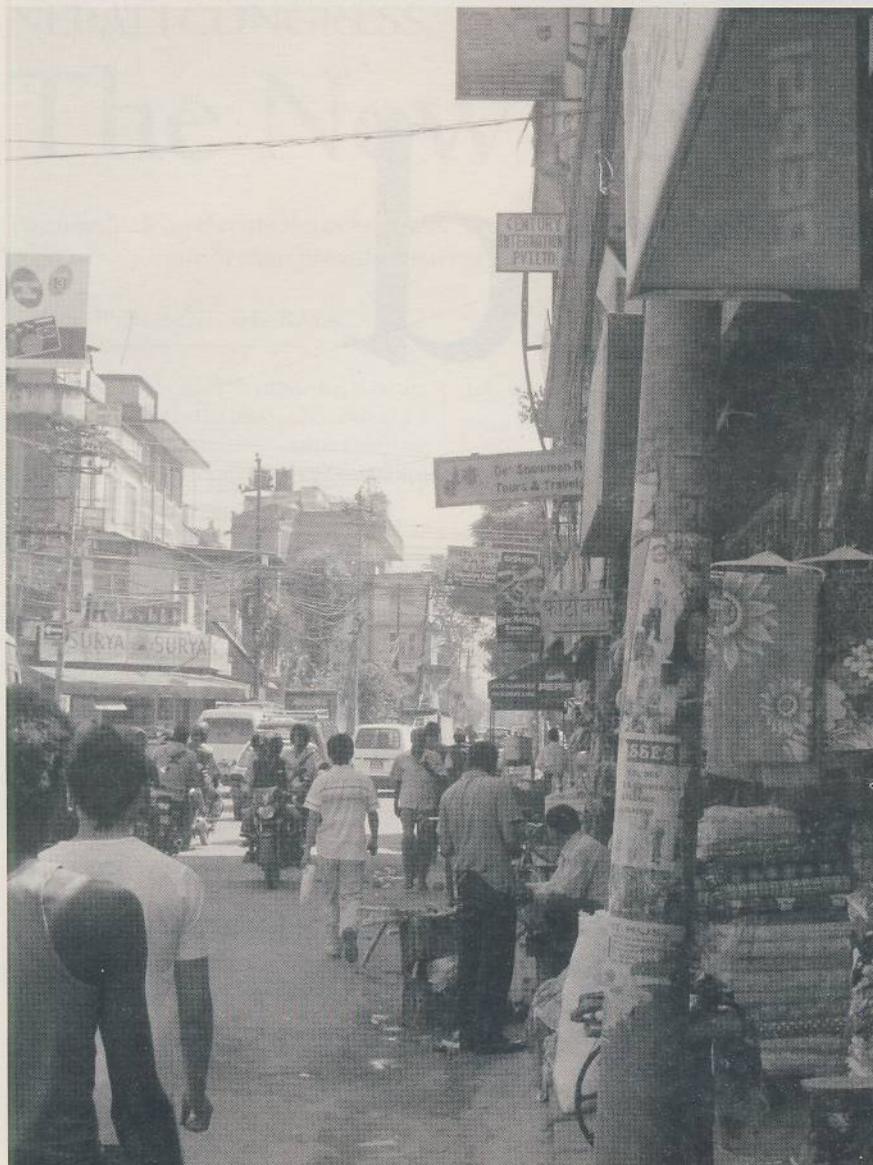
His pessimism was grounded in the 'forced retreat' the economy has been

subjected to owing to the political instability that has blocked the introduction of budget for this fiscal year.

Data Down

Secretary Baskota is ridden with anxiety looking at the revenue figures of Shrawan and Bhadra.

In the last fiscal year, the revenue collection had grown by 54 percent and



Empty Market

52 percent, respectively, in Shrawan and Bhadra.

"But this year, the revenue growth has come down to 12 and 11.2 percent during these two months," said Baskota.

"Compared with our expectations, we have made Rs 3 billion loss in revenue collection in these two months already," he said.

Last year, the government collected Rs 180 billion as revenue.

Of the total, Rs 160 billion were spent on regular expenditure and Rs 19 billion were spent on payment of principles and interests of loans.

This year, the regular expenditures and loan payment dues will not decrease but rather increase.

"We must collect at least Rs 200

billion to service those expenditures. Unfortunately, the collection is dropping," said Baskota.

The handsome growth in revenue collection had been one of the most promising aspects of Nepali economy in the last few years.

In fact, international organizations like International Monetary Fund (IMF) had praised the government for the successful revenue drive.

Even when Nepal suffered serious Balance of Payment losses in the past one year, the government had continued to boast the soaring revenues based on soaring imports.

But, all of a sudden, the revenue collection has been hit. Why?

No Budget, No Revenue

The most important reason why the revenue collection has been hit is the delay in pronouncement of new budget.

As the current government is a caretaker, it only presented an advance budget that allowed the spending of one-third of the total expenditures incurred during the last fiscal year.

That was supposed to be a stop-gap measure.

But even after several rounds of election, the parliament has not been able to elect a new prime minister. In the absence of political understanding, the instability is set to extend.

With it has extended the financial instability.

The lack of budget, which is nothing but a package of financial policies, has made the whole situation unpredictable. The import has been its first victim.

Till three months ago, the government was considering imposing import control in order to rein in the soaring imports that were aggravating the BoP crisis.

But now, the situation has completely altered.

In the last two months, the government lost Rs 200 million in revenue from motor vehicles, according to Secretary Baskota.

This loss is calculated based on the comparison of government's expected revenue from the sector and the actual collection.

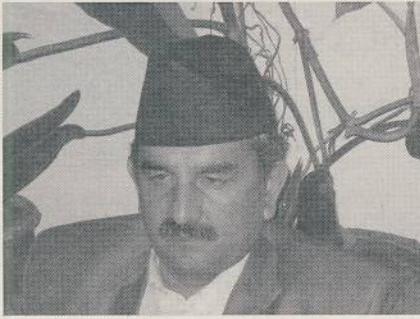
In a clear pointer to the recessionary trend, the construction has slackened.

"This is clear from the loss of Rs 80 million in revenue the government incurred from import of MS billets. The real estate sector is collapsing. In fact, we lost Rs 180 million in registration fee collected from realty transactions during this period," he said.

The government had imposed capital gain tax on realty transactions of over Rs 50 lakhs.

"But in the last two months not a single penny has been collected under this title, which means there has been not a single transaction of that volume during the period."

In another worse indicator, the government incurred loss of Rs 90 million revenue in the two months compared to the same period last year from the import of petroleum products.



Finance Minister Pandey

Melancholy In Manufacturing

The budget is not merely an account of incomes and expenditures. It presents the tax, duty, excise and other financial policies the government will adopt for the whole year.

"In the absence of the budget, the investors are shying away from announcing new investment plans and industries are in confusion," says Kush Kumar Joshi, president of Federation of Nepalese Chamber of Commerce and Industry (FNCCI)

For example, the manufacturers of cigarettes, alcohol and beer have started to cut down their productions.

"I recently visited a big factory. The factory that used to keep three months' stock of good was producing goods for only three or four days. They are anxious about the excise policy the new budget will announce and are not producing in normal fashion," said Secretary Baskota.

"Everybody seems to be in wait and see mood. Even on the eve of Dashain, the imports have not picked up. No import and no production means no revenue."

Stalled Growth And Development

The situation has come to such a pass that a quarter has been calling for letting the budget of the last fiscal year continue for the whole of this year.

"Introducing a budget in the middle of the year will invite many administrative and managerial complications in tax and other rates adjustments. It is, therefore, better to let the last year's budget continue. The government can then seriously prepare for next year's budget," said Rajendra Kumar Khetan, chairman of Khetan Group.

Due to lack of budget, the government has been unable to spend on development.

"Economy Is Wilting Under Instability"

Krishna Hari Baskota, Revenue Secretary

What is the situation of economy?

Till now, we can safely say that the fundamentals are sound. But in recent times, I have started to feel that the economy is slowly wilting under the pressure of unending political instability.

What are the consequences of the continued delay in budget?

We are able to meet the regular expenditures for two more months. The development expenditure has taken a severe beating. We are even embarrassed to give data about the development expenditure.

What is troubling you the most?

Suddenly, the revenue growth has slowed down. In the last two months we



collected Rs 3 billion less revenue than estimated.

What is holding back the economy?

The main thing is that the politicians should sort out the problems and let the economy function on its own. Otherwise, the economy will not wait for the leaders.

Almost three months of this fiscal year 2010/11 have passed, but less than 1 percent of expected development expenditures have been spent.

"We expected to spend Rs 125 billion on development this year. But till now only Rs 300 million could be spent on development works. You can imagine the extent of the problem we are facing,"

said Finance Minister Surendra Pandey.

This will have a devastating impact on economic growth.

In Nepal, of the total economic activities, government covers 25 percent while the private sector does the rest. But in the absence of budget, even the private sector is not going forth with their activities leading to the situation of a complete standstill.

A Happy Greetings on the Auspicious Occasion of Bada Dashain and Tihar 2067

Suk Bahadur Gurung

Chairman



Pioneer Overseas Services (P) Ltd.

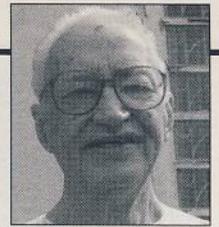
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Improved Sino-Indian relations not against Nepal

KIRTI NIDHI BISTA



It is worrying to go through daily media report in Nepal that China and India are vying with each other to play a dominant role in Nepal as its deteriorating conditions could affect each of them in different ways. In the context of Sino Indian competition and rivalry in the present day world and in the long standing border problem yet to be solved amicably between them, Nepal as a buffer state between the two Asian giants has to be vigilant and do the needful to create an environment in its soil not of confrontation but of cooperation between the two. Nepal can not remain insensitive to its strategic importance nor can it ignore the positive role that it has to play in coming years for its survival and prosperity. Definitely some elements should be acting in creating suspicion and hurdle between these two Asian countries against each other and prevent the process of strengthening its friendship so much coveted with increased cooperation and expansion of trade and commerce between them. Better relations between India and China can never harm Nepal rather support it, particularly in the economic field.

Nepal has always taken a policy of establishing and maintaining good relations with both its neighbors since

What is needed on the part of party leaders is prompt action and hard decision with a measure of flexibility and accommodation to break the long standing deadlock and quickly proceed to do the unfinished job.

ancient times as evident from the precepts formulated by the builder of new Nepal, King Prithvi Narayan Shah the great. "Nepal is just like a yam between two boulders" or "establish good and amicable relations with China, have relations with the emperor of South understanding well that he is very clever.." signifies the importance of bilateral relations for Nepal. It does also shed some light on the vulnerability of Nepal as a yam if, in King Prithvi Narayan Shah's words, the boulders were to collide. This realization is neither new nor an afterthought during problematic circumstances. Despite the assertions by the so-called intellectuals and thinkers of Nepal in modern time that Nepal was playing off one neighbor against the other during the Panchayat regime, it can be taken simply as an attempt of some individuals to discredit monarchy at the cost of the nation. Such a fatal mistake should never be imagined much less repeated as all Nepalese are fully aware of the consequences of a wrong action that might threaten independence and sovereignty of Nepal.

Notwithstanding Nepal's tireless efforts to acknowledge, understand and appreciate the support that it gets from its closest neighbors and reciprocate fully, it is well known that India has been playing a dominant role as far as Nepal is concerned. Right from 1951 since the end of Rana rule and even before that as humiliating 1950 treaty of peace and friendship exemplifies up to this day as twelve-point agreement was reached in New Delhi among the political parties of Nepal with India playing a dominant role. India seems to have failed in its attempt to get that agreement implemented smoothly and raise its dominance to overbearing level. Of late China's

growing interest in Nepal is being misinterpreted from various sources and quarters. In fact the policy and interest China has adopted and pursued is not a new development. As a next door neighbor China is equally interested in seeing Nepal's independence safe and intact, of course, within the ambit of the five principles of peaceful coexistence. After the establishment of diplomatic relations China had come out openly in support of Nepal's independence and territorial integrity in 1960s, and now it is being asserted in the same vein and spirit. For Nepal, it is most welcome and it should neither be taken differently nor viewed with suspicion?

Knowing that the national consensual unity government is indispensable to write a new constitution and take the peace process to its logical end the principal parties themselves are at loggerheads with each other even now for their own narrow interests and thinking and at the huge expense of nation and its people. If that is not going to happen why not agree to go for an independent care taker government to be led by the present or retired chief justice and then concentrate and accomplish these two assignments for which the constituent assembly, duly elected by the people, was brought into existence. After these two agendas are successfully addressed and completed the door will be wide open for the general election of a new parliament and any party contesting it will have the opportunity to form its own government or a coalition one depending on its result. Then only a new chapter of peace, stability and lawful democratic regime will start in Nepal. People are impatient to see it.

Every single moment is of utmost importance for ailing Nepal. Any negligence on the part of leaders or even a slightest error is bound to affect it adversely for a long time to come. What is needed on the part of party leaders is prompt action and hard decision with a measure of flexibility and accommodation to break the long standing deadlock and quickly proceed to do the unfinished job. After failing to elect a Prime Minister for the ninth time Maoists have demonstrated not only some flexibility and positive thinking in their stated stand but also created some room for onward march by withdrawing their candidacy and agreeing to work in the special commission formed to settle the combatant issue. If one party relaxes its hard position and modifies its stance the other party should also reciprocate in a similar way and not take it as other's weakness and become stiffer. This is a simple rule practiced by opposing parties all over the world for arriving at an agreement not only acceptable to the parties concerned but also to the general mass.

The recent development has provided another opportunity for the parties to work together and achieve the set objectives. It is not wise to miss it and bring disrepute to everyone involved in this gigantic task of nation building. At this critical juncture resilience can be an important factor but not obstinacy. A ray of light that has unexpectedly appeared in the Nepalese dark political sky must not be allowed to disappear like in the past. Also, the Nepal government, though critical and in strong opposition to the continuance of UNMIN for some time has finally agreed to its extension for another four months is another indication of good thinking. Without UNMIN the country

Rise of China

AMITRANJAN

would have plunged once again into another phase of violent struggle thus eliminating the remaining hope of settlement for some time.

