



VIEWPOINT:
Dr. Tilak Rawal



INTERVIEW:
Krishnaman Pradhan



FACE TO FACE:
Professor Neil Gutschow

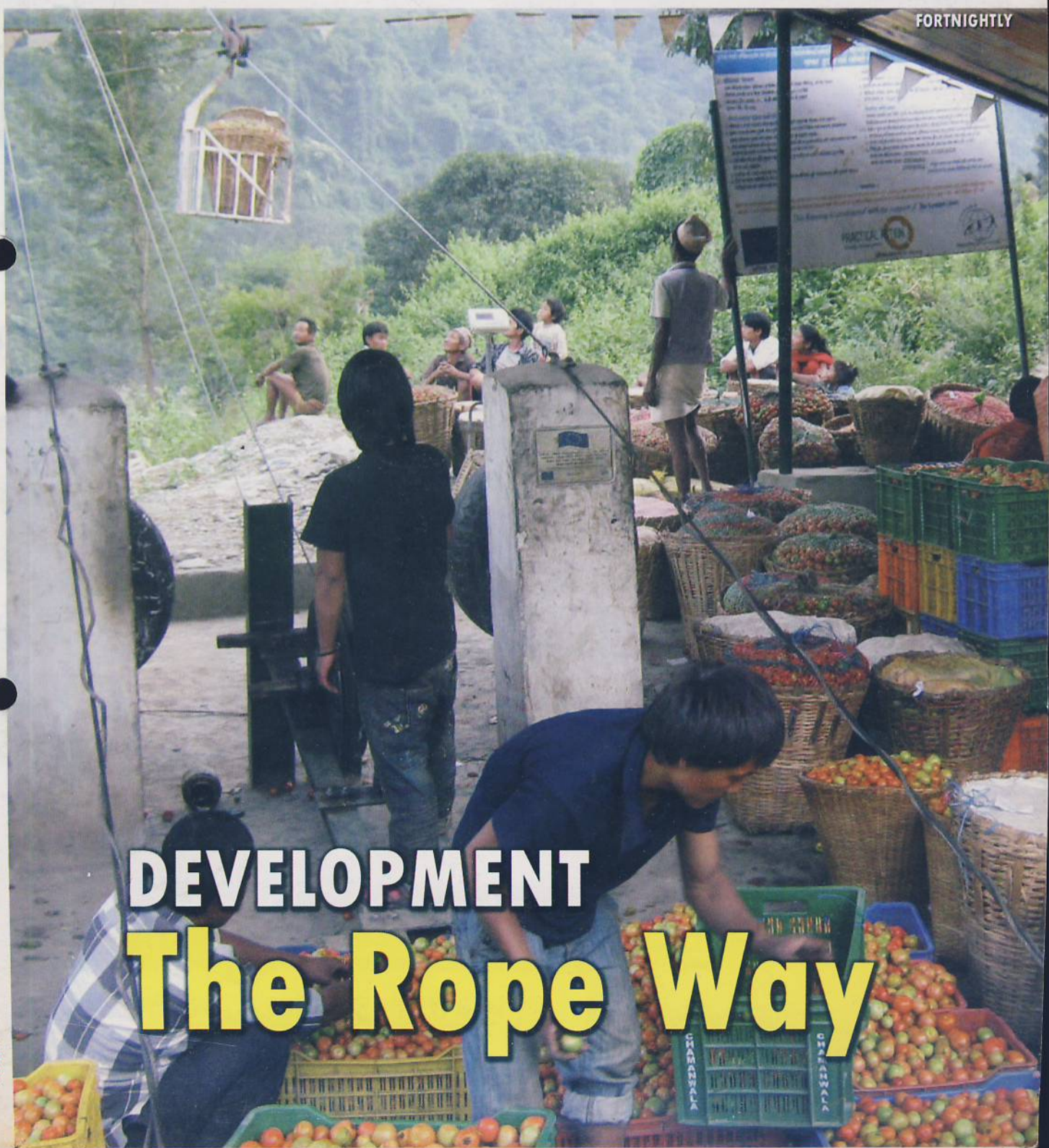
New

SPOTLIGHT

Apr. 12-25, 2013

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DEVELOPMENT

The Rope Way



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From The Editor

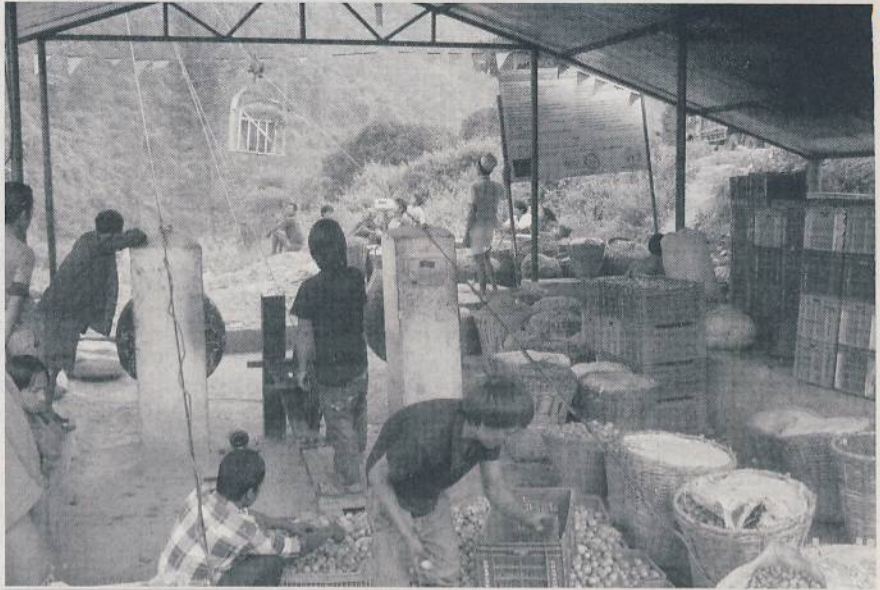
Despite the commitment expressed by leaders of political parties, elections are unlikely in June. Given the current political stalemate, it is also not impossible but difficult to hold the elections in November. As Nepal's prolonged political instability has no immediate solution in sight and the country will continue to pass through the process of 'controlled anarchy' for the time being, we have decided to start a fresh look on country's modernization process. Of course, politically, Nepal has remained unstable all the time in five decades of its recent history. However, it has made certain strides in the development sector. Although Nepal is still one of the poorest countries of the world, it has achieved some important successes in the development sector by introducing new tools and techniques. Gravity rope is one of them. With support from Practical Action, an international non-governmental organization, the work has been transforming the rural life. It may have other problems in certain areas, but the gravity rope has been a story of hope. In this context, we decided to cover the contribution of gravity ropeway as a cover story of this week. Similarly, Nepal's sacred Bagmati River, as it looks like a sewer now, is another topic of coverage. We wish our readers and patrons Happy New Year 2070.

Keshab

Keshab Poudel
Editor

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Nine Schools Receives British Council Award

British Council Nepal awarded International Schools Award to nine Nepalese schools at an event organised at Hotel Radisson on 25th March 2013.

The schools which received different categories of awards are: Gurukul Academy, Annal Jyoti Boarding School, Nagarjuna Academy Higher Secondary School, Harvard Academy, Apex School, Karunanidhi Education Foundation Higher Secondary School, Intermediate award, Bhu. Pu. Sainik English Higher Secondary Boarding School, Balodaya Higher Secondary School and Foundation award for Paramount Public School.

The schools receiving the full award were provided with a trophy and certificate and will be allowed to use the International School Award logo on all the official stationeries for a period of



with only ten schools participating in the process. These schools worked on seven different projects including a collaborative project with their partner school which was based on their school curriculum.

The British Council offers the International School Award (ISA) as an accreditation framework for schools to record and evaluate their international work and embed it into the curriculum. International School Award (ISA) acts as a benchmark that ascertains schools as having an outstanding level of support.

Japanese Aid For Airport Modernization

The Government of Japan extended a grant assistance of up to nine hundred and eighty-nine million Japanese yen (Y989,000,000), approximately nine hundred six million and nine hundred thousand Nepalese rupees



(NRs.906,900,000) to the Government of Nepal, for the execution of the Tribhuvan International Airport Modernization Project (Surveillance System) in Japan's Fiscal Year 2012.

The Notes to this effect were signed and exchanged by Kunio Takahashi Ambassador of Japan to Nepal, and Shanta Raj Subedi, Secretary of the Ministry of Finance of the Government of Nepal, on behalf of their respective Governments.

In the meantime, Tsutomu SHIMIZU, Chief Representative of JICA Nepal Office, and Madhu Kumar Marasini, Joint Secretary of the International Economic Corporation Coordination Division of the Ministry of Finance, also signed and exchanged a separate Grant Agreement for the implementation of the said project.

On the occasion, Ambassador Takahashi recalled the background of the Project and said that, earlier, the Government of Japan had extended its assistance to the Government of Nepal with 3.559 billion Japanese yen for the Project for Modernization of Tribhuvan International Airport in Kathmandu by installing a Radar System in 1994 and with 1.272 billion Japanese yen for the Project for Improvement of Existing Air Traffic Services System by improving Communication Systems in 1999.

USAID Provides Food Security Support

The USAID-funded Nepal Economic, Agriculture, and Trade Activity (NEAT) is partnering with the Ministry of Agriculture Development (MOAD) to design and disseminate agricultural training materials nationwide. The materials—263,000 pieces covering 13 crops and 3 types of livestock—include durable handouts and flipcharts aimed at increasing the quantity and quality of agricultural production. According to the USAID press release, developed in consultation with Nepal's Department of Agriculture, the training materials were officially handed over to the MOAD at an event in Kathmandu. The Secretary of MOAD, Jaya Mukunda Khanal, and MOAD Joint Secretary, Ram Prasad

Pulami, received the materials.

Nepal, World Bank Stress Portfolio Performance

The Government of Nepal and the World Bank will redouble their efforts to improve the performance of Bank financed projects in order to ensure that they meet their development objectives. This was agreed at a joint trimester portfolio review at the Ministry of Finance.

The implementation of World Bank financed projects has slowed down this fiscal year due to delays in the full budget and inadequate releases, compounded by weaknesses in procurement and financial management as well as frequent turnover of project staff. As a result, over 50 percent of the US\$ 1.3 billion of ongoing project commitments is at risk of not meeting its intended results. Five of the seventeen projects in the portfolio have not disbursed at all so far this fiscal year. Meanwhile, delays in the submission of audit reports have affected the preparation of new projects.

Women Doing Better: British MP

Margaret Hodge, Member of Parliament from the Labour Party in the United Kingdom, has revealed that women are outperforming men at every level of education in the UK.