It is certainly hurting to witness the painful decline of a country which had at one time established its reputation as a well administered country capable of providing peace and security to its people. Nobody had even imagined that Nepal would go down so soon with all its state mechanisms and democratic institutions in total disarray. And now what remains to be seen by the unfortunate Nepalese people and its foreign friends is the increasing danger of Nepal being turned into a safe heaven for terrorists, mafia armed gangs and violence in one form or another affecting not only its immediate neighboring countries like India and China but also the South Asian Region and even beyond. Nepal, rich in leaders, seems to be without vision, responsibility and commitments. It is just like poverty in the midst of plenty. Now instead of continuing this artificial drama of nation building in the form of mere slogans and empty promises Nepalese leaders should once again rise to the occasion and discharge their responsibilities with the single objective of preventing the country from going into total anarchy. Or else it will be no surprise if Nepal is declared a failed or a debt ridden bankrupt state in the near future.

Nepal needs to bring its crumbling house to order and prepare itself for this very challenging and responsible job. As far back as 1985 former German Chancellor Mr. Helmut Schmidt had predicted that China would be the world power if it did not repeat the mistake like that of great leap forward and cultural revolution. He did not miss to appreciate Deng Xiaoping's offer to open up China to outside world in the context of globalization. Now China is strongly poised to overtake Japan as the second largest economy in this year. India is also not far behind in economic progress and now briskly moving towards attaining the same kind of growth rate that China has achieved. At one time India was in a bad condition due to scarcity of foreign exchange reserve so much so that it had to nearly sell its gold reserve and tap foreign exchange from its neighbors including Nepal. Both these neighbors have given a remarkable lesson to Nepal that given the right choice of policies and strong determination nothing is impossible.

(Bista is a former prime minister)

China an emerging global major power and potential rival of the USA, has influential presence in South Asia, which is a cause of big worry for another emerging South Asian regional power, India. Due to its misguided regional policies, India is almost losing its presence in the region and the south Asian states are fast tilting towards China.

China is good bet for them because of its economic robustness. It has overtaken Japan in 2010 to become second largest economy of the world.

Both India and China started their post-independent development innings together and they were at par, in terms of economic growth and development, for almost two decades after their

more on coercive means to maintain its sovereign stature. As a result the problems in Kashmir, Northeast and Naxalism are still persisting. On the other hand China, from the beginning, has been under the dictatorial rule of the Communist Party. Sometimes the authorities have turned brutally against its citizens: the protestors were marauded at Tiananmen in 1989 and also People's Liberation Army (PLA) was given free excess to deal with the dissidents in Xinxiang. The federal government has also adopted development model to silence the voices of dissent by developing infrastructure and providing employment to the youths.

After silencing the internal dissidents, China has successfully dictated all its

India failed to resolve its internal problems and relied more on coercive means to maintain its sovereign stature. As a result the problems in Kashmir, Northeast and Naxalism are still persisting.

independence. China joined the eastern block, early but later on when differences surfaced between the former USSR and China and near-to-war situation developed between the two over claims on Uri River in late 1960s, it switched its loyalty towards the US-led western block. Under the leadership of liberal reformist Deng Xiao Peng it completely reversed its economic policies, which has been continued by Deng's successors, resulting in its transformation from closed, self-satisfied economy under Mao, to one of the main proponents of liberal capitalism. India, on the other hand, maintained a socialist economic order after its independence and continued it till 1991. Politically, it kept itself aloof from the cold war block politics and successfully launched the NAM, with other like minded developing countries. As a democratic country India has gained global status and makes everyone proud to the fact that it has successfully managed the democratic system for more than six decades. But the dreams and promises, which were supposed to get fulfilled through it, have been only partially fulfilled. Despite a constitutionally guaranteed political, economic and civil rights, India failed to resolve its internal problems and relied

prolonged border problems with its immediate neighbours. The exceptions are

Japan and India with whom it still has disputes over the border territories. With the growing economic robustness and global political clout, China has become much more assertive towards these two countries, especially towards India, to which it consider main rival and hurdle in its ambition to become major global power. To contain India, China has created 'pearl of strings' in Indian Ocean to militarily encircle it. It is also interfering politically and economically in South Asian affairs, though steadily, in order to establish its hegemony in this region at cost of India.

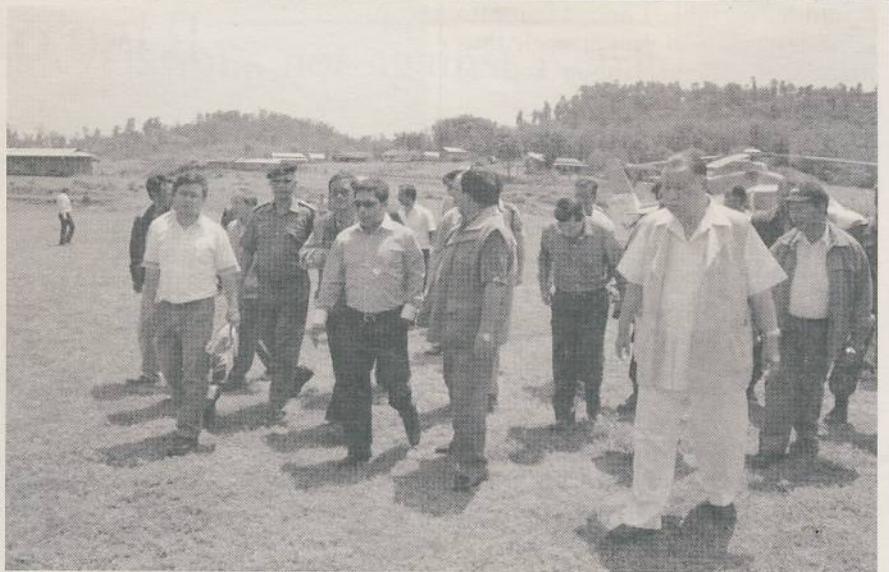
The political and economic space, which China is trying to occupy in South Asia, is mainly due to India's negligence of its small but strategically important neighbours. India's misadventures in the region has led to widespread trust-deficit against it. Sometimes, it has unnecessarily interfered in affairs of its neighbouring countries. In Sri Lanka it supported the LTTE against the Sinhala dominated Sri Lankan state but later on sent its army to fight against the LTTE. After the assassination of the former Prime Minister, Rajiv Gandhi, LTTE was declared a banned organisation. Thus it lost the support from both Sinhalas as well as from the Indian Tamils in Sri Lanka. In Bangladesh it enjoyed support

during the era of Sheikh Mujib but after his assassination it does not. Anti-India constituency is growing very fast there. In Nepal India's position has been switched from supporting the monarchy and Nepali Congress leadership. After decline of monarchy, Maoist led popular government came into power. However India successfully managed to destabilise that government. Now after decline of Madhav Nepal's government, India is trying best to get 'its man' appointed as Prime Minister of Nepal. This type of attitude has made the people from these countries suspicious towards India.

Recently, China has adopted aggressive policies towards Jammu & Kashmir and Arunachal Pradesh which is an open challenge to the India's territorial integrity and sovereignty. The presence of 7000 to 11,000 soldiers from PLA in Gilgit-Baltistan, as mentioned by Selig Harrison in New York Times on 26 August 2010, is a challenge to India's official position on 'disputed' Pakistan side of Kashmir. Earlier in 1963 Pakistan ceded a part of its administered Kashmir to China in order to improve its relationship with it and also complicate the Kashmir problem by including China as a party to any future negotiation for conclusive resolution of this issue. Lately, China on its eastern border with India has deployed nuclear capable missiles. China is impatient power and is frustrated given the placement of US in Asia. The US had conducted a successful military exercise with Vietnam, an opponent of China in Southeast Asia and is constantly improving its relationship with India. As a feeble power Vietnam does not have much to challenge the Chinese interests so it is bit relaxed. But India can pose a greater challenge to the Chinese ambition; therefore it aggressive in its policies towards India.

Deteriorating relationship between India and China are going to have global, continental and regional repercussions. Although, the dialogue between the two is an option but due to proved historical record of China's betrayal it is not possible to rely on. So, the only option India has is to increase its power both hard and soft to challenge China's presence in its backyard. Besides, it has to sort out all ongoing internal problems by making some compromises with the internal actors. The cohesive society is must for meeting any future challenges from China.

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The chief minister of Meghalaya Mukul Sangma's team visiting places where clashes between Khasi and Nepali occurred.

NEPALESE IN MEGHALAYA

Nagging Fear

Nepalese in Meghalaya say the government there does not care about their problems and no compensation has been given to the families of people who lost their lives in ethnic clashes four months ago

By **UMAKANTA KHANAL** in Jhapa

T it was some four months ago that Nepali speaking people in Meghalaya, one of the north east states of India, bore the brunt of ethnic clashes. Tribal Khasis and Nepali speaking people clashed and, it was claimed, more than one and a half dozen Nepali speaking people died. Thousands of Nepali speaking people were displaced to other states. Some returned to Nepal, saying that they would not go there to work in the coal mines again.

But even now they do not feel any more secure there. They say that the government does not care about the problems of Nepali speaking people. According to them, no compensation has been given to the families of people who lost their lives in the clashes.

"The government did not intend to take any initiative to collect data of how many Nepali speaking people were killed. Many Nepalis were trapped in the coal mines when they tried to escape," T.R. Joshi, who belongs to Meghalaya Gorkha Welfare Centre, said.

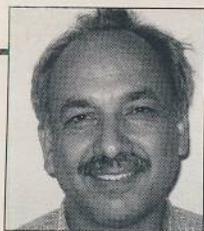
According to the Nepalis of Meghalaya, the media organizations also didn't support them. Diwakar Poudyal from Ladrumbari said, "The media do not support us in any of the incidents that happen against us."

But the government of Meghalaya says there was only one incident in which one has lost his life. Loknath Bastola, a farmer, was burnt to death. The home minister of Meghalaya, HDR Lyngdoh, said, "The situation is very normal now. The Nepali speaking people are living in peace."

According to him there is no any report of any clash between Khasi and Nepali. Lyngdoh said, "The government is taking care of Nepali speaking people. We are like brothers and sisters."

On May 14, in the conflict of Langpi which lies on the border of Assam and Meghalaya, four Khasi people were killed by the Assam police. The Khasi communities blame that the Nepali speaking people supported Assam side and they gave ultimatum to the Nepali people to quit Meghalaya within 24 hours. Later, by the request of the state government and the different organizations of the Indian Gorkhas, the Khasi communities took back the ultimatum.

The population of Nepali speaking people in Meghalaya is near about two lakhs. Many Nepali people have migrated from Nepal permanently or temporarily to work in the coal mines. ■



Gen. Gurung's UK Visit Ties On Test

YUBARAJ GHIMIRE

Nepal was almost a military ally of the British empire until the Indian independence of 1947. British and Nepalese military ties, going back to the Sugauli treaty, however, are not the oldest in the region.

These relations now appear not just strained, but almost irreparable.

Gen Chhatraman Singh Gurung's recent visit to the United Kingdom at such a crucial moment—that coincided with the killing of Lakshman Rai in Afghanistan while fighting for the British cause—may not be an occasion to expect traditional warmth and lavish praise of the 'brave Gurkhas' by the British hosts.

The historical relationship has now been dogged with suspicion and distrust. A large section in Nepal, including the army, now believe that the British government, during the later years of the Maoist insurgency, and in the post-monarchy days, moved too much closer to the Maoists. They cite evidences of how the British government agencies and Human rights groups funded by them are taking one sided view against the Nepal army and agencies of the state for alleged human rights violations during the years of conflict.

Gen Gurung's five-day official visit to the United Kingdom beginning October 3 has therefore triggered intense speculations about how the British will want to have their military ties continued with Nepal.

No doubt, over the past few years, the British have corrected their policy of discrimination in pension for the retired Gorkhas compared to the locals, and even provided residential facilities in the UK to the retired personnel provoking a near exodus, something that has generally been welcomed, but has grossly affected Nepal's major foreign exchange earnings.

Gen Gurung preferred to visit the UK around the time a high-powered Chinese delegation was scheduled to be in Nepal to have important discussions with him. The Chinese team has put off its visit because of Gen Gurung's unavailability. India's army chief will be coming to Nepal in the first week of December to receive the Honorary General's title—a reciprocal arrangement between the two countries that has been in existence since mid-sixties—from President Rambaran Yadav. And China that has been expanding its presence and influence in Nepal to match India's obviously would not want to ignore building ties with the Nepal army that is increasingly taking an assertive role and defending itself against attacks on it by Nepal's political parties, international and home based HR groups and UN agencies.

However, for Gurung, NA's current challenge lies in defining the meaning and importance of the historicity of its relations with the British outfit.

To reassure the British and the world at large that that Nepal army has a 'zero tolerance policy' towards human rights violation, the army headquarters issued a statement, prior to Gen Gurung's departure, to that effect. But he also confided to

some senior NA officials that he is not going to open, or take any sermons from the British authorities on, the issue of human rights as it was purely a visit to promote conventional relations.

New York based Human rights watch (HRW) and Amnesty International are pressing the UK government to secure a commitment from Gen Gurung that NA would fully cooperate in expeditious investigation of HR violation cases committed by the army during the years of conflict. The NA has repeatedly blamed a couple of UN bodies in Nepal—UNMIN and OHCHR—and some human rights NGOs as systematically denigrating the army in league with the Unified Communist Party of Nepal-Maoists (UCPN-M), another party to human rights violations during the years of conflict. Its stated position is: let all the HR violation cases during the period be referred to the proposed Truth and Reconciliation Commission (TRC) instead of isolating the NA on it.

Some covert activities of the British officials, Nepalis authorities now reveal, in promotion of the new policy had been noticed, but it was never taken seriously back home.

In fact, HR groups' influence on the British government is not only visible, but almost decisive when it comes to reacting on HR violation issues abroad. In 2002, a few months after a visiting British Minister issued a statement in Kathmandu that 'terrorists cannot be accepted as winners' in an obvious hint that the British will do anything to defeat the Maoists, who then were waging a war against the state, Britain's Foreign Minister Jack Straw gave the message of a clear shift towards UK's policy when he called on King Gyanendra during his London visit.

Some covert activities of the British officials, Nepalis authorities now reveal, in promotion of the new policy had been noticed, but it was never taken seriously back home.

Prior to the King's visit, British Embassy in Kathmandu had casually informed the media that a serving British General, during his visit to western Nepal, had been abducted, detained and later released by the Maoists.

"That in fact, was a stage managed act and during that event, Maoists had acquired satellite telephones and other sophisticated equipment. We never suspected our oldest military ally to have developed that kind of relations with the Maoists," a senior government official told ENS. "We did not even interrogate the British official in question."

After the 2006 April political change, agencies representing the British government in Nepal are perceived as radically pro-Maoists and anti-army.

Gurung has been forthright about taking up such 'discriminatory attitudes' head-on while talking to the officials of the UN agencies concerned and representatives of the diplomatic missions.

India reviewed its role towards Nepal army soon after King Gyanendra handed over power to political parties in April 2006, but Britain has not. And it might be quite embarrassing for the British government if Gen Gurung raises the issue of dual standards on the part of the British authorities on human rights violation issues in Nepal. ■

Home Truths

ABIJIT SHARMA



'Home away from home' is a popular tourism refrain. It explains the importance of home, no matter where it is and how it is. This you realize once you get out of your home, as I discovered recently.

"Mama, I'm coming home"; I posted this famous Ozzy Osbourne number as my Facebook status the day before I left Delhi for home. I received nearly 20 'likes' and comments from my friends, most of them wishing me a safe trip and welcoming me back to Nepal.

In my first piece for the 'Delhi Diary' column after I landed in the Indian capital, I talked about the developments made by the 'metro city'. They are quite impressive, indeed. Just a little more than an hour's flight from Kathmandu, Delhi is far ahead of the Nepalese capital – in terms of infrastructure and other developments. As I return to home for college vacation after three months, I find myself taking a different perspective on the developments in the two capitals.

Before I left home, I was full of frustration over the state of my country. A normal frustration of an average teen ager, I would assume. Political instability, ever-going *bandha* and *chakkajam*, water and power woes, bad roads with potholes every where. Problems in Nepal seemed endless. Friends, of my age felt the same way and everyone agreed that our ultimate destination would be abroad where we would first study and then settle. We could, in no way imagine our future in a country which was according to us, gradually developing into a 'failed state'.

But, just a few thousand miles away from home — and it changed me. No doubt, India is a rising world power and way ahead of Nepal. You cannot simply make a comparison. But I discovered that there are many things in which we Nepalese are far better than our Indian counterparts. Social and cultural aspects stand out.

Take, for instance, a social factor. Nepali people are often praised for their warm, welcoming, polite and generous behavior. How true when compared with the common Indian attitude I came across. When it comes to interacting with many Indian people in Delhi, one would be greeted with rude, harsh, manner less behavior. Also, one wouldn't be surprised if he lands up in some other place than he intended to, after asking direction to someone on the road. And of course, how can you forget the *Biharis*, who shamelessly spit *paan* outside your door? (No, the *Gandhi-giri* approach as shown in *Munna Bhai* doesn't work).

About security? Less said the better. Metro city Delhi is often termed as the one of the most unsafe cities — especially for women. No doubt, Delhi is a huge city and home to more than 10 million people, almost half of Nepal's population.

Crime in such city is inevitable. But statistics show that the ratio of crime to the population is highly negatively proportionate. A joint UN organization and Government conducted survey earlier this year made a startling revelation that two out of three women in Delhi had faced some form of harassment last year. More than 45 percent of women said that they felt unsafe in the city. As of May 2010, 212 rape cases had already been registered in this year.

I guess, these figures are in themselves answers to the questions we do raise about the state of security in Kathmandu. True, the situation has not been very encouraging when compared to the past, but as compared with big cities like Delhi in the next door neighbor, we have plenty of reasons to say home sweet home.

When talking about India, how can we forget about cheaters, frauds and cons? (Remember the Bollywood flick *Bunty or Babli*?) I'll tell you my own personal experience. I was asked Rupees 2000 for a replica of an ancient Indian watch in a shop. Finally, at the end of a long bargaining session, the same product was offered to me at a mere Rupees 200. When you are in Delhi, be prepared to be fooled almost everywhere;

auto-rickshaws, shops, in ancient monuments sites, and even in temples. So, next time you visit Delhi, don't be surprised (especially if you're a fair skinned tourist) if

someone comes to you and offers you to buy the Taj Mahal or even the Qutub Minar (This has actually happened once). We fare far better – generally speaking.

Amongst all these grim pictures, there is something to cheer about. Interacting with people in the Indian intellectual communities and high profile personalities provides a huge learning experience. In exceptional cases, I have also come across people, who unlike their contemporaries are helpful and supportive.

But nonetheless, home is sweet. It does not matter if there is not much sugar. What matter are the values and manners in which Kathmandu is perhaps second to none. ■

Before I left home, I was full of frustration over the state of my country. A normal frustration of an average teen ager, I would assume. Political instability, ever-going *bandha* and *chakkajam*, water and power woes, bad roads with potholes every where.

वडादसै २०६७ को पावन अवसरमा हाम्रा समस्त
ग्राहकवर्गमा सुख, शान्ति, सुस्वास्थ्य, दीर्घायु एवं
सफलताको हार्दिक मंगलमय शुभकामना व्यक्त गर्दछौं ।



नेपाल टेलिकम

परिवार



Cyber Law And Its Challenges

PRATYUSH NATH UPRETI

Cyber laws have become essential in view of the rapid developments in information technology. Online communication has given rise to a new global commerce in ideas, information and services. Information Technology (IT) is changing almost all aspects of human activity like communication, trade, culture, education, entertainment, and knowledge. With the rapid advances in computer technology over the past few years, there has been increasing concern in many countries for the need to develop and modernize the law in order to take full advantage of technological improvements and at the same time to guarantee that states can respond to computer crime and related criminal law issues associated with these developments.

The cyber law encompasses a wide variety of legal issues which includes intellectual property, privacy, freedom of expression, and jurisdiction.

Nepal's Case

Prior to 2004, the government of Nepal dealt with cyber crimes under the Public Offence Act. Nepal Police dealt with cyber crimes but they were not aware about the technical aspects of these crimes, which meant that the sanctions were not effective and relative to the crime.

Later The Electronic Transaction and Digital Signature Act 2004, also known as the cyber law, was passed. This law was forecast to be a landmark legislation for the development of IT industry in Nepal.

Under Act of 2004, hacking, deleting data, stealing e-documents, software piracy and posting defamatory information invite criminal and civil sanctioning to individuals and institutions. Under this law, the government can punish cyber offenders with up to five years of imprisonment and/or a fine of up to fifty thousand rupees. However, much depends on the severity of the crime. The law has tightened the security for banking transactions through electronic means, which should boost the economic activities across the Internet via Nepal.

The biggest challenge before the cyber law is its integration with the legacy system of laws applicable to the physical world. Since cyberspace has no

geographical boundaries, nor do the Netizens have physical characteristics of Sex, Age etc, several conflicts surface when the rights of Netizens are viewed from the eyes of citizens of a physical space. This is well reflected in the conflict between the trade mark laws and system of domain names.

The unique structure of the Internet has raised several legal concerns. While grounded in physical computers and other electronic devices, the Internet is independent of any geographic location. While real individuals connect to the Internet and interact with others, it is possible for them to withhold personal information and make their real

regulated by the government. The Internet offers extraordinary opportunities for "speakers," to express themselves. Political candidates, cultural critics, corporate gadflies, anyone who wants to express an opinion about anything, can make their thoughts available to a world-wide audience far more easily than has ever been possible before. A large and growing group of Internet participants have seized that opportunity. Some observers find the resultant outpouring of speech exhilarating. They see in it nothing less than the revival of democracy and the restoration of community. Other observers find the amount — and, above

Albeit recent, cyber law in Nepal is stirring debate in the media as it is put to practice. Two journalists, a former water resources reporter of Kantipur and a reporter from far western region, were arrested on charges of sexual harassment via the cyberspace. Two young video programmers were also detained for their virtual deals. Except ex-Kantipur reporter Bikas Thapa, others were released. As cyber law leads to arrests and controversies, lawyer Pratyush Nath Upreti takes up why we need it.

identities anonymous. If there are laws that could govern the Internet, then it appears that such laws would be fundamentally different from laws that geographic nations use today. Since the Internet defies geographical boundaries, national laws will no longer apply. Instead, an entirely new set of laws will be created to address concerns like intellectual property and individual rights. In effect, the Internet will exist as its own sovereign nation.

In comparison to traditional print-based media, the accessibility and relative anonymity of cyber space has torn down traditional barriers between an individual and his or her ability to publish. Any person with an internet connection has the potential to reach an audience of millions with little-to-no distribution costs. Yet this new form of highly-accessible authorship in cyber space raises questions and perhaps magnifies legal complexities relating to the freedom and regulation of speech in cyberspace.

In many countries, speech through cyberspace has proven to be another means of communication which has been

all, the kind of speech that the Internet has stimulated offensive or frightening. Freedom of speech and expression and cyber law are related.

Freedom of Expression

As internet is also a means of expressing speech so restriction provided through cyber law can be challenged under violation of freedom of speech and expression under any constitution and article 12(3a) of The Interim Constitution of Nepal 2007, provides freedom of speech and expression as a fundamental right. Restriction on website can also be treated as violation of freedom of speech and expression. Thus cyber law can be challenged on basis of the violation of freedom of speech and expression clause, if according to cyber law a particular website is prohibited then through that you cannot express and other person can't know as other person's right to know is also violated. As cyber law is in a developing phase so different questions will be raised regarding cyber law and its applicability.

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Significant Progress in Law and order Situation

RAMESH CHAND THAKURI

When RAMESH CHAND THAKURI, 53, was appointed the chief of Nepal Police about one and a half years ago, the law and order situation was not normal. When he took up the helm of Nepal Police, there were rampant incidents of kidnapping, road blockades and organized crimes. Despite several lacunas and shortcomings, Thakuri has brought progress in law and order situation and significant change in the police organization. Thakuri, who was born in Darchula of far western region, joined Nepal Police as an inspector through open competition in 1981. In the context of coming Dashain festival and Nepal Police Day, the chief of Nepal Police spoke to KESHAB POUDEL on various issues, including the organizational capacity of disaster management. Excerpts:

We have arrested a number of groups involved in organized crimes, including drugs, and fake currency and police have rescued people from abduction.

As the chief of Nepal Police, how do you assess the law and order situation?

Our records show significant progress made in the law and order situation in the country, particularly in the Kathmandu valley and the terai. Whether it is the issue of maintaining law and order or exposing activities related to crime and criminal incidents, the progress is satisfactory. We are also receiving positive response from common people.

Despite your claim that the law and order situation has improved significantly, the rate of criminal activities including murders, loots and kidnappings continue. What do you say?

No country can provide one hundred percent security shield and Nepal is not an exception. Given Nepal's present situation and resources and capabilities of Nepal Police, there is a reason to rejoice and get satisfaction. We have arrested a number of groups involved in organized crimes, including drugs, and fake currency and police have rescued people from abduction.

If the situation is alright, why has Nepal Police has decided to mobilize 4,000 police just before the Dashain festival?

Our past experiences show that the number of crimes increase during festival seasons like Dashain. This is the time when there is a mass movement of people from one place to another. This is the opportune moment for criminals. That is why we decided to mobilize a large number of police in highways and urban centers. People normally return home during the festivals and houses are empty.

If the law and order situation is normally better in urban areas like capital Kathmandu, what is the situation in the Terai and the hills?

The situation was really worse in the terai particularly the areas from Sunsari to Banke districts till a year ago. One can see a much better situation in the terai after we arrested a lot of individuals involved in criminal activities. I have to admit that after the introduction of the Special Security Program the situation has drastically improved. The initiative of the Home Ministry, the Special Security Program

has been bearing results. The situation in eastern hills and terai is almost under control and people are feeling safe.

Despite unstable political situation and limited manpower, Nepal Police has made progress. What is the reason behind it?

Basically, one of the most important parts is about our commitment. We have never raised the issues like lack of resources and manpower in the process of maintaining law and order. Since its establishment 55 years ago, Nepal Police has always been working with a commitment to restore law and order and provide security to the people. Even during the conflict period, our officers and non-officers had never compromised with their ethos to provide security to the people. They even sacrificed their lives. This is the history of Nepal Police. We have been facing all the challenges.

The number of incidents related to road blockades in various highways by local people has drastically reduced. What is the reason behind this?

This is the general observation. We do feel the same. At the initiative of the Home Ministry, Nepal Police got some resources during implementation of the Special Security Program. It helped a lot to enhance our limited capability. One of the major components of the program was to make highways free from all kinds of disturbances. Under this program, we have taken several steps to provide security in the highways. Another reason behind the reduction of the disturbance is introduction of third party insurance policy. Under this policy, there is a provision to provide compensation to those members of the family who lost the life in accident.

At a time when Nepal Police is arresting a number of persons in corruption related activities, it is reported that there is a rampant corruption going on within the police organization. What do you say on this?

So far as corruption is concerned, Nepal Police is firmly committed to wipe it out from the organization by making it transparent and clean. There is zero tolerance on corruption in our organization. If we find persons within our organizations involved in corruption and criminal activities, we take immediate action and punish them.

It is reported that politicization is the main reason behind demoralization of the police, how do you look at it?

I don't want to comment on what people and others' say. However, what I can say is that Nepal Police was established under Nepal Police Act 1955. Our organization is regulated under this act. There may be some individual or isolated cases otherwise but generally Nepal Police is a professional organization.

How do you look at the recent amendment in

the regulation which made 30 years in service as a criterion for retirement? Many see this system will affect the whole organization structure. Don't you think that political pressure is responsible for frequent amendments in the regulation, particularly in such a sensitive issue?

Had such a provision been introduced through the amendment of act, it would have been better for the institution. Of course, one can raise the question when amendment is made in the regulation rather than in the act. Had it been done through the amendment in act, it would have strengthened the institution. The act guarantees professionalism in Nepal Police.