Speaking at a press conference organised

by VSO and Sankalpa — Women's Alliance for Peace, Justice and Democracy, Hodge, who



is also a gender specialist and a VSO volunteer, said that women in Nepal have been making good progress in political participation.

Sixty-eight-year-old Hodge, who has four children and nine grandchildren, said the situation has drastically changed now since she joined politics five decades back.

"I can see more women are in higher studies and they outperform men in all areas. Nepal's extended family system is exemplary allowing women to move outside. Nepal's need to protect this treasure. Due to unitary family system, many women in Britain had to remain confined in home to take care of their children," said the British MP.

Hodge stressed on strong networking among women to push their issues and enforce laws and gain in strength. ■

Federalism Also An Economic Agenda

- BINOD CHAUDHARY

Industrialist And Forbes Listed Billionaire

How do you view federalism?

No one can deny the fact that Nepal needs federalism. In the present context, devolution of power is a must. Lack of proper governance is a major issue in Nepal. This is the reason the agenda of federalism comes. My concern is the way debate has been taking place in Nepal making federalism as a political agenda. Along with political agenda, one cannot ignore the economic sustainability of the federal units.



Do you think federalism can bring a solution?

Federalism is not panacea. Of course, federalism empowers the people at local level. One must not forget the fact that federalism and development need to go together. If federalism fails to address development aspirations of people, it will be doomed to fail. There is also the need to look at economic sustainability of federalism.

How do you see the number of states?

The number of states should be based on the economic viability. We want federalism to make Nepal and Nepalese rich and prosper. Thus, there is the need to take a cautious approach on the number of states. Major political parties raise the agenda of federalism to increase their vote bank. In the name of federalism, Nepal cannot afford more than five states. Nepal's financial and political ability is very limited. You cannot change the local situation just by changing the forms of government.

What can Nepal learn from the Indian experience?

We need not to go here and there to look for a federal model. Nepal can learn from India's rich experiences on economically viable federalism. Indian states have been making magnificent progress, and are prospering through federalism. Nepal can learn a lot from Indian model of functional federalism.

(Excerpts of the statement delivered at launching of book Nepal as a Federal State: Lessons from the Indian Experiences organized by Center for South Asian Studies.)

Kist, Vibor Sign Merger MoU

Kist Bank and Vibor Bikas Bank have agreed to merge, in a move that will support Jyoti Group's bid to acquire the largest stake in Kist. Managing director of Kist Kamal Gyawali and Director of Vibor Bank Roop Jyoti signed a memorandum of understanding (MoU) for the merger recently.

Although Jyoti group has been in the financial sector for the last one and a half decades through Bhajuratna Finance, which was merged with Vibor last year, the group's entry into Kist will ensure its prominent presence in the sector. The Jyotis are preparing to acquire a 12 percent stake in Kist from Guna Group, which holds 26 percent shares in the bank. Guna's chief Rajendra Shakya is facing troubles in his real estate ventures.

Kist and Vibor have to complete the merger within six months after the signing of the MoU as per the merger

guidelines issued by the Nepal Rastra Bank. According to the banks, a merger committee will be formed to fast-track the process and reputed auditors will be appointed to conduct due diligence audit (DDA). The swap ratio (the value of each Kist share against Vibor's) will be maintained based on the DDA report, according to the banks.



"We purchased the public shares to give momentum to the merger process," said Jyoti Group Vice-chairman Roop Jyoti. Vibor Properties, a Vibor Bank subsidiary, will be sold before the completion of the merger, while Vibor Capital will remain as Kist Bank's subsidiary after the merger. "We are looking at a modality to sell the company," said Vibor Director Ajaya Ghimire, who stepped down as the bank's CEO after the merger decision.

As of the second quarter of this fiscal year, Kist has a paid-up capital of Rs 2 billion and deposit mobilisation of Rs 20.98 billion. The bank has extended Rs 17.59 billion loans and its capital adequacy ratio stands at 10.80. Kist incurred a loss of Rs 69.57 million in the second quarter.

On the other hand, Vibor has a paid-up capital of Rs 916.2 million, deposits worth Rs 2.86 billion. It has extended credit worth Rs 1.68 billion and its capital adequacy ratio is 13.75 percent.

Global IME Bank & Unidos Sign Remittance Deal

Unidos Company Limited, Japan, which provides worldwide remittance services, has signed an agreement with Global IME Bank Ltd, Nepal's renowned bank in remittance and customer oriented product and services.

The agreement was signed by Ratna Raj Bajracharya, Chief Executive Officer (CEO) of Global IME Bank Ltd, and Yuichiro Kimoto, President of Unidos Co. Ltd, Japan.



With the agreement, remittance sent from Japan can be received from any of the 63 branches of Global IME bank and 2300 IME - Remit payout locations across Nepal instantly. Global IME Bank has already established remittance business in Qatar, UAE, India and Korea.

Similarly, Al Ansari Exchange, UAE's Largest Exchange house with more than 120 branches across UAE, catering worldwide remittance and foreign exchange services, has signed an agreement with Global IME Bank Ltd. The agreement was signed by Ratna Raj Bajracharya, Chief Executive Officer (CEO) of Global IME Bank Ltd and Rashed Al Ansari, General Manager (GM) of Al Ansari Exchange, UAE. Global IME Bank has already established remittance business in Qatar, UAE, India and Korea.

Good Luck to Regmi

By Dr. Tilak Rawal



The eleven-point agreement reached between four major political forces on March 13 was possible basically because NC and UML wanted to see Baburam-led government dislodged at the earliest possible time and UCPN Maoist wanted to stop Sushu Koirala, NC President, from heading the election government, despite its commitment to do so prior to the dissolution of CA. Endorsement of the political document by the cabinet and its recommendation to the President that hurdles of 25 articles of the Interim Constitution be removed by invoking Article 158 facilitated Bhattari's ouster and formation of an election government headed by Chief Justice Khil Raj Regmi. Although said to be a nonpartisan government, Regmi had to accept as ministers former civil servants and allocate them portfolios as dictated by leaders of four political parties. The only exception being the two ministers (Ghimire and Neupane) both said to be his relatives, who were picked well before the creation of High Level Political Committee (HLPC) through which intervention of four political parties in state affairs commenced in a serious form. The election government has appointed commissioners at the Election Commission (EC) but has not been able to fill other constitutional posts lying vacant

since long. Even weeks after the formation of the government, poll dates have not been announced and this has been a matter of wide concern in the country. Despite initiation of some preparatory works, EC does not appear in a mood to recommend poll dates soon. Recently appointed commissioners suggested that the date can be fixed only after two unresolved issues—guarantee of voters roll update completion and promulgation of electoral laws—are settled. They also want the agitating parties to be on board the political process. While EC has forwarded three election-related ordinances to the government, it has instructed election offices across the country to halt the process of collecting and updating voters' registration with photographs, showing a cautious and balanced approach in handling the problem. It may be worth mentioning that the provision of 1 percent vote as suggested by EC, to get a seat in CA under the proportional representation system, has been bitterly criticized by fringe parties. Note worthy is the point that the instruction by EC to halt activities came in the wake of warning by 33 parties, including CPN Maoist, of dire consequences if the Commission continued with voters' registration and other activities to hold polls. Kiran's refusal to sit for talks with the three-member team formed by the government to hold talks with parties opposed to the polls and ample demonstration of ability by his party, CPN Maoist, to disrupt the registration process clearly indicate a near zero chance of holding polls on the four party's preferred date of June 21. It may be noted that EC and CPN Maoist were seen competing with each other, the Commission in collecting and updating voters' list and the party in collecting the equipment (laptop, camera, etc) used in the name collection process. Aware of the disruption caused by an alliance of smaller parties led by CPN Maoist, President Ram Baran had urged, prior to

the formation of the government team, leaders of the four major forces to help create a situation conducive to holding polls. Kiran, buoyed by the success achieved in disrupting election-related activities, however, decided not to sit for talks with anyone other than President himself. Kiran and Upendra Yadav refused to sit for talks with HLPC. In the backdrop of these burning realities, EC had no choice but to adopt a conciliatory approach. Not many, Regmi included, want to disagree with the general feeling that June election will not be possible but the anxiety commonly shared is whether the current election government will be given time to hold polls on the second preferred time/ date of November. Kiran wants the 11-point deal that led to the vigorous amendment of the Interim Constitution, to be scrapped and a new government led by a partisan candidate be formed. To exert pressure, Maoist cadres have grabbed land belonging to Khil Raj and his relatives in Bardiya district. Hope people across the country do not again fall victim to this revived atrocity. In the present context, what cannot be undermined is the fact that with sizeable number of

In the present context, what cannot be undermined is the fact that with sizeable number of former CA members and other leaders in it, CPN Maoist is currently a political force to reckon with and will remain a major disruptive force in the foreseeable future even if it ceases to remain a meaningful political force after the test(polls).

former CA members and other leaders in it, CPN Maoist is currently a political force to reckon with and will remain a major disruptive force in the foreseeable

future even if it ceases to remain a meaningful political force after the test(polls). Regmi is having a tough time with Prachanda asking him to announce polls in June, many stalwarts of NC and UML demanding that he relinquish the post of Chief Justice and CPN Maoist and other fringe parties wanting him out as head of current government at the earliest. On top of this, he has to regularly face a cross section of disgruntled people representing different vested interest. Indeed, a man who spent his days offering worships and dispensing justice in a relatively peaceful atmosphere has been exposed to a chaotic and confusing situation in which decision making on sensitive issues becomes very difficult. Like many of us are worried for him, he must be thinking what will happen to his so far untarnished image if he has to leave the current office without accomplishing the task that he has been charged with. In the event of failure or being forced to take a premature exit, should he get back to his old job or retire into a life of fulfilled religious activities? These thoughts must be pricking his mind. If given a chance to continue for few more months, he has just the polls to concentrate on and can very well afford to ignore the long-ailing economy, which is showing disturbing signs of deteriorating balance of payment, acute scarcity of Indian currency, double digit inflation, frustrating level of capital expenditure (Rs. 13 billion thus far) and a disappointing expected growth of around 3.5 percent this year, probably the lowest in 6 years. In the mean while, the government has made public a full budget in the amount of Rs.404.82 billion, adjusting amounts appropriated in the two financial ordinances presented earlier. Top priority has been accorded to not-to-be-held polls to CA, at least not in the current fiscal for which the budget is valid. Good that an unproductive

expenditure of Rs. 14 billion would not be expended, which otherwise would further fuel intolerable-looking inflation.