What is the role of Nepal Police in terms of law and order?

Nepal Police is working now as a frontline organization to maintain the law and order. We have the responsibility to implement the rule of law. Nepal Police is the only organization which is responsible to implement existing laws and maintain peace in society.

What is the state of organized crime?

Whether in Terai or Kathmandu valley, we are able to control organized crimes. We have already proposed a draft of the law to Ministry of Home to cope with organized crimes. We have established Central Investigative Bureau within our organization to deal with highly sensitive crimes like money laundering, drug cartel, terrorism and other organized crimes with international link. The bureau is composed of experts and specialized police officers. We are in the process to give certain legal rights to CIB. We are in the process of equipping it.

Can you explain how long will it take to mobilize police for rescue operation if there is a major earthquake in Kathmandu valley like in Haiti?

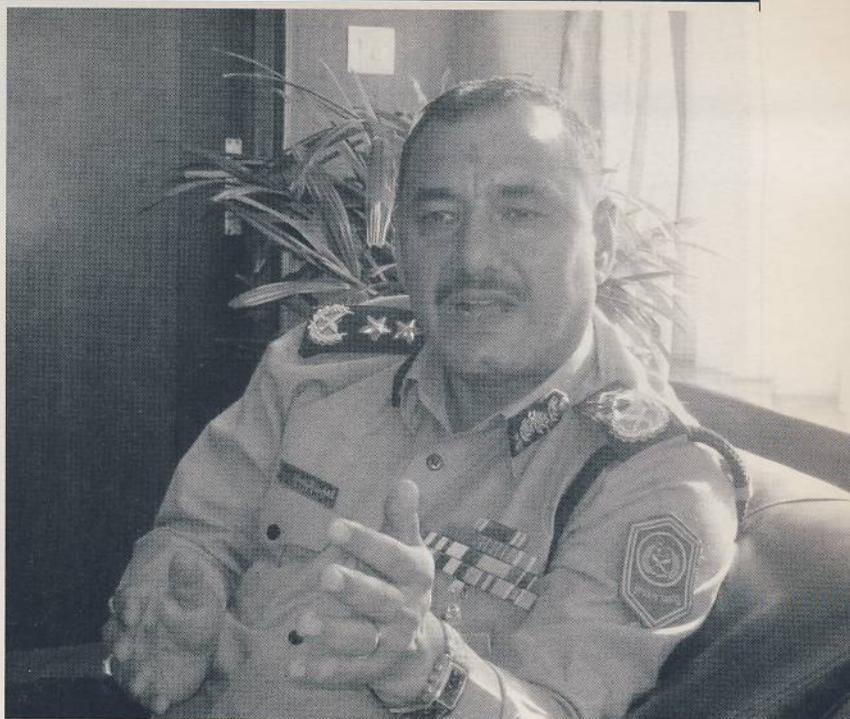
Of course, this is a very important area. Not only Nepal Police, the nation as a whole needs to be worried about such a situation. Given Nepal Police's present strength and capability, we will reach the spot at the earliest possible time provided roads, bridges and similar things remain intact. However, our local level force will also take the lead. As you know, disasters are one of the major problems of Nepal. Floods and landslides create havoc in rural parts of Nepal. Nepal Police is the front organization to start rescue operation whenever there are disasters. We rescued a lot of people this year.

What do you mean?

We are not in a position to launch rescue operation as Nepal Police does not have even the basic equipment. Our planning and policies are just in paper. We received hardly any support for those kinds for preparation. It is not in a visible position. The government is worried about this and as a part of the government we too are worried.

What worries you most about disasters?

Increase in number of multi-storied, high buildings. I don't understand the construction of high rises in capital without having the basic things. Unfortunately, there are no supporting infrastructures with us. In case of fire, we even don't have fire brigades capable to control fire at ten floors.



Similarly, there is no crane and bulldozer to clean the road. We don't have even small equipment. There is the need to have heavy equipment to rescue people from multistory buildings. We may even require helicopters to rescue people.

Don't you have the technical capability?

Frankly speaking, we don't have that kind of capability. We cannot control fire by just carrying water in buckets by hand in case there is a fire on top of nine story buildings. For instance, recently there was a fire at UTL building and the available fire brigade was unable to throw water. Thanks to a cannon fodder of Nepal Police, we were able to control the fire and avoided a major accident.

As Nepal lies in earthquake active zone as well as being vulnerable to disasters, Nepal's development partners have been giving high priority to disaster management. Since Nepal Police is the frontline agency in rescue operation in all times, what steps have been taken to enhance the capability of your organization?

Despite limited equipment and other such facilities, Nepal Police has been doing its best taking part in all rescue operations in disasters including fires, floods, landslides, earthquakes and accidents. We have experienced manpower. We also conduct training from time to time in various levels. Training is not a solution. Disaster is a high priority of Nepal government and Ministry of Home has even special units under it. As a department under Ministry of Home, Nepal Police is playing a supporting role.

In case of a situation like in Haiti earthquake, how effectively can Nepal Police handle its job?

Our human resources are enough to manage the situation but we cannot carry out effective rescue operations without machineries. Our movement is fast and we reach the spot in less than a minute. ■

Disaster is a high priority of Nepal government and Ministry of Home has even special units under it. As a department under Ministry of Home, Nepal Police is playing a supporting role.



NEPAL POLICE

Ever Vigilant

Even in the midst of political instability and turmoil of a half century, Nepal Police established itself as a professional organization to maintain law and order in the country

By A CORRESPONDENT

From the chaotic roads of Kathmandu Valley to remote parts of the country, Nepal Police personnel are seen on duty easing traffic and providing security. In case of disasters like floods, fires, landslides, quakes, and road and air accidents, these people in uniform stand in the frontline of rescue operations. At other times, they may be tackling with miscreants of several hues, from petty criminals to professional gangsters.

This is how modern and professional Nepal Police performs its duty. Normalcy cannot be imagined without the presence of the police. Though they may have been overburdened and overstretched, Nepal Police personnel are maintaining vigilance all round the clock.

The country has passed through several phases of political turmoil and instability putting different demands on the police organization. Yet Nepal Police has functioned normally all the time. It has been able to establish itself as a professional police force in guaranteeing

security to citizens and establishing law and order in the society.

"Nepal Police has faced several upheavals and turmoils. I myself have seen many upheavals and changes during my 28-year long career. But I can claim that Nepal Police is a highly professional organization. Some new institutions emerged during this period but Nepal Police remained the sole organization to provide security and maintain law and order within limited resources," said Inspector General of Police Ramesh Chandra Thakuri (read interview).

"Despite some shortcomings, Nepal Police is capable to fulfill its duty. We are able to arrest criminals, operate rescue operations, regulate roads and provide security. Finally, Nepal Police stands as a frontline force in every demanding situation."

Nevertheless, the organization has many critics as well as admirers.

Limited equipment, shortage of manpower and other facilities handicap the organization from performing its

best.

As an institution which needs to work in direct contact with the people, Nepal Police always comes under scrutiny of the common people. Hence, complaints about rights violation and ineffective service delivery by the police are heard often.

"Nepal Police has improved its human rights record a lot but it still needs to go a long way," said Gauri Pradhan, member of National Human Rights Commission. "Nepal Police needs to train its officials giving high priority to rights based approach. Often, police use force brutally as in the past," said Pradhan.

Others suggest the need to change its traditional approach. "It is very unfortunate that the mobility of Nepal Police is still slow. It needs to reach the spot of incidents within a short time. There is the need to change its modus operandi," said a former police officer on condition of anonymity.

Security experts argue that the main problem with Nepal Police is its politicization. There is a big surprise about why Nepal's politicians who hardly stick to one constitution willingly support a single act governing the police organisation. Nepal has changed four constitutions but one unique character of Nepal Police is that it is still guided by Nepal Police Act 1956. Nepal Police Regulation 1958, however, was amended several times under which Nepal Police was organizationally overhauled.

"Despite all difficulties Nepal Police always plays important role in its history. We need to encourage police in its role to implement rule of law and protection of human rights," said home minister Bhim Rawal. "Police organization has been passing through a very crucial time."

The post and position in Nepal Police often depend upon the wish of the Home Minister. Since Nepal Police regulations gives space to maneuver, nobody needs to go for amendment of the act. Had the organization changed through the amendment of act, it would have become more institutionalized.

"I formed a committee to amend Nepal Police Act to make it institutionally capable but I could not complete that task," said former home minister Govinda Raj Joshi. "I have to admit that Nepal Police is directed and controlled by the Home Minister and the organization is not run by the government but according to the wishes of the Home Minister."

NTB ANNIVERSARY

Marketing Tourism

Nepal Tourism Board (NTB) has made significant contributions to increase the number of tourists in Nepal

By KESHAB POUDEL

Till a decade ago, Chitwan National Park used to be a popular destination for affluent tourists. Only a few hotels inside the park catered to them. The situation has now changed as many other tourists started to visit the park.

Although various factors helped to increase the number of tourists in Chitwan National Park, Nepal Tourism Board's marketing campaign contributed a lot to 'sell' the national park to the global market, thereby attracting a lot of visitors.

After the establishment of Nepal Tourism Board 12 years ago and its intensive marketing campaign, the number of visiting tourists increased by many folds in the area along with the number of good hotels and other facilities.

"Along with European and American tourists, the number of Chinese and Indian tourists continue to increase in the area," said Roshan Chaudhari, manager of Jungle Lodge in Sauraha. "We also had a lot of tourists during off season this year."

After 1990, Nepal Police was given its main responsibility to maintain internal security. "With the limited number of personnel, Nepal Police has been doing quite a good job to maintain law and order in the society. Recently, they even arrested gangsters. They have been doing a thankless job. When I was the home minister, there were 57,000 in police force but only 17,000 3x3 rifles. To maintain security of the country, the number of armed police and Nepal Police needs to increase up to 100,000 each. There should be no resource constraints," said Joshi.

The police strength has increased with the formation of two armed police barracks but it is not enough. "In hills, our police posts have still less manpower than needed and one police post has to cover large areas. For instance, in some cases, it takes even two days from the post to walk to its own boundary. There are 8-

Since its establishment, Nepal Tourism Board has been organizing various programs as well as taking part in different tourism fairs. This helped to sell Nepal's product to the international tourism market. Due to NTB's global activities, the tourist arrivals continue to increase in Nepal and Chitwan is getting its share as well.



Nepal Pavilion in Shanghai Expo

As Nepal is celebrating the year 2011 as Nepal Tourism Year, increased number of tourists in Chitwan gives hope that Nepal will achieve its target to bring a million tourists provided peace and

10 police personnel at the lowest police post. That is not adequate in the hills. At least it takes two to three days to go from one unit to another. Even in terai, we cannot respond immediately in case of incidents. Out of the total number, 300-400 units are temporary. There is the need to have at least a police unit in each Village Development Committee and a police station is required in each ward in the terai," said IGP Thakuri.

According to the PHQ Stats, Nepal Police has confiscated large amount of counterfeit currencies, fire arms, and explosives and released a number of abductees safely in the recent days.

Police seized firearms, Short Barrel- 327 (Ammo.790 Rounds) and Long Barrel- 62 (Ammo. 325 Rounds). Similarly, Nepal Police also discovered explosives like Hand Grenade- 4, Socket Bomb- 30, Time Bomb- 1, Pipe Bomb- 17,

political stability in the country.

"Nepal bound travelers have always considered Nepal at the center of their mind more than other trivial issues surrounding Nepal. As long as we maintain the sanctity of tourist's programs there will be no problem at all to achieve our goal whether it is NTY or other normal period," said Aditya Baral, director of Public Relations and Publicity of Nepal Tourism Board.

Nepal Tourism Board is promoting Nepalese market as well as encouraging tour operators to sell Nepal's new products.

Along with Chiwan National Park, Nepal Tourism Board is now promoting the product of far western region. These kinds of activities help to open new markets for tourists around the country.

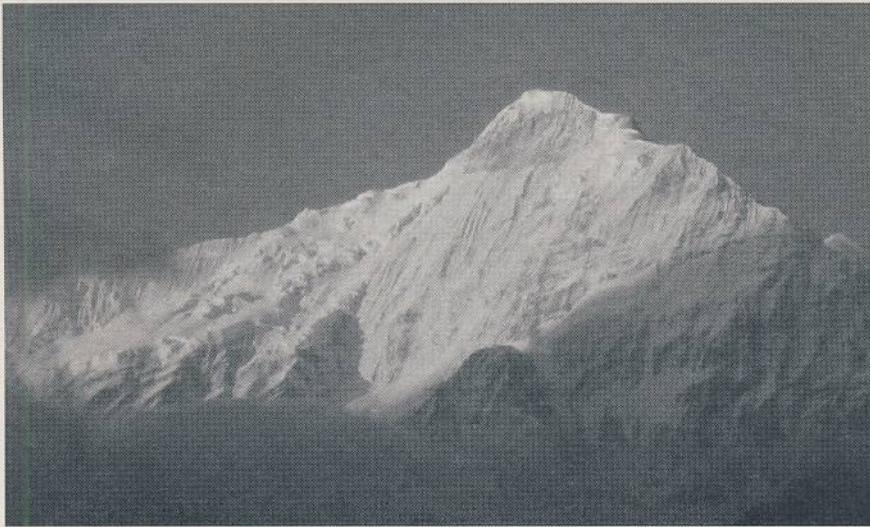
"It is important for trekking areas in Far Western region to be taken up by tour operators of tourists generating markets. Therefore, Nepal Tourism Board

always encourages international tour operators to get involved in promoting these areas by providing platform in the international travel fairs," said Baral.

Sutali Bomb- 14, Detonator- 352, Safety Fuse- 229m, Guillotine- 76 kg, Guillotine Bar- 68 and Gunpowder- 53 kg. Besides, 51 abductees were safely released through police action and initiative.

Although Nepal Police has a history of over 146 years or since 1864, its process of modernization began just after the revolution of 1950. During the Rana Regime 1864-1951, the Police performed very traditional works to maintain order in society. Following the fall of Rana Regime in 1951, steps were taken to modernize police.