There are problems all over the world such as Euro zone currently experiencing the highest level of unemployment (12 percent) and the about-to-sink economy of Cyprus being rescued by EU and IMF, but the difference between them and us is lack of concrete efforts in our case to put on track the derailed economy. Regmi, however, need not worry about it because even our political leaders have not been held seriously accountable for the economic mess. In fact, even loud talks by Regmi and associates on this front would not be liked by people. Regmi, therefore, has to concentrate basically on the political issue. He should learn to derive inspiration from political legends like late Krishna Prasad Bhattari who not only managed to give the nation a much adored constitution in 1990 but organized polls under it in the mandated period of one year. The selfless leader who spent the later part of his life in more or less self-imposed isolation, is very much missed and remembered in this politically turbulent period. Mr. Regmi may also wish to adorn his rooms, both official and residential, with Kishunjee's portrait so that he could turn to it and derive inspiration/solution whenever caught in insolvable-looking problems. He may even pay respect to him moving around the legend's portrait few burning incense sticks every morning before starting his daily work. This act of Regmi may help him confront problems wittily and will also contribute little bit towards perpetuating the memory of the great son of Nepal late Kishunjee. May be his blessings and our best wishes will help you take a dignified exit. Good luck, Mr. Regmi.

Dr. Rawal is a former governor of Nepal Rastra Bank

NEPALI CONGRESS JAMBOREE

Identity Crisis

Although Nepali Congress leaders vowed to take necessary steps to strengthen the party for the coming elections, what they don't have at the moment is their identity

By A CORRESPONDENT

As usual, Nepali Congress concluded its 4-day long Mahasamiti (General Council) meeting without coming up with any clear cut agenda for the elections of the Constituent Assembly. The leaders sang the swan song of bringing back the party's past glory.

The meeting, from the outset, was unorganized. Even former leaders of Nepali Congress were present at the meeting without getting any formal invitation.

Former general secretary of Nepali Congress K.B. Gurung, who was taking rest due to health problems, was ignored in the assembly and nobody bothered to make any mention about him. In the two days of the council meeting, out of 1401 members, 200 members were given three minutes each to present their views. Along with Gurung, other powerful former members were also undermined in terms of their pride of place.

On issues, ranging from forms of government to modality of federalism and other fundamental constitutional issues, Nepali Congress failed to come out with a clear stand. Champion of the first past post elections and parliamentary democracy for six decades, Nepali Congress is at odds now to challenges the UCPN-Maoist presidential system and CPN-UML's elected Prime Ministerial system.

Similarly, it is yet to take a stand on the nature and structure of federalism. What model does it want to follow? Will it be a federal structure of India or of Bolivia? How many states does Nepali Congress want to carve?

Likewise, what will be the modality for judiciary and local governance that Nepali Congress aims to install? And what will be its stand on present set up of local bodies? In three tiers of government, what role the local self governance will be? Shall they be given constitutional status or just left under the periphery of province or state?

Ironically, a big enthusiastic crowd clapped in every pause of their leaders' speeches. What political workers didn't find is the agenda to lure the voters in the elections. Along with Terai based regional parties, UCPN-Maoist is championing the



cause of identity and ethnic based federalism.

"Nepali Congress has a clear stand on Federalism, Republic, Inclusion and Secularism," said Nepali Congress leader Bimalendra Nidhi. "Our General Council gave a clear cut mandate to us regarding our future role."

The 4-day gathering of Nepali Congress Mahasamiti (General Assembly) came to an end following the big pronouncement of its top leaders to secure majority in the forthcoming elections of Constituent Assembly. However, desperate and frustrated cadres of Nepali Congress are yet to find ground to justify that their party will emerge as the largest party.

For its over sixty years, Nepali Congress, the country's oldest party, has been championing the cause of liberal democracy and nationalism. However, it lost its appeal when it joined the Maoist agenda after signing the peace agreement in 2006. Now many regional parties, and CPN-UML are challenging its old credentials.

"Nepali Congress has still its utility. Our party is the only liberal democratic party in the country with proven credentials as a force of all the political changes since 1950," thundered Sushil Koirala, president of Nepali Congress. "This general meeting will inject spirit and strength in our party."

Along with party president Koirala, former prime minister Sher Bahadur Deuba and Congress leader Ram Chandra Paudel called their party workers to join the mayhem to bring the party into the right tack. "You have to work hard to rejuvenate the party in the forthcoming elections," appealed former Prime Minister Deuba.

Despite the claim of its leaders, the message of the general council meeting held in Parasi, 300 kilometers west, is unclear and majority of leaders returned their home without knowing how to go to the people for vote. NC legendary leader B.P. Koirala used to say Nepali Congress would have no place in politics once it's gave up its liberal and central role, championing nationalism and democracy together. The present situation is that Nepali Congress lacks both.

Congress In The Authoritarian Path

By YUBARAJ GHIMIRE



That the likes of Ram Chandra Poudel and Krishna Sitaula had to present vision document for Nepali Congress—something the likes of B P Koirala, G M Singh and K P Bhattarai used to do earlier—speaks volume about the degeneration of politics, its character and content in general, and the Nepali Congress in particular. The four-day Mahasamiti meeting held at Trivenidham in the second week of April was never the less an eye-opener for the party's top leaders as the delegates minced no words in conveying the message that all is not well in the Party, and that its leaders no way commanded peoples respect and hope.

Some of them even suggested that Nepali Congress surrendered before the Maoists, blindly followed its radical agenda like republicanism, secularism and federalism, and that it need to review all that. The Party felt compelled to invite Swami Kamalnayanacharya, abbot of the Mukti Nath Shrine, to address the meeting attended by more than 1,300 delegates, was a proof that it has taken the criticism seriously, but there was hardly any message that the party was going to review and rectify it. The Swami said, and delegates welcomed with applause, that Nepal is a 'Hindu Nation' and its identity should not be altered under any circumstances. It was perhaps because of that sentiment that the Political resolution moved by Poudel presented a vague picture of what a federal Nepal should be like, but kept silent about its 'transformation into a Secular Republic.'

Review of any one of the current three identities of the country—Republic, federal and secular—no doubt will lead to review and rectification of all. After all, the decision to impose these three was not taken on the basis of merit or well-considered debate. Nor were the Nepalese given a chance to express themselves, by way of casting their vote or opinion, and this is generally taken as an agenda of the donors, routed through Unified Communist Party of Nepal-Maoist, and endorsed by Nepali Congress led by G P Koirala. But current opinion polls have projected that the Rastriya Prajatantra Party-Nepal (RPP-N) that has been campaigning for restoration of Nepal's status as a Hindu Kingdom as guaranteed in the 1990 constitution. Rastriya Janashakti Party of Surya Bahadur Thapa and Rastriya Prajatantra Party of Pashupati Shumsher Rana that are inching towards unity, are also demanding that Nepal must remain a Hindu country. The current debate and political trend leaves NC with limited options: either to lead the conservatives trying to restore part or full 'fundamental' features

of the 1990 constitution, or continue to accept the Team 'B' status of the UCPN-M.

With no charismatic and visionary leaders, and with dwindling organization base and with its policy of surrender towards the Maoists in the past six years, NC is rejuvenation—organization-wise and ideologically—is a tall order.

In fact, the NC in the past six years has transformed into a party backing authoritarianism. A Party that could have brought the institution of Monarchy within the framework of constitution, and the Maoists within the norms of accountability of Parliamentary system, chose to tread along the radical path set by the Maoists. What makes a Party or



Nepali Congress Leaders

political force pro-authoritarian? : Its quest for excessive concentration of power, opposition to the principle of separation of power and intolerance towards independence of judiciary, opposition—within and outside the Party—its scant respect for rule of law, and its willingness to promote and benefit from the culture of impunity. All these caps fit on the NC head. G P Koirala chose to have all the powers—NC Chief, Prime Minister and acting head of

the state at the same time—, his leading a government with no opposition in revived parliament, and his continuing as the head of the executive even after he failed to security majority in the constituent assembly election in 2008 shows he was a dictator in the guise of a democratic system. The resultant political crisis and instability is the outcome of that compromise on the part of the Nepali Congress, and it will not be trusted by the people until and unless it made the correction.

The Triveni conclave therefore, was more of a ritual and far less an exercise towards taking politics and the nation seriously. The 'pygmies' in the top position, deaf and blind towards the prevailing distrust towards the Nepali Congress, may have hardly tried to understand what the people actually wanted. Their rhetoric that the 'country has already moved in the direction of election, and that the NC will sweep the poll' hardly means anything. Nor was the leadership able to convince their own cadres that Supreme court Chief Justice as the Executive Head was a decision taken in the best interest of the nation and democracy. There was no assurance from the leadership that it will review its policy, mainly on its support to the Maoists since 2006, on republic, federalism and secularism, and its mere eagerness to go to the poll with no agenda, commanding no trust of its own delegates and with uninspiring leadership, is sure recipe of its doom. ■

POLITICS

Polls Uncertain

Given the present political scenario, the government may announce the elections by November but not without creating more uncertainty and chaos

By KESHAB POUDEL

Although the four major political parties have consented to hold the elections, they have a number of disagreements over the election process. The differences further widened after the Election Commission presented four election related ordinances.

It seems that the election is unlikely

days following its consultation with the Election Commission.

The threat of CPN-Maoist is also a major reason behind the uncertainty in holding the polls. CPN-Maoist has threatened to come out with more destructive programs to disrupt the election process if it is held without its consent.

CPN-Maoist requested President Dr. Ram Baran Yadav to summon a round table meeting and rejected negotiations with the present government. Meanwhile, UCPN-Maoist leaders accused the present government of not announcing the election date for June.

Election Date

The interim government and Election Commission are likely to propose elections for

November. Privately, leaders of four major political parties agree that it is impossible to hold the elections in June giving a tacit support to the proposal. However, they are showing different postures in public as leaders of parties don't want to take any blame for the postponement of elections.

After intensive discussions with various government institutions, the Commission has made it clear that it requires at least 70 days to commence the election process. Given the current unstable political situation when CPN-Maoist and 33 parties have issued a threat to disrupt the election process, holding the elections in June is unlikely.

If things remain as they are now, even the November poll is unlikely. After intensive discussions with political parties, the Elections Commission forwarded three ordinances to the government to amend the existing laws related to election. The government also discussed the bills in an all party meeting. It will be likely that the president will promulgate three ordinances paving the way to initiate the



Chief Election Commissioner Nilkantha Uprey

election process including publication of voter lists.

Delay In Appointment of Judges

Following the disputes in the Judicial Council over the recommendation of judges for Supreme Court, appellate courts and district courts, the process of selection of candidates halted for an indefinite period. This is likely to delay the appointment of judges.