No institution in the country which has been in the frontline of all changes like Nepal Police and faced all political turmoil and change has achieved what it did in surviving and establishing as a professional organization. ■



Himalayas Under A Threat

NAPA

Fresh Promise

With the approval of National Adaptation Program of Action (NAPA) by the government, funding avenues are now open to implement adaptation projects

By KESHAB POUDEL

Manifestations of climate change from melting Himalayan glaciers to variations in rainfall patterns threaten livelihood in Nepal.

Studies indicate that the key impacts are likely to include significant warming, particularly at higher elevations, leading to reductions in snow and ice coverage, increased frequency of extreme events, including floods and droughts and overall increase in precipitation during the wet season.

"Despite having to confront with various effects due to climate change, Nepal had nothing it could do without money. Following the approval of the National Adaptation Program of Action (NAPA) by the cabinet, however, Nepal has now access to funds to launch adaptation programs and projects to minimize the effects of climate change," said chief secretary Madhav Prasad Ghimire. "After attending the cabinet meeting at Kalapathar last year, I realize that Nepal is very vulnerable to climate change."

The seventh session of the Conference of Parties to the UNFCCC (COP7), held at Marrakech in 2001, established new funds relevant for adaptation, including the Least Developed Countries Fund (LDCF), to help affected people adapt to climate change. LDCF has been used initially to support the preparation of National Adaptation Programs of Action (NAPAs). The NAPA provides a process for LDCs to identify, communicate and respond to their most urgent and immediate adaptation needs and prioritize them. The fund provided approximately USD 200,000 to each LDC to develop their NAPAs. NAPA preparation is a pre-requisite for accessing funding from the convention's financial mechanism.

The purpose of NAPA is to serve as a simplified and direct channel of communication for informing on the urgent and immediate adaptation needs of the Least Developed Countries. Activities proposed through NAPA would be those whose further delay could increase vulnerability, or lead to increased costs at a later stage. The

approach of preparing NAPA is to be country driven, and complementary with existing plans and programs related to development and climate change.

After passing through various stages, National Adaptation Program of Action (NAPA) was finally endorsed by the government of Nepal last week. Although Nepal is the 45th out of 48 least developed countries to prepare NAPA, its NAPA document is said to be the best among them.

An LDC party to the UNFCCC and the Kyoto Protocol has to prepare NAPA to access funding for adaptation programs. The Ministry of Environment and Science and Technology and UNDP country office Nepal entered into an agreement in Mid-November 2008 for the preparation of NAPA, for which additional support came from DFID and Danish Embassy later.

Nepal has been taking part in all international conferences related to environment. Nepal participated in the meeting of the UNFCCC and signed the convention on 12 June 1992 during the Rio de Janeiro Earth Summit. Nepal ratified the convention on 2 May 1994 and it entered into force in Nepal on 31 July 1994. Nepal accessed the Kyoto Protocol on 16 September 2005 and it has entered into force on 14 December 2005.

Dr. Ganesh Raj Joshi, secretary, Ministry of Environment, said, "Realizing the impacts of climate change in the mountains and its eco-systems, people and their livelihoods, the government of Nepal has given a top priority to make the economic development environment and climate friendly. During the last few years, we have finalized the preparation of National Adaptation Program of Actions (NAPA), initiated a pilot program for climate resilience to address the needs of the climate vulnerable communities and geographical areas; and strengthen the capacity for the management of climate change and the environment."

The NAPA carried out and integrated ranking of priority activities and clustered these into nine combined projects profiles as: Increasing community based adaptation through integrated management of agriculture, water, forests and biodiversity, building adaptive capacity of vulnerable communities through climate resilient agricultural

"Small Efforts Can Bring Bigger Result"

THAKUR PRASAD SHARMA

In his tenure of just about 15 months, Minister of Environment THAKUR PRASAD SHARMA gave a leadership to complete the plans and projects which were pending for years. National Adaptation Program of Action (NAPA) is one of them. From enhancing technical capabilities of the Ministry to preparing NAPA and proposing ministerial meeting for Mountain Alliance Countries, minister Sharma has made a number of moves. Minister Sharma spoke to NEW SPOTLIGHT on various issues. Excerpts:

You have been talking about the need to have a NAPA document for Nepal since last one and a half years as a panacea for all environmental ills. Since the cabinet has approved the NAPA now, what changes will it bring?

Nepal is highly vulnerable to adverse impacts of climate change. We have spent all our efforts during my tenure to highlight these vulnerabilities. However, we did not have a document of National Adaptation Program of Action (NAPA) to get funds for our priority projects. First of all, we can even ask funds from Least Developed Countries. The document opens the door for their fund. Our position will be better in UNFCCC. Out of 48 Least Developed Countries, Nepal is the 45th country and Nepal enters into international arena with its plan in all areas. I am proud to say that Nepal is only the second country where the cabinet approved the NAPA.

The process of NAPA started with your appointment as a minister of environment and concluded during your tenure. How do you look at this?

My experience as a minister is that we can make everything possible if there is commitment and dedication on the part of the leadership. We can bring a lot of change by managing smaller things together. Despite lack of technical experts, institutions and other resources in the Environment Ministry, the efforts made by our team of employees show that nothing is impossible.

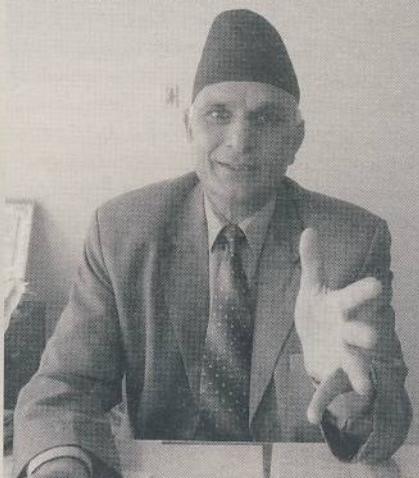
What remains to be done?

As you know the process of NAPA is development, community based disaster Management for Facilitating climate adaptation, GLOF monitoring and disaster risk reduction, Forest and Eco-system management for supporting

now complete, another difficult task is implementation. However, the document identifies the projects for various stages and Nepal can seek the funds. Another important part is about the establishment of Department of Environment which is now in the process. We have already started to formulate National Climate Change Policy. Whoever may come as a minister next time, the minister will have enough experts, institutions and policies to work with. There are basic institutions in place. The activities of ministry will be enhanced further.

How easy do you think will it be to implement NAPA?

We have already identified a number



of priority projects under six ministries and two cross cutting sectors. Within these eight sectors, we can implement dozens of projects. There will be projects under ministries of forest and soil conservation, agriculture and cooperatives, energy and irrigation, works and urban and health. We can move ahead with hundreds of projects. It will include many other projects. There is the need to give the continuity. Now Nepal has NAPA which will appeal for funds. If we fail to manage them, it will send a very wrong signal.

Do you agree that political support at the policy level can be important?

Yes. It is important. I cannot take all decisions by myself. What I require is technical capabilities as well as institutional capabilities. I have done so

climate led adaptation innovations, adapting to climate challenges in public health, ecosystem management for climate adaptation, empowering

many major works. When I started to work in the ministry, there were no documents and no works. Although my ministry is small, policy decisions taken by my ministry will have major implications.

Weren't you disappointed when the ministerial meeting for Mountain Alliance was postponed?

Of course, it disappointed me a little but I am happy to say that the ministerial meeting of Mountain Alliance is already in the pipeline. It will be held in March next year. This initiative itself is a major initiative on the part of Nepal. Despite opposition, suspicion and negativism on the proposal, I am able to establish the fact that holding ministerial meeting of Mountain Alliance is in the interest of Nepal. From Kalapathar to Copenhagen and recently in Kathmandu, Nepal has been able to attract global concern on the impacts of climate change in Nepal. It is a very bold step to hold the meetings of ministers of 51 countries. Thanks to the team efforts of Ministry of Environment, we are able to generate enthusiasm and encouragement. Even Nepal's development partners strongly supported my efforts to hold the conference.

What is the response to mountain alliance?

When I visited Switzerland recently to attend an international conference, many ministers taking part in the conference admired Nepal's initiative to take the leadership role among mountain countries. Nepal is in a very difficult situation but the positive side is that we are able to take the leadership on our own on issues like Mountain Alliance. This is a good sign.

How do you see your role?

We can do this kind of things with small expenditure. From selecting employees to establishing institutions, I have been able to do work without any controversy. Ministry of Environment's vision is that Nepal's environment will lead other things. If you have clear mind and intention, you can do anything. We have made every mission possible. I am proud to say that this is the success of all the employees of the ministry.

vulnerable communities through sustainable management of water resource and clean energy and promoting climate smart urban settlement.

“Finalizing NAPA is a Matter of Pride,”

PURUSHOTTAM GHIMIRE

PURUSHOTTAM GHIMIRE, National project Director of National Adaptation Program of Action (NAPA), has been working hard to release the final NAPA document. Ghimire is a joint secretary of Ministry of Environment and the focal point of UN Framework Convention on Climate Change (UNFCCC). After approval of the final NAPA by Nepal's Council of Minister (Cabinet) last week, Ghimire Spoke to NEW SPOTLIGHT on various issues. Excerpts:

What is the NAPA?

National Adaptation Programme of Action (NAPA) is the document which all LDCs are supposed to prepare to communicate their urgent and immediate adaptation needs to reduce the threats posed by climate change as per the decision from COP7. In other words NAPA is the compilation of climate scenario, vulnerability of the country and adaptation programmes. Nepal NAPA document is the summary of six TWGs and two cross cutting reports. Details of the process, assessment of climate change vulnerability and impacts and long lists of adaptation measures could be assessed in it. The vulnerability assessment and the work of the TWGs came up with a 'long-list' of adaptation options under each theme. Prioritization process to select climate adaptation actions was carefully adopted and was made inclusive, consultative and country-driven to the extent possible. A multi-criteria analysis was used in a step-wise process that culminated in identifying the most urgent and immediate climate adaptation actions according to national needs and interests.”

What is the state of NAPA now?

It was a moment of joy for all of us in the Ministry of Environment and Project partners, particularly NAPA project team, to know that the final NAPA was approved by the government of Nepal. After this cabinet approval, NAPA has become the journey to climate change adaptation for Nepal.

As Nepal is hosting the meeting of Least Developed Countries Experts Groups (LEG) next week, how significant is this document in that context?

I would like to thank all individuals involved in the NAPA process. Nepal's NAPA is just approved from cabinet and now we are the 45th country prepared the NAPA. If you see the international experiences of NAPA preparation, most of the countries took at least 2 years to complete but we became able to produce NAPA document within 14 months after the funds were disbursed by the implementing agency (UNDP) even we were

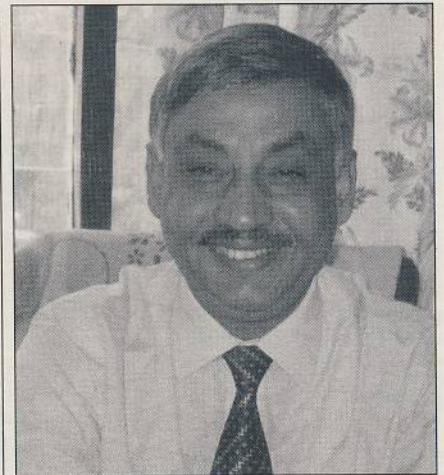
working in the expanded NAPA environment. As we are hosting the LEG meeting in 12-14 October 2010, it is going to be a great opportunity for all of us to share the NAPA not only with national experts but also with international experts participating in LEG meeting.

What is the expanded NAPA?

In general, NAPAs have been prepared through the limited resources made available by the GEF but we chose a distinct journey that we developed NAPA as a process rather than a project. In addition to the preparation of NAPA document, we have been working on other two components namely the climate change knowledge management and learning centre establishment; and establishment of multi-stakeholder partnership framework of action. The web portal for knowledge sharing and management is almost ready to launch while the learning centre at central level is going to be operated in Nepal Academy of Science and Technology very soon and regional learning centre at Institute of Forestry is underway. Moreover, the NAPA process facilitated to establish a Multi-stakeholder Climate Change Initiatives Coordination Committee (MCCICC) under the auspicious chairmanship of the Secretary of Ministry of Environment where all government and non-government stakeholders have been participating. Similarly, the NAPA proposed climate change adaptation implementation framework has already been approved by the Government which has been focused on the climate change adaptation governance in Nepal. These are some virtues of the expanded NAPA.

How the Government is seeing it?

The government of Nepal considered Nepal's NAPA as a process to assess climatic vulnerability, develop adaptation measures and a strategic tool to respond to climate change in the country, people and their livelihoods. The Nepal NAPA report is structured on the basis of NAPA preparation guidelines adopted by COP7 of UNFCCC and annotated guidelines developed by the Least Developed countries expert Group (LEG). The succeeding sections set out the introduction and national setting, the Nepal adaptation program framework, NAPA preparation processes and the methods and criteria used in the prioritization process, identification of key adaptation needs, lists of top priority adaptation actions and finally conclusions. Out of about 243 adaptation options proposed by the Thematic Working Groups (TWG), nine integrated projects have



been prioritized as the urgent and immediate national adaptation priority options.

You have been talking about NAPA all the time. What kind of support will Nepal get now as NAPA document has been approved?

NAPA is the first strategic document to address climate change. We have tried our best to make it more functional. This is the main document to share our problems, issues associated with soaring impacts of climate change and to bring the resources in the country to respond the crisis being faced by the vulnerable communities. NAPA has recommended several projects. The first is immediate and urgent needs; the second is short term and mid-term and third is long term. If you see the whole NAPA process, it identifies altogether 243 projects. Among them, we chose 43 projects within the nine integrated project as urgent and immediate adaptation measures with a cost of around 350 million US dollars. Now our focus is to bring these adaptation measures 'down to earth' that demands 350 million US dollars. Out of that demand, about 130 to 140 million US dollars is in the pipeline. For instance, the PPCR grant about 40 million US dollars, up calling the renewable energy about 50 million US dollars and there were European Commission and DFID fund about 40 million and other funds. We want to implement these adaptation measures within generally five years time period.

How was it prepared?

After signing agreement with UNDP in Nov 2008, the Inception Workshop was held in May 2009 after the fund release from UNDP. As per the agreement documents there is three level of implementation mechanism. First, the Advisory Board, headed by the Secretary of the Ministry and second,

"We WILL Play Coordinating Role"

Dr. GANESH RAJ JOSHI

After the approval of NAPA by the cabinet, Nepal has completed the first important task to seek international support for its climate change projects. In this context, Dr. GANESH RAJ JOSHI, secretary to the Ministry of Environment, spoke to NEW SPOTLIGHT on various issues regarding the NAPA process. Excerpts:

Since we have been talking about NAPA for a long time and Nepal has finally prepared the document, what difference does that make now?

NAPA is very important for Nepal as it has identified projects and action plans for immediate implementation in vulnerable areas. Now we need to manage finance for those projects, areas and regions.

From the very beginning, everyone talked about the question of ownership. After approval by the cabinet, who owns this document now?

Following the approval of the NAPA document by the cabinet, it is Nepal's national document.

What will be the role of the Ministry of Environment now?

In the process of its implementation, the Ministry of Environment is a coordinating agency. We are implementing a few projects that may be implemented by the Ministry of Environment itself. But, a majority of the projects and programs will be implemented

by concerned ministries and some projects may be implemented by private sector and others by NGOs, INGOs and civil society. Implementation agencies will be as per the size and nature of the projects. Ministry of Environment is not a major implementing agency. We just play a coordinating role.

What is the state of financing?

A lot of finance is coming and the flow is good. We need resources for the implementation of 43 immediate action plans. Among them, some projects need urgent implementation. If we have limited fund and they ask for priorities projects, we want to implement Churia Integrated project and there will be the program for forest, bio-diversity and agriculture, watershed management, disasters. Agricultural projects are needed in vulnerable districts of far west and mid-west. There are 9 vulnerable districts. For those food deficit and at risk food security districts, we need to protect local beans and crops varieties. There are some local crop varieties which have higher crop productivity.

What do you want to say about the NAPA document?

We have prepared a very good NAPA document. It covers all the sectors and cross cutting areas. Now we can request Nepal's development partners to make finances available in order to implement the projects in the concerned areas and sectors. Now we can

question Nepal's donor partners that you have pledged for this. Probably, what we can do now is policy coordination as in National Planning Commission. We need to have this

kind of project. Even in the implementation of Agricultural Perspective Plan, I realized the need to have such a unit for policy coordination. Since the sole responsibility of implementation of APP is given to the Ministry of Agriculture, no other line ministry takes any responsibilities. In the name of agriculture road, there were extensive road constructions. The concept behind agriculture road is that it should link productive areas to the market. Aim of such road is to fetch fertilizer and return agriculture products. This is for two way flows.

How do you see the commitments?

UNDP, DFID, and Danida have already expressed commitment for NAPA and we will request others, including the World Bank and the Asian Development Bank, to follow NAPA while in the process of development of resilience projects.



December 5 in Cancun which aim to support our Mountain Alliance meeting which is proposed for coming March. In those side events, we will also talk about the NAPA process and outcomes from Nepal. We welcome all the development partners now who are willing to support our initiatives on climate change.

What are the challenges you foresee now?

NAPA document is itself very important. I have seen both opportunities as well as challenges. After the approval of NAPA by the cabinet, we have completed the first part of the responsibility. We have been prepared to face the practical challenge, that is the implementation of prioritized adaptation measures and continue the NAPA process. The challenge is to implement the projects and opportunities is that we have a number of projects which will help our national development. I believe all these climate change adaptation projects will help poor and vulnerable people of this country to uplift their livelihood base and to adapt with the changing climate. I expect sincere cooperation and contribution from our development partners and all potential stakeholders.

Project Executive Board headed by Joint Secretary as the NPD that is me and the third is NAPA Project Team. During the NAPA process from the inception workshop, we established six Thematic Working Groups (TWGs) led by concern line ministries and coordinated by Joint Secretary and also following annotated guidelines of the Least Developed Countries Expert Group and suggested at the NAPA inception workshop to ensure engagement and ownership of a wide range of stakeholders and key government line ministries. The six TWGs are agriculture and food security, forests and bio-diversity, water resources and energy, climate induced disasters, public health and urban settlements and infrastructure. There are 8-16 institutions/individuals participating in each TWGs. Its important to note in here that the TWGs are formed not only to satisfy the NAPA needs but as a semi-permanent mechanism to deal with climate issues in their respective sectors even after the completion of NAPA Project.

How is the commitment to NAPA?

After the endorsement by the cabinet, not just the Ministry of Environment, NAPA is now owned by the government and this is a

national document. We presented the document at all levels from the government to grass roots people. We believe that all of them have the commitment to implement it. As the project director, I am very happy to complete the preparation of the document on time. I am really thankful to the leadership and support provided by the Minister, Hon'ble Thakur Prasad Sharma, Secretary Dr. Ganesh Raj Joshi and all the team members, scientists, experts, National Planning Commission, media persons and people at grass root level who were involved in the process. Nonetheless the contribution of UNDP, DFID and Danish Embassy need to be highly appreciated. Finally, we need to be grateful to the cabinet for endorsing it and accepting it as a national document. This credit goes for all.

How soon will the document be public?

NAPA document has already been completed and it will be public shortly. Firstly, we need to submit it to the UNFCCC. We have been struggling to launch it together with our learning web portal during the forthcoming LEG meeting. We are also planning to organize the side events in



The Promises of Politics

DEV RAJ DAHAL

Hannah Arendt, the noted contemporary philosopher, defends politics as an arena of promise rather than a risk for human survival. To her, politics and freedom are identical. But, her freedoms are not anarchic. They can be realized within the political realm of nation-state which supports a public sphere opened to the participation of all sovereign citizens. Does history justifies this argument? She argues that our understanding of politics as a means in the service of individual liberty, material gain, social status and recognition has increased the perils to the modern world. The instrumental rationality of politics has eroded its capacity to emancipate people from their pre-political hierarchy and exploitation to equality, liberty and human identity. Arendt asserts that the failure of philosophical tradition to account for human action is attributable for the domination of politics by non-political and anti-political forces. The goals of politics, she narrates, are to "set guidelines and directives by which we orient ourselves" and whose "concrete realizations are constantly changing because we are dealing with other people who also have goals" (P. 193).

The Greeks viewed polis as the "political-public realm in which men attains their full humanity, their full reality as men, not only because they are but also because they appear" (p. 20). The conflict between philosophy and politics was resolved in the defeat of philosophy because pre-philosophic Greek thinkers and Socrates were just interested in seeking truth and did not want to play political role for the liberation of society from irrational behavior of rulers. This caused the death of Socrates. Plato distorted philosophy for political aim of his ideal state. Only Aristotle devoted his life in the practice of philosophy and considered politics as a means to an end, the end for good life through the revelation of intrinsic worth in every human being. The Romans, men

of practical affairs, gave politics an eloquent expression in law and tried to make a balance between law and politics. Montesquieu revised the over legalistic tradition of political thought of Romans. To him, the principle of political action is the "binding link between the structure of a government represented in the spirit

**The Promises of Politics
Hannah Arendt, The Promise of Politics, edited and with an introduction by Jerome Kohn, New York: Shoken Books, 2005. PP. 218, Price \$8.**

of its laws and actions of its body politic" (P.66).

Arendt's inquiry into Hegel and Marx's philosophy led her to a critical examination of the entire tradition of Western political thought, from its origins in Socrates, Plato and Aristotle to its culmination in Kant, Hegel and Marx. The advent of Marx, rather than Hobbes, Kant and Hegel, marks a break with the tradition of the superiority of contemplative philosophy over political action. His revolutionary ideas appealed the mass to action as he saw man's essential humanity not in his rationality, but in labor and interest of laboring class is identified with the interest of humankind (p. 78). The action as a domain of freedom and emancipation was, however, neither his invention nor he

opposed this. In fact, he advocated political equality and freedom of human beings from alienation and exploitation.

Arendt argues "Politics is derivative in two-fold sense: it has its origin in the pre-political data of biological life, and it has its end in the post-political highest possibility of human destiny" (p. 83). Modern prejudice against politics springs from party-driven democracy which claims to represent people, even though the people themselves never believed it (P.98). Can enlightenment free human beings from this prejudice of politics screened into perpetual struggle for power devoid of any moral sense? Obviously yes, if politics expands the space of freedom of human will - a space that is essential for what Arendt calls, "protecting society's life-sustaining resources and the productivity of its open and free development."

The vicious conflict between the ends and means of politics must be resolved in defense of perpetual peace, a peace Kant defends in terms of moral aspiration and physical necessity of human beings to facilitate their plural existence in a framework of mutually guaranteed autonomy and freedom. To conclude, the promise of politics to human beings is: to breathe and live together in a shared space. This book distills the philosophical wisdom of the West in a critical light. It is very useful to those who want to understand the essence of politics, its absurdity and failures and also suggests bringing it back into the public domain. ■

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DHARAN MUNICIPALITY'S LAND POOLING PROJECT

Terminal Row

When financial interests collide with political interests, disputes arise and ruin development projects. The Sundarbasti Integrated Land Development Project of Dharan Municipality is a case in point. It shows how municipality's plans and resources are affected by political interests. In 2005, local people and political parties gave the project a go-ahead. Now the local people want their land back. UCPN-Maoist and Nepali Congress objected to the construction of the bus terminal in the area. Years of efforts and resources are going down the drain as municipal employees, political parties, and users' group members sling mud on one another over the project stalled on whether or not to build a bus park.

By SITA MADEMBA, in Dharan

T Large plots of land lie barren in Sundarbasti, two kilometers south of Dharan's old market. These are neither part of any grassland, nor of wasteland.

Municipal authorities acquired these plots from 107 landowners of Ward.No. 8 of Sundarbasti by promising them a modern residential area with open space, wide roads, sewerage, drinking water, community building, telephone and electricity in return. The plan included a modern bus terminal of Dharan to meet the needs of the road link to the highway in Itahari.

Dharan Municipality initiated the project after the Department of Housing and Urban Development approved of it on March 14, 2005 and after local users' group gave it a go ahead. The municipality pooled land under the Sundarbasti Integrated Land Development Project in December 2005.

As delay, political wrangling and irregularity surrounded the project, the people began to nurse grudges. They are now saying that the land pooling was meant for the bus terminal, not for the Integrated Land Development Project.

Land pooling

Land pooling is the most suitable way of providing housing and management of land in urban areas, especially for small municipalities like Dharan, where resources are scarce, say experts.

The scheme consolidates scattered and irregular-shaped plots into a big area, develops urban amenities there, and returns smaller but uniform plots with higher value to the land owners. The idea is to develop a comfortable urban environment with updated cadastral land maps and records by enlisting public and private participation.

The Town Development Act 1988 provides the legal basis for land pooling

projects. According to the act, the government approves a land pooling project at the request of landowners through local authorities and assists them on planning and implementation of the project in cooperation with the users' committee composed of landowners, tenants, and local representatives and intellectuals.

Dharan Municipality also followed these steps in developing the project.

"Land pooling project is a partnership of the government, the private sector and the community members for urban land development. The scheme offers a number of benefits to the land owners," municipal officials said.

As is usual elsewhere, a total of 400,000 square feet of land was acquired in Sundarbasti. The area is about 13 bigahs and 5 katthas, with 3645 square feet for each kattha and 20 katthas for a bigah.

Out of this, 30,000 square feet was



Project Office in Dharan

meant for multipurpose use. The municipality considered building a modern bus terminal in the multipurpose area because this facility did not exist in Dharan so far.

But then, the project hit a snag causing an enormous loss to the municipality in terms of its efforts, time and paper work over the last five years. Financially, the cost was not much, as it had spent only Rs. 800,000.

The concept behind the project was that the cost of planning and providing infrastructure would be covered from the land itself to be contributed by each landowner. Finally, the owner would get back about 12- 30% smaller pieces of land with parks and open spaces.

Conflict of Interests

Years down the road, consumers take it otherwise. Sixty-eight year old Panchamaya Rai, who gave her legal rights of half of her land to construct the bus terminal, is now demanding her land back. An illiterate Rai saw economic prospects in a bus park near her house when she signed the document transferring the ownership of land to the Project. She now accuses municipal officials of grabbing her land.

"I knew that I had nothing left when I visited the land revenue office to sell my remaining land. They showed me papers with my signature. I had lost everything at this old age," Rai said.

Family members of late Phulmaya Rai too share a similar story. Her daughter Bindu Rai came to know from the land revenue office, where she went to transfer her mother's property to her name, that only some land was left for her: 15 out of more than 23 dhurs.

"My mother signed a document when the municipal officials asked her for some land for extension of road. She did not know anything about Sundarpur Basti Project," said Bindu Rai.

Be these fabrications or real stories, the number of people with similar stories to share are increasing these days following rumors that the bus terminal will not be built there. Locals like Panchamaya, with small pieces of land, have formed an agitation group. Those who have larger areas of land in their possession, however, are supporting the project even without the bus terminal as its part.

Those who agreed on the project have already got their land ownership papers. Those who are opposed have rejected the documents demanding all their land back as before.

Political Interests

As the area is a stronghold of CPN-UML, other parties are blamed as tapping the opportunity to create a slogan to discredit its vote bank by provoking the locals with false information. "We know there is disinformation campaign against

us," said a local CPN-UML leader.

Local residents are protesting the project saying that there is no meaning in donating their land if the Central Bus Terminal plan, an integral part of Sundarbasti Integrated Land Development Project, is canceled even when the elected representatives were from the UML, which proposed it.

Dharan Municipality is considering an estimated Rs. 15.4 million for the bus terminal. This amount, however, is not included in any subheading of Sundarbasti Project.

In every scenario, the bus terminal row virtually jeopardises the future of the municipality's first well-planned integrated land development project.

The issue where the bus terminal should be built divides Dharan's political parties. UCPN-Maoist and Nepali Congress hold the view that the bus terminal should not be constructed where there already is a new settlement plan. "How can the municipality spend all its money in one place? If Sundarbasti gets the land pooling project, the bus terminal should go to other areas," said Rajuman Shrestha secretary of Nepali Congress Dharan Municipality Committee.