As acting chief justice Damodar Prasad Upadhyaya and senior justice Ram Kumar Sha, both of them members of Judicial Council, opposed the proposal presented by Nepal Bar Association to pick up 50 percent candidates from Bar, the process was stopped indefinitely. Justices are demanding more recommendation from career judges of appellate courts. Due to retirement of justices, there are now just seven justices in the Supreme Court. Earlier, the Council was considering recommending 14 names to be appointed as permanent and temporary judges at the court.

Similarly, appointments in various constitutional bodies are unlikely in the near future. Members of political mechanism are waiting for the verdict of Supreme Court on former chief secretary Lok Man Singh Karki.

Possible Scenario

If the government fails to hold the elections, the rift among the four parties will intensify. In this case, president Dr. Ram Baran Yadav will have to step in, even by inviting CPN-Maoist leaders to make some sort of political negotiations. Once president takes any move to start the negotiations with Vaidya group, this is likely to intensify differences between four parties and president. In this case, UCPN-Maoist is likely to raise the agenda for revival of the old Constituent Assembly. ■



Chairman of council of minister Khilraj Regmi (Left) and Home Minister Madhav Ghimire

in November if it is not held in June. Along with voters' list, there are also issues related to constituency delineation, and voting age. "We will reconsider our stand if the election is not held in June," said Rajendra Mahato, leader of Sadbhavana Party.

UCPN-Maoist led coalition has already made it clear that it won't accept the provision that requires securing one percent votes to get the recognition as a national party. Similarly, Nepali Congress and CPN-UML want to bar the persons involved in criminal activities from contesting elections. UCPN-Maoist has also made it clear that it will go to the streets in case the government didn't come out with a new elections program.

"There is a conspiracy against elections. We need to prepare to launch an agitation to press the government," said UCPN-Maoist leader Prachanda.

At a time when major political forces are divided over several issues, holding the elections in June is now uncertain. The government is likely to announce the decision on elections within a few

Objection Your Honour

By MADHAV ACHARYA



When I reflect on Nepal's decade-old Maoist insurgency, my thoughts go to Rishikesh Shah, one of Nepal's most colorful, if not controversial, politicians of my time. An ex-diplomat, he once said he had the rare honor of heading the Nepal Desk at the UN when the Cold War between two super powers was at its peak. Shah was a prominent member of the Nepalese elite, noted also as an author and a historian. At the personal level, he was a long time family acquaintance and each time we ran into each other he would express words of kindness and reverence for my historian grandfather. One afternoon, he kind of sprang surprise by formally announcing that of late he had become the spokesperson of Baburam Bhattarai, an ultra communist, but a lesser-known political entity at the time. Coming from someone who possibly was in his mid-sixties and already known for substantial political and academic achievements, Shah's announcement raised many an eyebrow, and the few media people gathered for a press meet by interim Prime Minister Krishna Prasad Bhattarai were surely taken aback. The press meet was intended to shed light on the merits of Nepal's new constitution of 1990, and the prime minister, vocal and articulate that he was, had waxed eloquently on one of the constitutional provisions; the constitutional monarchy.

The press meet over, Shah, who was down at the hotel lobby, pulled aside some pressmen, including, myself, and said, "You know, this one (constitution) is given by the King, no matter what the prime minister says. This isn't the right way to have a constitution. It is not the king who we should be getting it from, the people themselves should write it. But first, we must elect an assembly," the chubby-checked character spoke in what could well be a kind of a monologue. Shah went on to say he knew of one politician who, rejecting the new constitution has raised the voice for electing a constituent assembly to write

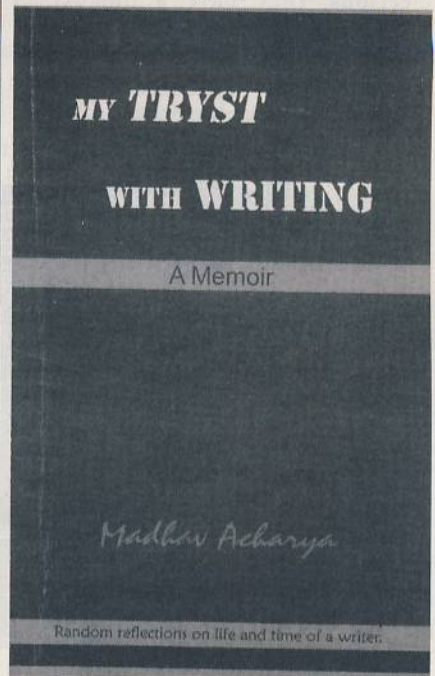
the statute. And this person was no other than the rebel Baburam.

Some of us would confront Shaha there and then, asking questions like how come a senior and aged scholar-diplomat like him had turned out to be a fan and follower of a political upstart like the one he just named? But Shaha had words of accolade for this young and sharp intellectual. He holds out promise for a people's assembly to write new law in Nepal, Shaha said.

Shaha's objection to Nepal's new constitution of 1990 lay in the method, or say, the modus operandi followed by King Birendra while proclaiming it that year. We all knew that the king had reluctantly given his consent to the new statute. The monarch had resisted pressures from all around, including the reservations expressed by the top brass of the Royal Nepalese Army that clearly wanted the king to retain some executive powers. With the political parties wresting away state power, the king was down, but not out yet. And if anybody was looking for a proof, he was still vested with the authority to proclaim the new constitution. While making the proclamation however he had erred: the king did not read the mandatory preamble from the official book prepared by the constitution draft committee. Instead, he quietly took out a note from his coat pocket and read out from it. The official version of the preamble had said that the new constitution was the fallout of a popular uprising against the king's direct rule, while his personal note mentioned that the king had invoked the sovereign powers vested in him to proclaim the new statute. Rejection of the official preamble was tantamount to undermining the very gains of the popular movement. What is more, by reading out from his personal note, the monarch had conveyed it to the Nepalese people loud and clear that he can't be wished away and they may have to look upon him as and when the country needed to announce a new statute.

Clearly, it was some kind of

misdemeanor of the monarch, cunningly conducted. Yet the Nepalese politicians and leaders of the political parties, all euphoric and excited over what they saw as their new found voice and rights, chose not to murmur any dissent. But there were exceptions in the people like Shaha who



said, "I wasn't amused; it was something serious."

Shaha died, long before his dream was realized, that of framing a constitution by an elected house in Nepal. In the year 2008, Nepal did elect a people's assembly to hammer out a constitution. Four years later the painfully elected the 601-member assembly, however, was non-achiever, 'unilaterally and deceitfully', dissolved, so went the allegation, by Shaha's idol who has made it to the post of prime minister. The assembly created more political problems for Nepal than it could resolve. Shaha must have turned upside down in his grave when Nepal had a constituent assembly; he must have squirmed in shame when a person none other than his own hero unwittingly dissolved it.

(Excerpts of journalist Acharya's book *My Trust with Writing, a memoir*. The book is now available in the market)

ADB OUTLOOK FOR NEPAL

Grim Growth

Despite the achievement in some sectors, Nepal's economic performance is heading on the grim side

By A CORRESPONDENT

Asian Development Bank (ADB) recently published a report indicating that Nepal needs to have an enabling business environment and political stability to improve its economic performance.

Just a week back, economic indicators published by the Trade Promotion Center showed Nepal's grim economic reality of increasing imports of luxury goods. ADB's Outlook reminded about Nepal's overall economic performance.

"We all agree Nepal has huge potential for growth, but there are also substantial hurdles to overcome in triggering the high growth process," said Kenichi Yokoyama, ADB's Country Director for Nepal. "Developing infrastructure bases, particularly power, strengthening institutional capacities, and promoting strategic and proactive policies are urgently needed to improve investor confidence in Nepal."

According to a press release by Asian Development Bank, Nepal's growth is forecast to slow in FY2013 due to a shortage of fertilizers, poor monsoon, low investor confidence and the lack of a full budget.

In its flagship annual economic publication, Asian Development Outlook 2013 (ADO 2013), released recently, ADB projects Nepal's gross domestic product (GDP) growth to slow to 3.5% in the fiscal year (FY) 2013 due to a shortage of fertilizers, poor monsoon season, low investor confidence and the lack of a full budget, which is also causing funding shortages for ongoing development activities. The prospects of a lower agriculture harvest, wage pressures, further upward adjustment of administered fuel prices, continued power shortages and other supply-side constraints are expected to push inflation to 10.5% in FY2013.

On the external front, the widening trade deficit and a more moderate remittance growth will likely result in a current account deficit of 0.5% of GDP in FY2013. In FY2012, growth rebounded to 4.6%, boosted by a favorable monsoon and robust services growth despite a slowdown in the industry sector and political uncertainties. Agricultural

output grew by about 5.0%, the highest rate in four years, while the high growth in services reflected a pickup in tourism and remittances-backed consumer spending.

Presenting the report, Priyantha Wijayantunga, head, Portfolio Management Unit, ADB said developing Asia's Growth will pick from 6.1 percent in 2012 to 6.6 percent in 2012 and 6.7 percent in 2014. "Developing Asia needs to look beyond economies in the US, Euro area, Japan for growth."

Chandan Sapkota, associate Economic officer of ADB, said that GDP growth of Nepal is expected to drop in Fiscal Year 2013. "GDP growth in FY 2013 expected to decline due to unfavorable monsoon, shortage of fertilization, low business confidence, lack of full budget and subdued growth in India," said Sapkota. According to him, inflation is expected to increase in FY 2013 and current account surplus to sharply drop to deficit.

With a favorable monsoon, adequate fertilizer supplies, the timely adoption of the full budget, and moderate expansion of remittances, ADO 2013 forecasts GDP growth to rebound to 4.2% in FY2014. Assuming a good harvest and cautious monetary policies, inflation in FY2014 is projected to ease only slightly to 9.0% as most of the underlying pressures of the previous year persist. Furthermore, ADO 2013 projects current account to slide more slowly to a 1.8% deficit in FY2014.

While the recent regulatory and monitoring directives by the Central Bank to deal with banking sector issues are steps in the right direction to handle the sector's immediate problems, the report says that much more needs to be done if Nepal is to address structural changes required to shield the banking sector and the economy from internal and external shocks. This includes consolidating the financial institutions, ensuring sound corporate governance, strengthening internal project and loan analysis, more effective monitoring and control, and better understanding and monitoring of the activities of cooperatives.

Government expenditures continue to suffer stress from subsidies, including on diesel and liquefied petroleum gas, says the report. Prices should be rationalized, while making provisions to protect the welfare of the poor. The report further says that the FY2014 budget needs timely passage to allow for the revision of tax rates, authorization for domestic borrowing, and provision of funding to accelerate development activities, along with measures to address governance issues.

ADB's Asian Development Outlook (ADO) 2013 estimates that regional economic growth in the Asia Pacific region will pick up to 6.6% in 2013 and reach 6.7% in 2014. This is a distinct improvement on 2012, when growth stood at just over 6%. Consumer prices are expected to rise by 4.0% in 2013 and 4.2% in 2014, up from 3.7% last year.