After prolonged disputes, a committee formed under the Chairman of Town Development Board recommended three alternative sites for constructing the bus terminal: sports land of Dharan 16, Saptarangi Park of 17 and Sundarbasti of Dharan-8.

The committee said Saptarangi Park was the most appropriate site for the bus terminal in terms of future benefits.

This recommendation invited more controversy in Sundarbasti where people had bought land looking at its prospects after the construction of a bus park here.

Nepali Congress suggested Dharan 16, UCPN-Maoist proposed Saptarangi Park and CPN-UML proposed Sundarbasti as the appropriate place for construction of the bus park. The differences hit the municipal project hard.

"We agreed to support the project on grounds that we donate 36 percent of total land to construct the bus terminal. Later when the municipality tried to encroach our land between 44 and 54 percent even without the bus terminal, we objected to

this," Parta Bahadur Rai, a local resident and member of the users' group, said. "If there is no bus terminal, nobody sees any reason to donate land."

Local people are raising the issue of fake signatures and repetition of names of various persons giving the consent to the project.

Out of 80 landowners who sent their consent, 10 signatures were fake, according to the agitating committee, which has filed complaints with the municipality, political parties, the district court and the Commission for the Investigation of the Abuse of Authority. Fifty landowners registered their complaints with Dharan Municipality and called for investigation.

Corruption Within

The opponents of the project found more points of criticism when they discovered that some of the plots allocated under the project were bought by the family members of employees of Dharan Municipality.

The news that the land pooled from the local community was distributed to families and relatives of municipal employees agitated the people further.

But, a project engineer said, "There is no malpractice here and any question of buying the plots being illegal as the buyers paid the money as demanded by the project."

What's wrong in it, then? The relatives of the municipal employees bought the land just a few months before the announcement of the project.

Opponents said they bought the land before 5 May, 2005 or the publication of the notice in Rajpatra Gazette.

Local users' group member Gyan Bahadur Rai said the land had been under the non-transferable category since 2003. He said he came to know of this because a bank declined to issue loans against his land as collateral there. This is purely a corruption.

According to the documents of District Land Management Office, a dozens of family members of present employees of Dharan Municipality bought the lands. Similarly, some of the plots were bought by their relatives. Two dozen land brokers also bought the plots.

Municipal officials said they had nothing to do with the land purchase. "This is merely a propaganda device against us. Can our family members not buy property?" asked engineer Raju Pokharel.

A meeting convened on November 12,



Distiputed Land in Sundarpur

2008, by Khadka Bahadur Chapagain, convener of Sunderbasti Development Project and executive officer of Dharan Municipality, and attended by municipal employees and representatives of political parties, gave a clean chit to all the relatives of municipal officials saying that they bought the plots in accordance with the law.

The meeting unanimously decided not to take issue with the land purchased by the relatives and family members of the municipal officials since they bought the land before the announcement of the project.

Tara Subba, CPN-UML representative who took part in the meeting, said the landowners were victimized. "Construction of the bus terminal was not included in the plan to acquire land for development, but the owners were promised with a bus terminal during acquisition," said Subba. "We have seen signatures of those who were in foreign lands during the signing of the document."

Such projects need the support of 70 percent of the local population before they are started. When more than 50 per cent of signatures collected in support of the project were fake, questions do arise naturally.

Former deputy mayor and UCPN-Maoist leader Krishnanarayan Palikhe said, "This is abuse of authority and corruption."

Engineer of Dharan Municipality and project manager Pokharel said this is a project designed for implementation through the participation of people and municipality. "For developing and planning the plots, the people need to contribute certain portions of their land,"

said Pokharel.

Since political parties are yet to reach a consensus on where to construct the new bus terminal, this dispute continues to haunt the project. "We have never said in our project document that this is going to be a central bus terminal. The area is acquired for multipurpose construction site. We have shared this fact with the people."

Until 2008, Dharan Municipality had spent Rs. 800,000 on the project. The project work completely stopped following opposition from the local people two years ago.

Legal Provision

According to Town Development Act 1988, clause 12.1.1, the government can acquire pieces of land to integrate them to add facilities and services and the Town Development Committee can reimburse its investment by selling the developed plots of land and transferring the remaining land to the original landowners. According to clause 5.2 of the Town Planning Directives 2005, there is a provision to distribute the plots to marginal and excluded communities, with certain conditions.

"The municipality cheated us by saying that they will construct the bus terminal and they are saying to us now that they did not promise that. If there is no bus park, there is no question why we should give our land," said treasurer of the Agitation Committee against the Fraud of Municipality, Gyan Bahadur Rai.

Out of 107 landowners, who agreed to donate land for the construction of the bus terminal, some fifty percent have already got back their land tenure certificates. Fifty houses are agitating with a demand to return their total land.



Dharan Municipality Building

According to the project proposal of 2005, the local residents have to contribute 36 percent on an average of their land for development. They are now angry with the municipality because, they say, it made false promises.

"Municipality never said it would construct a new bus terminal in the land acquired for the Integrated Land Development Project," said engineer Pokharel.

Sundarpur Basti Integrated Land Development Project has the legal possession of the pooled land, which, after

plotting, is gradually being handed over to the original landowners.

How It Evolved

After looking at various sites in Dharan Municipality, a committee formed on June 19, 2004 under the convenorship of Rudra Bahadur Limbu, CPN-UML leader, chose Sundarpur Basti as the site for an Integrated Land Development Program. After a series of meetings and interactions with the consent of the local population, the committee requested Land Revenue Department to stop all the transactions of land till the project was

completed.

Following the decision of the municipality, the project was approved on May 3, 2005, by the Ministry of Housing, Physical Planning and Works, and the notice was published in Rajpatra on September 12, 2005.

Dharan Municipality decided to implement the project under the technical assistance of Department of Housing and Urban Development.

Five years have already passed since and nothing has happened. To pacify the impatient public, CPN-UML has formed a three-member committee under the chairmanship of former acting mayor Harihar Pyara Shrestha to probe the issue. It is studying all events and information before taking any decision on it.

As urban centers grow in the country, Dharan Municipality decided to launch projects like Sundarbasti for planned development of the town. However, its very first effort landed in a controversy with political and financial interests clashing in the fore. Nobody knows what will happen of the project next, or of other projects in the future. A ringing question is: Who is responsible for the misuse of resources and efforts in aborted projects?

This is the third of nine investigative stories on politics of local bodies supported by The Asia Foundation. The views expressed by the author do not necessarily reflect those of The Foundation or Founder.



I Find Life In Poem

KISHAN SINGH DHAMI

Having written a number of poems and short stories, young poet KISHAN SINGH DHAMI has established himself as a leading poet in Nepali literature. Born in remote Shankarpur village development committee of Darchula district, Dhami has already published a number of poems and short stories in leading literary magazines. Young poet Dhami has also published a book based on collection of his poems and a novel. Dhami, who has travelled extensively in almost all 75 districts of Nepal, spoke to NEW SPOTLIGHT regarding his poetic contribution. Excerpts:

Are you writing any book?

I am writing a new book. Some of my poems will be translated into English.

When will they be published?

They will come soon in the market. My book will narrate the life of urban people and

the problems faced by the migrants. I hope people will like it.

What are the major problems for a writer?

Publication is a major problem for the writer. In my case, I published two books on my own and a publisher published one book. I have made money from my two books.

You are already involved in poetry, story and novel. Among them, which genre do you like the most?

My favorite is poem since I find there is life in it. I cannot get satisfaction from other genre as much as I get from poem when I start to read them in a solitary situation.

How do you view the present state of Nepali literature?

So many things have already been written in different sectors. There are a lot of poets. However, the number of readers is less. We are unable to convince the people that litera-

ture is important to read.

Don't you think this is due to low quality of poems?

That is wrong. I cannot say all poems maintain standards but what I can say is a majority of them are of high quality. Readers don't have patience to read them.

What about your novel College Girl Lai Email (Email to College Girl)?

Ratnapustak Bhandar has recently published the second edition. I received a good response.

What do you think about writing in future?

I will continue to write poetry in future but I cannot ignore the taste of readers in other prose.

What is literature?

It is a way of expression. My role is to narrate the events and other things of society in simple manner so that people can understand them.

What things influence you the most while writing?

Poverty and empty conversations influence the most. I have already published six works.



Forgotten Remedies

Dr. ARUNA UPRETY

I am in California, Berkeley working on the revision of the book "Where There Is No Doctor in 21 Century" (WTND). This book was first published in 1977 in English. Since then it has been translated into 88 languages.

It now needs revision as health issues have been changed and health workers in primary health care settings need more and different information than there is in it. I have been asked by the Hesperian foundation (publisher of WTND) to come to California and write some chapters in collaboration with the public health personnel here.

One issue that repeatedly keeps coming up over and over again is to include or not to include traditional medicine in the new version. My opinion is that it should be included and argument for this is that we have to use both modern medicine and traditional medicine in primary health care settings as there is proof that some countries are doing well with traditional medicine. To prove my argument, I used the latest news on how one Chinese pharmaceutical company desired to produce medicine from *pudina* (mint) to combat H5N1 avian influenza also known as bird flu. The company applied for patent right to the European Patent Office (EPO). However it has already been blocked by the Council of Scientific and Industrial

Research, India (CSIR). With the help of India's Traditional Knowledge Digital Library (TKDL) as it was able to prove that *pudina*'s medicinal values has been known and had been used for thousands of years.

Thus, it was argued that a new company could not have patent rights on the knowledge which has been there for thousands of years. If that patent was granted, the company would have the right to make and sell medicine out of mint. We would then have had to buy such medicine paying, most probably 100 times than its actual cost.

If mint can be used to combat bird flu similar remedies might be found for other diseases too. Other plant having herbal values is Neem, which is widely distributed in the Terai region of Nepal and India and it can be found in abundance in many parts of the world. I remember when I was small, my grandmother used twigs of the Neem tree as her toothbrush. I once tried it and its bitterness stopped me from using it further. At that time I did not know its values then, after many years, I would use Neem in Sudan after knowing its medicinal values and I have even now started chewing Neem leaves morning and evening just to make my body strong. This worked well while I was in Sudan for three months.

I am particularly very fascinated by a story about Neem. As our mythology mentioned long time ago, the Gods and Demons had a fight and the demons won the war so they took "Nectar" (Amrit) from the heaven. Now the problem was how would the Gods survive in heaven without Amrit? Therefore, they ordered a crow to steal the Nectar from the demons. The crow obeyed their orders and while it was bringing the nectar,

in a wooden pot from the demons to heaven for the Gods place, some nectar fell from sky and fell on a Neem tree. The legend goes that since then the Neem got blessed with all the qualities of the Nectar. Therefore Neem is like nectar that can cure health problems but we have now forgotten about it.

The whole name of Neem in the Persian language, Farsi: is *Azad Dirakht Hind*.

Azad means free, *Dirakht* means tree, *i-Hind* means of Indian origin 'The Free Tree of India'. However, it can also be argued that this name has been given to the tree as it can grow freely in any part to the world. Neem tree is widely spread in many parts of Africa, Middle East and South America.

The Neem plant originates from India, where it has been used since centuries for several purposes. It is known as the "Village Pharmacy" or the "Tree for Solving Global Problems". But we have forgotten our traditional knowledge and try to use expensive pills and injections for simple health problems.

What makes this tree a wonder tree is its chemical defenses. Neem tree was rediscovered in 1959 when a German scientist witnessed a locust swarm in Sudan. After the swarm had passed the only trees left untouched by the locusts were the Neem trees. On closer investigation, it was concluded that

the locusts did indeed land on Neem trees, but they always left without feeding. Since this discovery, there has been worldwide scientific interest in Neem and intense research is being done to probe into its

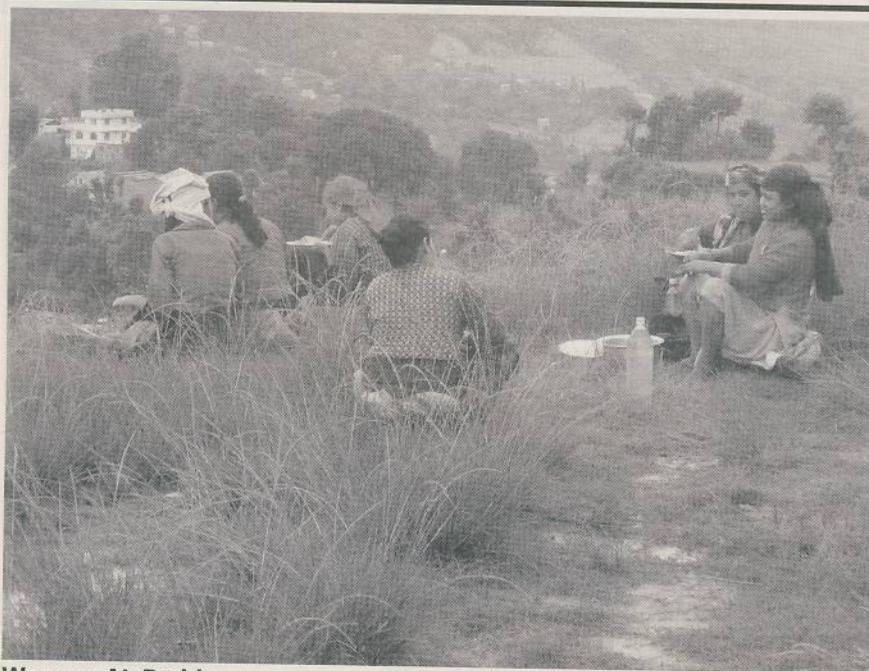
Now the problem was how would the Gods survive in heaven without Amrit? Therefore, they ordered a crow to steal the Nectar from the demons.

many properties. As a result, we now know that the Neem tree contains many natural active ingredients which make it resistant not only to locusts but also to more than three hundred different types of insect, as well as fungi, bacteria, and even viruses. These chemical defenses are not only useful in protecting Neem trees but can also be used as the basis for natural medicines. Therefore it is indeed a shame that it has been forgotten now.

The U.S. Department of Agriculture began a research program in 1975 to find out the use of Neem and other plants for its potential in controlling insects and fungi. The program eventually showed that Neem had the best results of any plant tested. Unfortunately we have not been using these plants with such medicinal values and the availability of getting it easily everywhere.