Nepal's Soaring Trade Deficit

Nepal's trade deficit has been widening at an alarming rate in the recent years, amid limited supply capacity, soaring imports and low exports. Nepal's exports have lately been suffering due to continuous slowdown in factory outputs caused by perennial problems such as load-shedding and industrial unrest. In the eight-month period, Nepal's merchandise goods exports rose by a moderate 2.6 percent to Rs 50.22 billion, while total imports shot up by 24 percent to Rs 390.87 billion.

Exports to India, Nepal's largest trade partner, increased by negligible 0.3 percent to Rs 33.31 billion in the review period, while imports from the southern neighbor grew by a whopping 25.7 percent to Rs 255.79 billion due to rise in demand for petroleum products and food commodities.

Nepal's top five imported items include petroleum - Rs 69.72 billion, Iron - Rs 39.28 billion, Vehicles - Rs 22.57 billion, Gold - Rs 17.14 billion and Electronics - Rs 16.22 billion. Nepal's top five exports include Iron - Rs 8.04 billion, Yarn - Rs 3.7 billion, Textile - Rs 3.54 billion, Carpet - Rs 3.43 billion, Lentil - 2.36 billion. ■



'Effective Observation Is Vital To Ensure Free And Fair Polls'

- KRISHNA MAN PRADHAN

As the country prepares for new election, it is important that there is a strong monitoring to ensure it is held in free and fair manner. The role of election observers is going to be vital in this regard. With a long experience in election observation, KRISHNA MAN PRADHAN, executive director of Nepal Law Society and member secretary of General Election Observation Committee, Nepal (GEOC), is currently working to revitalize the GEOC to help in the organization of free and fair polls. Pradhan spoke to NEW SPOTLIGHT on various issues related to elections. Excerpts:

As a member of a leading civil society organization working to ensure free and fair elections, how do you view the upcoming elections?

There may have been different opinions on elections. But there is no option, before Nepali political parties, the civil society and even the international community, except holding the elections. The date of election may be postponed for a short period. But no one can deny the right of the people to vote in the elections for the Constituent Assembly. Nepali people want to write the new constitution through their own elected representatives.

Why do we need CA elections given the bitter experience of past when the elected CA failed to produce desired outcome?

Five years ago, the first CA election was held with the aim to guarantee the rights of women, Dalit, Janjatis, Madheshi, backward, and marginalized communities. The dissolved Constituent Assembly made immense contributions in constitution writing. In its four years, it was able to sort out a number of constitutional and political issues. The new elections are required just to complete the remaining tasks of constitution writing. The people will reject any constitution which is not written by the CA. Nepal has already written five constitutions in the past through committees. However, all these constitutions did not work because the people did not take their ownership. The CA is the only way to write a constitution for the people and by the people. Thus, we believe that the CA has no alternative and the election is the only way out.

At a time when some political parties have warned of disrupting the elections, how do you see the possibility of holding them?

As new election government has already been formed and the chief commissioner and four other commissioners have already been appointed in the Election Commission, the process of conducting the elections has already begun. Chairman of the Council of Ministers Khil Raj Regmi has been consulting with various political forces to create an appropriate environment for elections. Similarly the Commission has already forwarded the draft of the new ordinance to amend existing election laws. Some major political parties have already kicked off their election campaigns.

What is the role the GEOC is playing?

Along with other civil society organizations, the GEOC

has already started to revitalize its grass root level organizations in various parts of the country. We will start our elections monitoring process very soon. It will be unfortunate to oppose elections at this moment. According to present agreement between four parties, the CA elections will be held in June and local elections in November.

At a time when a strong political block led by Mohan Vaidya is launching the agitation obstructing the elections process, how can you say that there will be elections?

Since CPN-Maoist is also a political party, they will ultimately participate in the elections. Civil society organizations like ours will facilitate to bring all forces toward elections. I think we need to address the voices of CPN-Maoist and other fringe parties.

What role will the organizations like GEOC play to make the proposed elections free and fair?

There will be a growing concern over whether the elections will be free and fair. Even the international communities are raising the question of free and fair elections. In his recent visit to Nepal, Chairman of Carter Foundation and former US president Jimmy Carter also raised similar concerns. European governments have also raised these concerns. Given the nature of the present government led by chief justice, there is no need to worry about the issue of free and fair elections. As Nepal's civil society organizations like GEOC have enough experience of monitoring elections, there is no need worry about this.

What have your experiences taught you?

Our experiences have already taught us that we need to work from the very beginning to ensure free and fair elections. You cannot conduct free and fair elections just by sending observers to booths on the polling day. The process needs to start very early. One of the important aspects is that free and fair elections will depend upon the level of voter awareness. Similarly, security arrangements should be geared to reduce political violence and observers should monitor any breach of code of conduct. In this regard, the election observers group needs to work with all the different stakeholders from the beginning. We need to observe the elections process soon after the publication of the elections program by the Election Commission.

Why do we need early observation?

The election process starts from voters' registration. Political parties will enroll as many of their voters in the constituencies as possible. We want a close partnership with the Election Commission and political parties in the process of election observation. Even after the elections, there will be several stages, including vote counting, declaration of the elected persons and victory rallies. We have already activated our grass root level institutions. Once the Election Commission announces the elections, we will formally launch the observation program. We have already contacted our former observers to prepare for the elections. We will update our volunteers. This time, we want to increase our coverage to 50 districts from the 35 that we reached previously. We are now

discussing with the Election Commission how to avoid duplication and repetition so that the election observers group can be mobilized throughout the country and increase its presence.

How do you see the role of international community to ensure free and fair elections?

In the past, Danish, Swiss, British, US and Netherland governments provided valuable support to us. They will again be involved in the coming elections. According to reports, there will be over 20,000 polling stations throughout the country and we need to deploy our observers in all the polling booths. I don't think any single institution can monitor the elections. I don't think it is possible to set up only one election observers' network. There are several election observer networks. There is the need to have a better coordination among us.

How do you see the role of various other organizations in ensuring free and fair elections?

The state alone cannot guarantee free and fair elections. The role of civil society, political parties and international community is also equally important. Among others, voters need to be more aware. The partnership between civil society organizations and Election Commission is very important to ensure free and fair elections.

How do you see the role of GEOC?

After 1990, Nepal has already conducted three national elections for parliament, two for local bodies and one for Constituent Assembly. GEOC monitored all these elections in the past. It has a vast pool of experts who can observe how free and fair the elections become. Elections observation is not only to monitor vote casting, but the process of monitoring begins from the announcement of dates. Free and fair election is the heart of democracy. This is the reason all of us need to give the priority to this. We have to start the ground work to make the modalities for the observation. If the coming elections fail, they will have a very negative implication for the country.

There are several organizations in Nepal working in the area of elections observation. Is there any coordination mechanism among these?

If you look at the last elections, Nepal Law Society worked with DEAN, a consortium of various observer groups. Under the DEAN, we observed over 2,000 booths in various parts of Nepal. We constituted various institutional structures to monitor the elections in all 240 constituencies. We established regional offices in five regions. We had three levels of observers, national level, regional level and booth level, during the last elections. We continued to observe the elections for about a year launching the elections literacy campaigns and nationwide programs to reduce political violence during the elections. We monitored the cycle of political violence that existed before the elections, during elections and after elections. We jointly worked with Election Commission,



Ministry of Home Affairs, Nepal Police and political parties. It helped us to create conducive environment for free and fair elections.

What is the specific experience of GEOC in last CA elections?

Election Observation Committee (GEOC), an alliance of seven Civil Society organizations, also observed the elections. Observers were deployed to monitor the elections in 35 districts, covering 70 electoral constituencies. Members of GEOC included Nepal Law Society, International Commission of Jurists/ Nepal, Retired Civil Servants Association, Election Observation Foundation, Nepal Press Institute, Nepal Citizens' Forum and Rural Development Foundation. There were over 1,000 observers involved in the election observations. Our past experiences have shown that there were more violence in the elections of parliament at the time of polling but there were more violence during or before the polling in CA elections. However, there was less violence in the polling days during CA. The coming elections will be different than the previous elections. In this context, the Election Commission needs to be more vigilant. If the Election Commission is given the full authority to cancel the elections, withhold the elections, it will drastically reduce the level of violence and rigging. We need to learn from the experiences in the elections.

Don't you think the time has come to hold the local elections?

We can no longer deny the rights of the local people to decide their activities through the local elected bodies. I think the government has to hold the elections for local bodies together with national elections. For the past 16 years, the local bodies have remained under the nominated people and it has badly damaged the local governance system. ■

CLIMATE CHANGE, AGRICULTURE AND FOOD SECURITY

Constraints & Opportunities

By PURUSHOTTAM GHIMIRE



Climate Change. Global warming and climate change became the hot issues and were debated since 1995 when the United Nations Framework Convention on Climate Change (UNFCCC) of its first COP (Conference of the Parties) meeting was held in Bonn. Since then, the issue was discussed worldwide and also accepted by the scientific communities.

Scientific data analyzed by the Intergovernmental Panel on Climate Change (IPCC) provide compelling evidence that climate change is happening and that the observed acceleration is the direct result of increased emissions of Greenhouse gasses into the atmosphere from human activity. Projections of the effects of climate change show that LDCs, SIDS and Small Island Countries will be hit earliest and hardest. These are the countries and territories with the fewest resources to prepare for and adapt to, these changes in their climate. This means climate change is a major threat to meeting the Millennium Development Goals (MDG's) for many of these countries.

Climate change and poverty reduction remain the most important challenges of this decade. Mountain areas are particularly vulnerable to the impact of climate change. Snow and glacier-dominated mountains play a major role in providing water to large populations.

Nepal is a signatory to more than 20 environment related international conventions and agreements including UNFCCC, CBD and Sustainable Development. Nepal has been an active and committed member of all international environmental movements and has remained firm in fulfilling its commitments. The formulation of policy framework, plan of actions, institutional setup for implementation, standard monitoring and evaluation arrangements for effective implementation and arrangement of high level coordination mechanism at the centre and also at district level indicate Nepal's commitment to the agenda of sustainable development. Nepal's environmental policies and programs have generally aimed at making a good match between economic development and environment. The incorporation of the strategic directions provided by the commitments and

decisions of the high level committees can be observed in subsequent periodic plans including current three year plan and the policies and programs of Nepal. Accordingly, the government has encouraged the concept of green development to minimize activities that contribute to climate change, and reduce the negative impacts on human wellbeing.

Agriculture and Food Security: Agriculture and food security are one of the priorities for adaptation in Nepal, where more than 66 percent of population depends on agriculture and about 33 percent of revenue



comes from this sector. The plan and policies gave emphasis to enhance agriculture production but there is lack of implementation and people did not get benefit and, instead, became poorer by depending on this sector. The present situation is that most of the migrant labourers going abroad for employment and income support for their livelihood are from this sector. A study shows that about 30 percent active populations are either unemployed or under-employed and 57 percent of the population are in the age of 15-59 years. About 425 thousand new labour forces per year come in the labour market and about 1500 people per day are going aboard for job and employment and visible impacts are shortage of agriculture labour. On the other side, to increase agriculture production, irrigation, high breed seeds, labour, technology, market are the constraints. Investments in agriculture are very low whereas, the government's priority is to double the budget without appropriate plans and programmes, institutional framework and coordination.

"Climate change affects green sectors more than other sectors of the economy.

Agriculture production depends on nature and gets affected by the change in the climate parameters such as extreme weather events. Effects of climate change on agriculture and particularly agriculture and food provides the primary source of livelihood for large portion of weaker section of the society.

Threats and opportunities. To address the issues of climate change and food security, more investment, research and development in different varieties of agriculture products in different geographical locations such as mountains, hills and tarai are necessary. The present subsidy and support to the farmers are not enough. Crop insurance policy is not effective. Roads network is lacking and market linkage is weak and gaps exist between products and appropriate market mechanism. There is still 33 districts in food deficit. Due to lack of irrigation, agriculture production mostly depends on weather and rainfall. The impacts of climate change have not been addressed sufficiently and the results are clear threats in the future of food security.

Climate change is not only a threat of Nepal, it may also be considered as an opportunity for development. There are huge amounts of funds available at international markets, such as fast track funds, under the UNFCCC process, CIF, DFID, World Bank, ADB and other bilateral funds. Similarly remittance money can contribute both investment and employment to enhance agriculture productions. Commercialization in agriculture is needed and demands of organic products are high. Establishment of agro industry, food processing, and export based agriculture products can be contribute to upliftment of poor people in Nepal.

Research and Development in the agriculture is mostly needed in the context of climate change. Nepal Agriculture Research Council (NARC) can play a vital role to enhance agriculture production in Nepal despite changes in climate, weather and uncertainty of production. The proposed Agriculture Development Strategy (ADS), which is now in final stage, will also contribute to address these issues.

(Ghimire is a joint secretary in NPC and focal person of UNDESA, ICIMOD, and Mountain partnership.)

Struggle On To Restore Heritages

PROF. NEIL GUTSCHOW

Professor NEIL GUTSCHOW, One of the renowned German Scholars, who made immense contributions to restore Nepal's ancient architecture, spends half of his time in Nepal working to promote and protect Nepal's architecture. Gutschow graduated in architecture from Darmstadt University, and wrote his PhD-thesis on the Japanese Castle Town in 1973. He absolved an apprenticeship as carpenter in Japan (1962/63) and was member of a team for the rst bilateral conservation project in Bhaktapur, Nepal (1971). Since 2004, he has been an honorary professor at Heidelberg University, Department of Indology and lives in Germany and Bhaktapur, Nepal.

How do you look at the restoration of Patan Palace?

What an opportunity to add a few words about the Patan Palace Restoration Project and our ambition to turn the first floor of this courtyard into a museum of architecture. When we met eight years ago to create this project, we were very much optimistic, by telling ourselves that we would need only eight years to complete the project. The first cost estimate and an outline design for the museum was already prepared in 2005 but the project was launched only on May 25th 2006 with a fund raising campaign at Clarence house in London, the residence of the Prince of Wales. That means, eight years have passed and we are still struggling in search of grants.

How do you see the involvement of Germany?

The Federal Republic of Germany got involved in 2007 with an application by the Kathmandu Valley Preservation Trust for a considerable grant to rehabilitate and restore the Bhandarkhal tank in the back of neighboring courtyard. A second application made the restoration of this golden doorway possible and just a week ago we were informed that the restoration of the South wing of Sundari Cok will be funded in 2013.

How do you see Nepal-German Cooperation in the field of culture?

I feel like I must use the opportunity to tell you that the Nepal-German Cooperation is one of the most stable links in the Nepal German relations in the field of culture. The Khumbu Himal project started in 1960, and in the field of architectural heritage conservation activities started in 1971 with the restoration of the Pujarimath in Bhaktapur. The government of Germany had donated one lakh of Deutschmark for that purpose on the occasion of the marriage of then crown prince Birendra. The following Bhaktapur Development Project Focused on conservation for a period of 12 years, GTZ funded the Svayambhunath Conservation Master plan and the reconstruction of the Mandap in Bhaktapur in 1980s and the Patan Palace Conservation and Development Project in the 1990. The engagement in the Patan Palace Restoration Project demonstrates that there is an ongoing continuity of concern.

Are there any Germans, besides you, to support the project?

I should not hide from you the fact that I have been tied to all these projects from the beginning. And not only me, among us today is, Wolfgang Korn, who had joined the Town Planning Office in January 1968-45 years ago. He is here to support the Kathmandu Valley Preservation Trust, sponsored by the German Senior Expert Service, while I am here in the capacity

of a senior advisor.

Will your support continue for preservation work in Nepal?

I am telling you these details to say that we are still around because we simply cannot leave. We love Nepal and we cannot help: we are bound to come again and again. It is in fact a life-long affair with a very special relationship of giving-funds and expertise, and taking-inspiration. We have been filling a gap for quite some

time because the concerned Department of Archaeology has very little resources. Since a few years already donors from the business community have come up to contribute to the preservation of Nepal's glorious architectural heritage.

How do you describe the present moment?

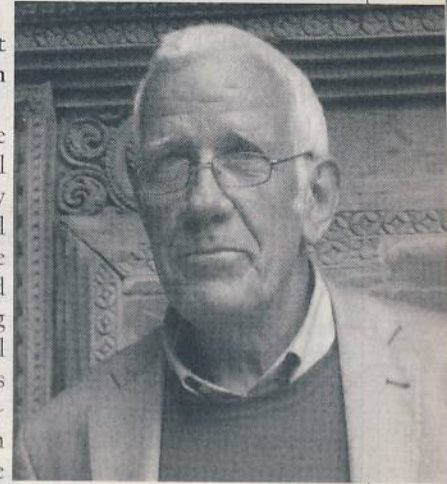
It is a great moment for those who have been working in the areas. I am very proud to say that for the first time Yogeshwar Amatya, a Nepali, individually came to support the effort of conservation. This is good beginning.

How do you know Yogeshwar?

I am here to praise the first donor who generously opened his private purse, in the memory of his mother. Yogeshwar, we met here one and a half year ago on a different occasion and when I appealed to the Nepalese public to join our efforts, he spontaneously stood up to support the project.

What do you want to say to others?

I express my deepest thanks to Hansen* from the German Embassy for continuously supporting the efforts of the Kathmandu Valley Preservation Turst and my thanks go to Yogeshwar. I would also like to thank Shakya of Ukubaha for donating the idols to make the doorway complete. ■



नयाँ वर्ष २०७०

को पावन अवसरमा समस्त देशवासीमा
सुख, शान्ति र समृद्धिका लागि
हार्दिक मंगलमय
शुभकामना ।



निक्षेप बीमा तथा कर्जा सुरक्षण निगम
टंगाल, काठमाडौं

Hodgson's Miscellaneous Essays

By BIPIN ADHIKARI



The two volume *Miscellaneous Essays relating to Indian Subjects* by Brian Houghton Hodgson [London, Brian Trubner and Co., 1880] is a rare collection of essays relating to Nepal, India and Tibet. These essays were published in *Bengal Journal* and also in other sources on different dates. Most of these essays were his original contribution little benefited by the materials published earlier.

Hodgson [1800-1894] was a great researcher. Apart from the essays in this collection, he published numerous notes on the ethnology and natural history, especially in the *Journal of the Asiatic Society*. Several collections of his essays and notes were also independently published like the 1874 essays on the languages, literature and religion of Nepal and Tibet, the 1847 study on the *Koch*, *Bódo* and *Dhimál* tribes, and the 1841 illustrations of the literature and religion of the Buddhists. Hodgson had the opportunity to serve as an assistant to the British Resident in Nepal since 1820. In January 1833 he was appointed the third British Resident himself. He served there until 1843 but was also linked with Nepal and its former territories for many years in different capacities before and after his assignment in Kathmandu. Being fluent in Nepali and Newari, the resources that Hodgson produced on Nepal are numerous. A 2004 book edited by David M. Waterhouse explains his contribution to the Himalayan studies with all seriousness that it deserves. He was of course a pioneer in this area.

The collection *Miscellaneous Essays* covers a diverse range of topics in different sections. Volume I focuses on the *Kooch*, *Bódo* and *Dhimál* tribes, their vocabulary, grammar, origin, location, numbers, creed, custom, character, and a condition with a general description of the climate they dwell in. It also describes the Himalayan ethnology. This covers comparative vocabulary of the languages of the broken tribes of Nepal, vocabulary of the dialects of the Kiranti language, grammatical analysis of the *Vayu* language including its grammar. There is an analysis of the *Bahing* dialect of the Kiranti language including the *Bahing* grammar. Hodgson has also given the profile of the *Hayu* and *Kiranti* tribe of what he describes as belonging to the central Himalayas.

Volume II deals with many diverse topics, mostly unrelated with each other. Examples include the descriptions on the Indo-Chinese borderers and their connection with Himalayas and Tibetans, the Mongolian affinities with the Caucasians, and the comparison and analysis of Caucasian and Mongolian words.

There is an effort to describe the route of Nepalese mission to *Pekin* with remarks of the watershed and plateau of Tibet route from Kathmandu, which is in central Nepal, to Darjeeling now in India. Hodgson also deals with the seven coins of Nepal and the native method of making paper.

Brian Hodgson is the first scholar writing about the administration of justice in Nepal. Volume II of the *Miscellaneous Essays* gives some accounts of the system of law and police as recognized in the state of Nepal at that time. There are two sub-sections under this title on the law and police, and the law and legal practice of Nepal as regards familiar intercourse between a Hindu and an outcast. The work on the legal system was to help British India and its traders to deal with the status of the rule of law in Nepal. It was intended to enable them to secure justice in cases which the British residency had to settle conjointly with the Nepalese courts. These facts were collected based on the questionnaire that Hodgson framed to receive answers from different respondents knowledgeable about the justice system of Nepal. Some Indian Brahmins at the British Resident's Office were used to work on them. It was a secret process. Nepal's pundits who were judged most capable of replying were consulted for information. These two papers (before their inclusion in this book) were submitted by Hodgson to the Asiatic Society and subsequently reprinted in Volume XXVII of the selections from the Records of the government of Bengal.