If by using those plants we can solve health problems, why not to use them? Does it mean that we do not need to use modern medicine? I would say that we have to use both in order to make us healthy and better. A golden middle path should be chosen so that we could solve health problems. As World Health Organization (WHO) has mentioned 'the time is right to view traditional medicine as a precious resource. It needs to be respected and supported as a valuable source for therapeutic advances and the discovery of new classes of drugs.'

(Dr. Uprety writes on many issues particularly women health)



Women At Paddy

MDG

Unequal Progress

Nepal has made enormous progress towards achieving MDGs but several challenges remain

By A CORRESPONDENT

Nepal has achieved certain progress in Millennium Development Goals in the last one decade but there are challenges as well to achieve success in other goals and targets. Along with the progress made by achieving numbers of goals and targets, the progress remains unequal with respect to geographical locations, gender and social groups.

Nepal Millennium Development Goals Progress Report 2010 points out, "Although the progress at national level in a number of goals and targets has been noteworthy, the progress has been unequal with respect to geographical location, gender and social groups. Enhancing employment opportunities and eradicating inequality and social exclusion remain major challenges. It is imperative that all of the country's people reap the benefits of development."

Despite meeting some goals, enhancing employment opportunities and eradicating inequality and social exclusion remain major challenges. Service delivery is difficult for the people living in remote parts of Nepal. Discrimination, exclusion, poverty and unemployment are rampant in many rural areas.

Past ten years of studies have shown that Nepal has made consistent progress towards achieving MDGs in most sectors and subsectors. Despite intensive violent conflict and political instability, percentage of people living below the national poverty line has significantly reduced.

The reports indicated that achieving the targets for employment, hunger, gender parity in tertiary education and environmental sustainability by 2015 appears to be extremely challenging.

"We need to be careful in implementing the programs. New

phenomenon is appearing in the context of climate change and environmental sustainability is going to be a major challenge. The Three Year Plan has made certain efforts to highlight the problems and ways to tackle them," said Vice Chairman of National Planning Commission Jagadish Chandra Pokharel, PhD. "We propose a long term and a short term plan to meet the gap."

Others too agree that meeting other goals and targets of MDG needs different approach. "We have made good progress in some sectors but we need to carry out more focused programs to improve the situation in other sectors," said Dr. Pushkar Bajracharya, member of National Planning Commission. "Nothing is impossible if we identify gaps and trends to fill."

At a time when recently released report of MDG Goals indicated that Nepal is far to achieve MDG goal in access to safe drinking water and basic sanitation, Nepal is celebrating Global Hand washing Day on October 15. More and more under five children still die each year in Nepal as a result of diarrhea. Hand washing with soap at critical times - including before eating or preparing food and after using the toilet - can save lives by reducing diarrhea rates by more than 40 per cent.

According to Department of Water Sanitation and Sewerage, the access to sanitation facilities is much less in rural areas where only 37 percent have sanitation facilities compared to urban areas 78 percent.

A large number of population does not use toilet and people still rely on open defecation*, the riskiest sanitation practice of all. Hand washing day will also contribute to help Nepal meet its MDG target.

Since Nepal's home minister Bhim Rawal who returned after taking part in UN Summit getting with words of praise, the data and information presented in the Nepal Millennium Development Goals Progress Report 2010 and the identification of trends and gaps between targets and achievements up to 2010 will help policy-makers, planners and development activists to set the path for meeting the MDGs within the deadline of 2015. ■



Much To Be Proud Of

ROBERT PIPER

Globally, there is much to celebrate some victories and recommit where we are lagging. Globally, there is much to accelerate. Just fewer than one billion people have been lifted out of poverty since 1990. The number of primary school age children out of school has been reduced by 37 million in the space of only 10 years.

Progress is evident in reducing child and maternal mortality, improving gender parity, and increasing access to HIV treatments, to name a few of the important areas of progress. At the same time the share of poor people is declining and the absolute number of the poor in South Asia and Sub-Saharan Africa is actually increasing. And countries that achieved rapid reductions in income poverty are not necessarily making the same progress in gender equality and environmental sustainability. It also appears increasingly clear that attention to the quality of education and health services may have suffered in the rush to extend coverage.

For its part, Nepal has much to be proud of on the MDG front. This is nothing short of extraordinary given some of the political and economic challenges

faced by this country. Without wanting to steal professor Bajracharya's (Pushkar Bajracharya NPC Member) thunder, I do want to recognize the extraordinary achievements in the areas of child and maternal health in particular. With infant mortality dropping closer to 40 and under five child mortality to 50 per 1000 live births, these figures are almost three times lower than 1990. Maternal Mortality ratio has reduced dramatically from 850 to 229- a fourfold drop.

Nepal is well on track to achieving these two goals. Credit must go to Government for making the right policy choices- such as the National Safe Motherhood Plan and the Health Sector Assistance Program- and to the vital front-line work of service providers themselves, for their extraordinary work at the community. Nepal's bilateral and multilateral partners have also been there for Nepal on this journey.

The report also articulated eloquently the outstanding challenges for Nepal. And in calling for the kind of MDG progress that is more equitable- by gender, by region, by caste- the bridge between our discussions and the discussions taking place in the corridors

of the CA or party HQ is abundantly clear- progress on the MDGs is good for Nepal. But the right kinds of progress on the MDGs are essential for peace.

I am glad to see that many of the recommendations from this report have already made a mark on the approach paper which was recently endorsed by National Development Council. This underlines the government's commitment to the MDGs.

Has Nepal got what it takes on the final stretch to the MDG 2015 finish-line? We know what needs to happen to turn these indicators around for good-sound policies that we sustained from one year to the next, clear roles and responsibilities for all those involved, greater resources directed to the community level for allocation and oversight and a lesser focus on results. Nepal has shown the way on maternal and infant mortality- let's apply the lessons to hunger, water, sanitation and inequality. So we can start planning now for an even bigger celebration.

(Piper is a UN Resident and Humanitarian Coordinator. Excerpts of the statement delivered at the launch of 3rd MDG progress report of Nepal on 7 September)

Spanish Films In Capital

The Spanish Embassy, New Delhi and the Honorary Consul in Nepal screened four Spanish films at the Russian Culture on Sunday, September 26th and Monday, September 27th after two years.

Two movies were shown on Sunday.

The first movie was *Ay Carmela* (Oh Carmela)! It tells the story of a trio of traveling comedians performing for the Republic, who inadvertently find themselves on the nationalist side during the closing months of the Spanish Civil War (1933-1936). Paulino and Carmela are husband and wife, troubadours touring the countryside with their mute assistant Gustavete. When they step into rebel territory by mistake they are arrested and receive a reprieve from an Italian Fascist commander who loves theater. He arranges a performance for his troops, bargaining with Paulino to stage a mockery of the Republic in exchange

for the actor's freedom.

The second movie was *Los Otros* (The Others). It tells the story of a woman named Grace who retires with her two photosensitive children to a mansion on Jersey, where she's waiting for her husband to come back from battle. They live alone there with oppressive, strange and almost religious rules, until Grace hires a group of servants. Their arrival accidentally begins to break the rules with unexpected consequences. This is a psychological horror film by Spanish director Alejandro Amenábar, starring Nicole Kidman.

The remaining two films were shown the next day. The first of these films was *Abre Los Ojos* or *Open Your Eyes*. It tells the story of a good looking César meeting Sofía, the girlfriend of his best friend Pelayo. After his birthday party, he takes Sofía home and stays the night. The next morning, César's obsessive ex-lover pulls up outside Sofía's flat and

offers him a lift. She crashes the car, committing suicide, and César is horribly disfigured, beyond the help of cosmetic surgery. After his disfigurement, he begins to have a series of disorienting experiences which will open a new path to reality.

The last movie is named *En Construcción* (Under Construction). This documentary focuses less on the practicalities of the building than the impact the project has on those who live in the neighborhood. The myriad of characters whose lives are tied in some way or another to this building, a teenage couple squatting in a nearby building, an illegal alien looking for work for himself and his son, a neighborhood girl who becomes infatuated with one of the construction workers reflects life in a very poetic way. The death of a stray cat and the discovery of a mass grave during the construction also point to the tragic losses that are sometimes part of progress.

By NITISH DEV BHATTARAI

Lesson For Nepal?

-BUDDHA BASNYAT, MD



Although in developing countries like Nepal, writing about stem cell research and its benefits may be unrealistic, this area of research is nonetheless very intriguing. What are stem cells? All the cells in the blood and many tissue cells are derived from stem cells. Because these stem cells have the ability to change or "morph" into any cell type in the body, they are potentially very useful. For example, in diabetes, heart disease, spinal cord injury, and Parkinson's disease to name a few, these stem cells have the potential to replace the damage or injured cells and help the organ function properly again.

These potential benefits are the basis for the growing excitement regarding the use of stem cells for a wide array of medical conditions including the above examples. Unfortunately the tempo with which research on stem cell had picked up in recent times was blocked by a recent ruling of a judge in the US. This decision of the judge has important implications for medical discovery.

Because these stem cells are derived from human embryos which have to be destroyed, there is an ethical issue

involved which has not been properly resolved and may now drag on. This is because these ethical issues border on gray areas and are subject to one's interpretation of the law. Although this issue seemed like a settled matter, it clearly is not as the geneticist Francis Collins, the most powerful man in American science today, will tell you.

As the head of America's National Institute of Health (NIH), Francis Collins is clearly pro stem cell research to help derive benefit from this science so that people with certain diseases can be saved. Francis Collins is an unusual man to be whole heartedly defending stem cell research because he is a religious man, ardently so. You would have thought he may have opposed stem cell research as many religious fundamentalists may do.

Amazingly, unlike people of his stature and background like Richard Dawkins, Stephen Hawking, Collins has clearly advanced his idea of the companionability of reason and faith. He has even written a best-selling book called "The Language of God".

Even amongst his fellow workers at

NIH, belief wise Collins is an oddity as only 7% believe in God. Hence Obama must have been very happy to appoint him as the head of NIH and in charge of stem cell research because this was a magnificent opportunity to bring together two disparate groups: science and faith. There is no question Collins is one of the smartest people around with his scientific contribution to the Human Genome Project. He also helped find the gene of cystic fibrosis one of the commonest hereditary diseases in the western world.

But for now, thanks to the unfortunate ruling of a judge, stem cell research has almost come to a stand still in the US. And the law enforcement agencies will make sure the law against stem cell research is enforced. But, unlike Nepal, in the streets of USA no one will be burning tyres or instigating road blocks and valley bandhs even though stem cell research and subsequent treatment could be life saving for many people. For now the law hath spoken. Perhaps there is a lesson for Nepal beyond the science of stem cells. ■

GENDER VIOLENCE

Much Ado Little Action

By RADHA POUDEL

Gender-Based Violence (GBV) has become a popular development jargon in recent times. Many claim that Nepal has made a big progress in checking such violence. Gender Equality Act 2006, Interim Constitution 2007 etc are cited in attempt to prove the claim. But many at the grassroot level do not agree. They see little progress if at all.

There was a case of a woman worth mentioning to explain the frustrations of the activists at the local level. She was

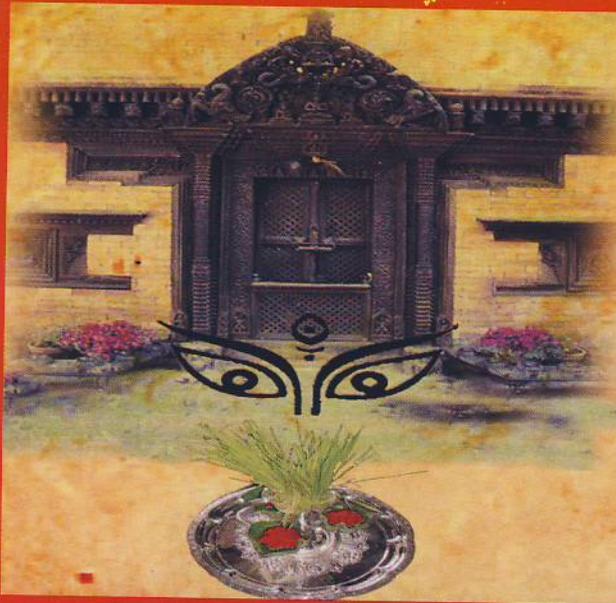
a victim of domestic violence. So, she decided to seek help from a women's group. As she became aware of her rights she was kicked out of the house. Unable to even find a shelter anywhere among the relatives, she decided to file a case against the perpetrators of the wrong. She didn't know the process and the formalities. She did not have money nor property to sustain herself. She was also unable to take care of her kids. Hailing from an indigenous group she could not express her plight. The result: her life is a mess, having been forced to live on the streets, along with the kids.

Activists also face challenges in helping such women. They get threatening phone calls, political pressure and intimidation etc,



ironically, from the so-called elites and the community leaders such as school teachers, local leaders. They also believe that GBV is a family affair is better left to the family concerned.

The year 2010 has been proclaimed the year against Gender Based Violence (GBV). A number of plans and programmes have been put in place to mark the year. But they leave much to be desired. Probably, a multi-dimensional approach is what is badly needed to give the year a big momentum. ■



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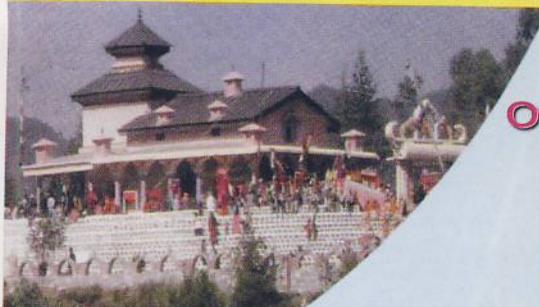
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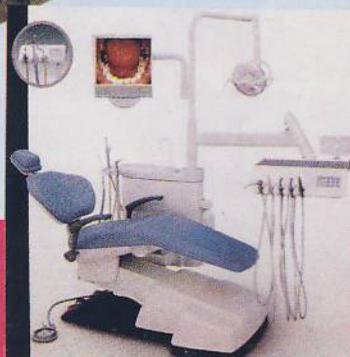
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