Referring to the system of ordeal being practised in Nepal to settle disputes, Hodgson writes: "The names of the respective parties are inscribed on two pieces of paper, which are rolled up into balls, and then have *Puja* offered them. From each party, a fine or fee of one rupee is taken. The balls are then affixed to staffs of reed, and two more are taken from each party. The reeds are then entrusted to two of the *Havildars* (beadles) of the court to have to the Queen's Tank; and with *Havildars*, an examining officer of the court, a Brahman, and the parties proceed thither, as also two men of the *Chamakhalak* Caste. On arriving at the Tank the examining officer again exhorts the parties to avoid the ordeal by adopting some other mode of settling the business, the merits of which are only known to themselves. If they continue to insist on the ordeal each *Havildar* each holding one of the reeds, go, one to the east and the other west side of the tank, entering the water about knee-deep. The Brahman, the parties, and the

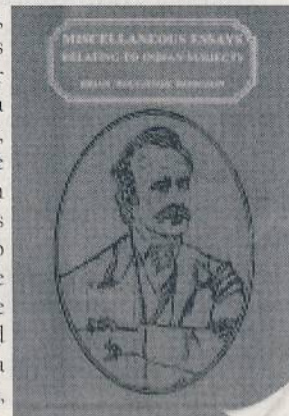
Chamakhalaks, all at this moment enter the water a little away, and the Brahman performs worship to Varuna in the name of the parties, and repeats a secret text, the meaning

of which is that mankind knows not what possess in the minds of each other, but that all inward thoughts and past acts are known to the gods Surya, Chandra, Varuna and Yama and that they will do justice between the parties in this cause."

"When the *Puja* is over, the Brahman gives the *Tilak* to the two *Chamakhalaks*, and says to them, "Let the champion of truth win and let the false one's champion lose." This being said, the Brahman of the parties come out of the water and the *Chamakhalaks* separate, one going to each place where the reed is erected. They then enter the deep water, and at the signal given, both immerse themselves in the water at the same instant. Whichever of them first rises from the water, the reed nearest to him is instantly destroyed, together with the scroll attached to it. The other reed is carried to the court, where the ball of paper is opened, and the name read. If the scroll bears the plaintiff's name, he wins the cause; if it be that of the defendant, the later is victorious."

Hodgson also writes about speedy disposal of court cases in Nepal. However, if his finding is related with the grievance of Poet Laureate Bhanubhakta Acharya [1814-1871], who had a civil case at *Kumarichok* Court in Kathmandu, the finding may have been too polite. The Poet Laureate complained by way of a poem that the court officials continued to detain him saying "tomorrow, ...tomorrow and tomorrow" - delaying the final hearing on the petty charge against him. He pleaded that this was very unjust, and that justice delayed was justice denied.

The *Miscellaneous Essays* is a wonderful collection. It has a wealth of information. Hodgson has obliged the Nepalese legal scholars much by providing information on what may be described as the classical legal system of Nepal. The system was revised only after the promulgation of a new civil code in Nepal in 1854. ■





Climate Negotiation Skills Vital

By BATU UPRETY

In its capacity as the Chair of the LDC Group to the UN Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol (KP) for 2013 and 2014, Nepal organised a LDC Strategy Meeting in Kathmandu on 22-23 March 2013 to discuss the outcomes of the Doha Climate Change Conference and develop strategies for the forthcoming climate negotiations. The meeting was attended by selected climate negotiators of Bangladesh, Bhutan, Gambia, Nepal, Senegal, Sudan, Togo and Uganda and representatives of the ECBI, ICCCAD, IIED, and LRI. At present, 49 LDCs are Parties to the UNFCCC.

Opening the meeting, Minister for Science, Technology and Environment Uma Kanta Jha called for a practical strategy that helps to demonstrate the vital role of the LDC Group and guide us in climate negotiations. The meeting was also addressed by Dr. Simon Lucas (DFID, Nepal), Pa Ousman Jarju (former Chair of the LDC Group from Gambia), Dr. Saleemul Huq (Director, ICCCAD and Senior Fellow, IIED) and Prakash Mathema, current Chair of the LDC Group from Nepal. The LDC Strategy Meeting has drafted the Strategy for future negotiations which is expected to be finalised during the Bonn meeting in April before the start of the meeting of the ADP on 29 April 2013.

The years 2013 and 2014 are crucial as Parties to UNFCCC have agreed to adopt a protocol, another legal instrument or an agreed outcome with legal force by COP21 in 2015, and implement it by 2020. The Ad hoc Working Group on Durban Platform for Enhanced Action (ADP) was established by the COP17 in 2011 in Durban, South Africa to develop this instrument. The ADP shall also take into consideration the IPCC fifth Assessment Report (AR5), outcome of 2013-2015 review and works of the Subsidiary Bodies while developing an instrument of legal force.

In Doha (COP18), agreeing the ADP work plan, the COP decided to make available a negotiating text before May 2015. Parties agreed for a more focused discussion and to identify and explore options for a range of actions in 2013 that can close the pre-2020 ambition gap.

The UN Secretary-General has planned to organize the meeting of the world leaders in 2014. Poland will host COP19 in Warsaw in November 2013 and COP20 will be held in Latin America, and this instrument is planned to be adopted in Paris in 2015. These COPs will have an important role to streamline the work of the ADP for timely development of the post-2020 legal regime on climate change that are applicable to all Parties to reduce GHGs emission and meet the objectives of the Convention. Furthermore, a number of events will be organized in 2013 and 2014 to crystallize issues for the instrument of legal force.



Nepal as the Chair of the LDC Group has multiple challenges and the opportunities in these two years and could set a tone for 2015 negotiations. The primary challenge is to accommodate the concerns, interests and issues of all 49 LDCs representing mountains, dry-lands, islands and plains of Asia, Africa and the Caribbean island counties. Although there are several commonalities, geographical priorities might differ in the spirit of the Article 4.8 of the Convention. Based on the complicated nature of climate change negotiations, the role and responsibility of the Chair is dramatically increasing and the years 2013 and 2014 are extremely important for developing a solid foundation and consensus for future climate regime.

The Chair of the LDC Group may wish to have a team of experts or knowledgeable persons and logistical team to offer its service in a professional manner. This will be an opportunity for Nepal to enhance negotiation skills as well. For this, timely engagement of Nepal's Core Negotiating Team (CNT) and support team (as decided by the GoN) would help to developing

competency and it will be an asset for Nepal on climate negotiations.

Nepal has additional responsibility of generating and mobilizing funds to implement NAPA to address the most urgent and immediate adaptation needs and start the National Adaptation Plan (NAP) formulation process. Hence, Nepal has to provide its services in a professional manner to represent 49 LDCs, and focus in addressing the impacts of climate change at the local level. These twin responsibilities deserve special attention. As Nepal chaired the LDC Group at the global level from 2010 to 2012 in a highly professional manner, it is natural for LDCs and the Nepalese to have increased expectations to capitalise this opportunity.

Nepal should continue to work hard and have a strong commitment to get services from the core teams of negotiators to meet the increased expectations. Working in a balanced manner would provide Nepal opportunities once again to reposition its professional competency for global coordination, this time in climate negotiation. The GoN may wish to better use the services of the CNT members and the support team and/or make a reasonable logistical team to support the Chair to make the coordination effective, efficient and transparent as a matter of high priority, and strengthen the LDC Group as a major negotiating block on UNFCCC process, by developing country capacity as well.

नयाँ वर्ष २०७० को पावन
अवसरमा हाम्रा समस्त
ग्राहक वर्गमा सुख, शान्ति,
समृद्धि, सुस्वास्थ्य, दीर्घायु
एवं सफलताको हार्दिक
मंगलमय शुभकामना
व्यक्त गर्दछौं ।



नेपाल टेलिकम
परिवार

BUDGET 2012/13

Staggered Economy

As the country gets its budget in three tranches, economists worry about its long term implications

By A CORRESPONDENT

The interim election government's Finance Minister Shankar Koirala presented the third and final tranche of this year's budget early this week.

And his ending sentence was 'don't expect too much from this.'

He, in fact, stated that the main objective of this government being the holding of CA election, the budget would also focus on that.

The budget set aside Rs 6 billion for the election and additional Rs 8 billion for covering election-related security expenditure.

Budget in Figures

The total outlay of the budget has been set at Rs 404 billion. "Of the total outlay, Rs 279 billion has been allocated for meeting current expenditure, Rs 66 billion for meeting capital expenditure and nearly Rs 60 billion for meeting other financial provisions," said Finance Minister Shankar Koirala.

The budget aims to mobilize Rs 290 billion as revenue to meet the budget liabilities. Likewise, around Rs 50 billion will be raised through payment of principles and foreign grants.

The budget deficit of Rs 64 billion will be covered through the foreign loans of Rs 26 billion and internal borrowings of Rs 34 billion.

The budget expects the GDP growth to come down to around 3.6 percent this fiscal.

The agricultural growth is estimated at lowly 1.3 percent.

The budget also revealed a dangerous trade deficit level. In the past eight months of the current fiscal year, the country's exports totalled Rs 50 billion while its imports totalled a whopping Rs 360 billion. A huge gap of over Rs 300 billion. ■



Finance Minister Koirala

Seminar On Sustainable Livelihood

At a time when there is a growing global debate on sustainable livelihood, a workshop took up to discuss this. The National College - Center for Development Studies, seven other academic and research organizations, namely Environmental Camp for Conservation Awareness (ECCA), International Union for Conservation of Nature (IUCN) Nepal, Kathmandu Environmental Education Project (KEEP), Kaushila Foundation for Peace and Innovative Initiatives (KFPII), National Trust for Nature Conservation (NTNC), South Asia Foundation (SAF) Nepal, and Tribhuvan University, Central Department of Rural Development, came together to organize the event in the NTNC Conference Hall, Khumaltar, Lalitpur.

The seminar was jointly inaugurated by the Chief Secretary of Government of Nepal, Lila Mani Poudyal, and is Russian ambassador to Nepal Dr. Sergey V Velichkin. The opening session was chaired by Prof Dr. Bhadraran Tuladhar, Registrar of Kathmandu University. Prof Dr. Dal Bahadur Adhikary, Chairman of National College, welcomed the participants, and Dr. Nishchal N Pandey, Chairperson of South Asia Foundation (SAF) Nepal, made his remarks.

Inaugurating the program, Chief Secretary Lila Mani Poudyal expressed the view that the seminar was a timely step towards sustainable development which had been the main priority of the government. Russian ambassador to Nepal Dr Velichkin talked about the interlinkages in the sustainability of lifestyles and the natural resources, and opined that such linkage should be dedicated for the humanity. Chair of the opening session Prof Tuladhar praised the seminar. Dr. Pandey informed that SAF had been promoting regional cooperation in the region. Similarly, Prof Adhikary expressed that the seminar was to share ideas and experiences for a win-win situation.

Dr. Yam B Malla, Country Representative of IUCN in Nepal, chaired a technical session with six papers focused on natural environment, and Juddha B Gurung, Member-Secretary of NTNC, did so in the other sessions with five papers focused on natural resource management.

There were 132 participants and invitees from 38 different organizations in the opening session, and 65 participants in the technical sessions. In overall, they expressed that the seminar was highly productive in sharing useful information on various aspects of sustainable livelihood. The seminar was facilitated by Ukesh Raj Bhujju, Program Coordinator of National College-Center for Development Studies.

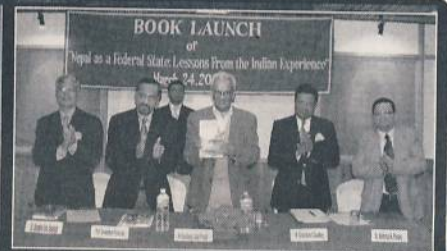


Book On Federalism Launched

Indian ambassador to Nepal Jayant Prasad launched a book entitled "Federalism in Nepal: Lessons from the Indian Experience". Published jointly by Centre for South Asian Studies, Kathmandu and Centre for Security Analysis, Chennai, India, the book discusses federalism in the context of Nepal and India.

Addressing the program, Indian ambassador Nepal Jayant Prasad said that this is a very important book at the present context of Nepal. Eminent industrialist Binod Chaudhary shared his experience as a member of dissolved Constituent Assembly. "There need some sort of devolution of power but it should be economically viable and suitable," said Chaudhary. Federalism is not only political agenda but it is an agenda of economic empowerment."

"Nepal needs to walk cautiously before taking any decision on the type of federalism



Nepal wants to practice," said Dr. Sambhu Ram Simkhada, former ambassador. Centralization of power needs to decentralize but there need to do intense discussions before taking the decision. "

Highlighting the economic importance, professor and senior economist Biswambher Pyakuryal said that Nepal cannot economically afford to five units. "Nepal's all districts have deficit of resources. Some are very poor and some are rich. Before carving the units, there need to take serious study," said Pyakuryal.

Dr. Nishchal N. Pandey, executive director of CSAS highlighted the importance of the book in present context.

BOOK

South Asian Water

Although she is an American journalist, Cheryl Colopy is a first foreign journalist who traveled intensively in the Ganges river basin and saw its flow in the plain up to mouth of Ganges showing how South Asia's sacred river is gradually turning into sewers, affecting the life of billion plus population

By KESHAB POUDEL

The Ganges or river Ganga is the lifeline for a billion plus population. It is a part of culture, a sacred river of South Asia. However, due to growing human assaults, the river is getting dirty and dying.

The Ganges and its tributaries are sources of livelihood for a billion plus population. They are religiously sacred for a billion plus Hindus all over the world. However, as the river is gradually dying due to growing human activities and intervention, the associated culture and religious values are on the verge of death too.

As the population increases, water crisis in South Asia is looming large. The *Dirty, Sacred Rivers* explores South Asia's water crisis, taking readers on a journey through North India, Nepal and Bangladesh between the Himalayas and the Bay of Bengal.

The Ganges not only provides water to drink and irrigate the land but it is also a part of great Hindu civilization. From the sources till it reaches the Bay of Bengal, the river water touches three countries, Nepal, India and Bangladesh, and passes through historic and religious places.

There is no dearth of books related to water pollution, and religious and cultural values of the Ganges and its tributaries. However, American journalist Cheryl Colopy is the first writer to describe the state of South Asia's most scared river Ganga and its tributaries in an authentic manner after visiting the sources and the entire basin areas. Many books have already been published about the population. This book narrates the suffering of the Ganges and its tributaries at the hands of the humans and at the cost of its very life.

To describe the state of rivers, journalist Colopy treks to high mountain glaciers with hydrologists, bumps around the rough embankments of

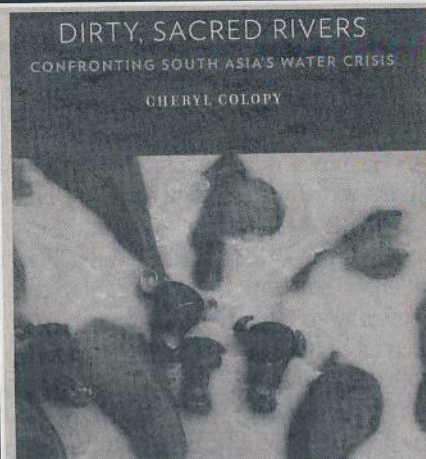
India's poorest state in a jeep with social workers, and takes a boat excursion through the Sunder bans, the mangrove forests at the end of the Ganges watershed.

In the words of Peter Gleick, co-founder and president of the Pacific Institute for Studies in Development Environment, Environment and Security, "There is no doubt that we need good science and policy to save the world's great rivers from destruction. But, Colopy's moving experiences along Asia's magical rivers from their mountainous headwaters to their broad deltas remind us that science and policy alone are not enough- we must regain our sense of the sacred and spiritual - and the her fine book helps us do that."

Despite several attempts and commitments from various level, the Ganges, sacred river of South Asia, and a source of livelihood of billion plus population is close to die when it reaches at the plains and it is heavily exploited at its sources through construction of dams and hydropower stations.

In the words of Dipak Gyawali, former Minister of Water Resources of Nepal, "River Ganges defines the essence of the Indic civilization and Cheryl Colopy has travelled its entire length from its icy heights in Nepal to the hot plains of India and Bangladesh. This valuable book describes her struggle to understand how a civilization based on a reverence for the river's sacredness can today turn it into a sewer. Outsiders can appreciate the bewildering forces that roil this densely populated region while South Asians -most of whom have never made such an integrated journey themselves- will find in it a mirror that speaks of the pain and beauty of committed social and environmental struggle that lie behind the grime on the surface."

Cheryl spent almost a decade to write



Dirty, Sacred Rivers
Confronting South Asia's Water Crisis
By Cheryl Colopy, Price: Rs.1295.00
Published by OXFORD University Press
Pages: 400

the book travelling from Gomukh, glacier of Ganga to Nepal's world known glaciers Tsho Rolpa and other glaciers of Khumbu region learning the experiences of the people. She visited hydropower sites along the Uttarakhand of India as well as its capital New Delhi to see the state of water.

Writer Cheryl describes how modernization of cities and rising income with global warming threatened the rivers. The writer visited construction of dam sites and hydro power projects describing how they are destroying river eco-system. She also describes how dams and ill-advised embankments were destroying the Ganges and its sacred tributaries. She extensively trekked mountains of Uttarakhand of India. She also narrates the pathetic story and destruction of mountain eco-system, livelihood and culture following the construction of Tehri Dam in Uttarakhand. She also visited New Delhi and interviewed people from across sections to describe the water mismanagement and water treatment.

Colopy narrates her vivid first-person experiences of looking at the complexity of life, culture, religion and eco-system of the Ganges River and its tributaries. At a time when there is a growing concern over polluted river and scarcity of water from Nepal's capital Kathmandu to Indian capital New Delhi and many parts Bangladesh along with the major mega cities and religious sites of India, this book is an asset for all. The book is the first of its kind which derives its authenticity from observation of places of the Ganga river basin. ■

Congress' Woes

By ABIJIT SHARMA



The multi-million dollar IPL extravaganza took off earlier this month. The frenzied sporting event, now in its sixth edition, ushers in a festive mood every year for the ever enthusiastic Indian cricket fans. This time it has been no different. But while the aam aadmi rejoices the colourful cricket show, the sixers and the glamorous cheerleaders, the political arena's major player has very little to be cheerful about. Political dramas and feuds have hogged the news since the past month and it is the party in power, the Congress, which has found itself as the 'star' of a shoddy drama.

The Congress party hasn't had a good run in the past few months. Keeping aside its corruption and scam tainted image, the party has been embroiled in serious mess, just as its second term nears the end.

To begin with, the party received a major blow when one of its major allies the Dravida Munnetra Kazhagam (DMK) decided to withdraw support to the Congress

led United Progressive Alliance (UPA) accusing the government of being 'unwilling' to take on Sri Lanka at the UN on alleged war crimes against the minority Tamils. The stirred and shaken Congress immediately went on a damage control mode and initiated appease-them talks with two other major allies, the Samajwadi Party (SP) and Bahujan Samaj Party (BSP), whose support the party needs to stay just above the majority mark of 272. The real headache started when SP supremo Mulayam Singh Yadav, sensing a wounded Congress, started threatening that it would follow in the footsteps of the DMK if the Congress did not stop "bullying its allies." Although aware that both the SP and BSP stayed in the alliance purely out of self interest, the threats did put the Congress on back-foot forcing it to handle the case rather sensibly. SP later declared that it would continue to support the UPA for the time being. But tension escalated when one of the former SP members and now a Congress Minister Beni Prasad Verma and Mulayam Singh Yadav got engaged in a war of words, taking frequent jibes at each other. Sensing risk in angering the SP, the Congress made all attempts to act as a peacemaker. Although the party has given public assurance that it will complete its full term, a sense of fear and nervousness still haunts it.

As if the niggling allies were not enough, the Congress faced flak from its own members. The first to do so was controversial leader Digvijay Singh who claimed that Congress ran with two power centres referring to the split of authority between the Prime Minister Manmohan Singh and party chief Sonia Gandhi. He claimed that

the 'dual power theory' was not working well and needed to be reformed. The opposition was quick to capitalize on the comment and criticized the PM for being powerless and Gandhi for exercising the state authority rather extra-constitutionally. The Congress termed Singh's comments as personal without forcing the latter to take the statement back. Singh was not the only member to speak in a tone that embarrassed the Congress. Rural Development Minister Jairam

Ramesh, after a visit to Kashmir valley earlier this week, expressed displeasure over the Centre's running of the state and claimed that it was the intelligence agencies that dictated Kashmir policy. Although this time the party did not make any statement, it was clear that there was discontentment amongst many regarding the functioning of the party and the way party ran and led the coalition government at the centre.

Party number 2 Rahul Gandhi has not been spared criticism either. His address to a meet of industrialists in the Confederation of Indian Industry (CII) drew more brickbats than bouquets. Gandhi, the likely prime ministerial candidate for 2014, was slammed for being vague and for failing to touch upon major issues such as high inflation, decelerating investment, ballooning current account deficit etc. His metaphorical statement linking India with a 'beehive' became a laughing stock and did not make much of sense.

Also, not to forget, the party has had to battle pressure even at the state level especially in its stronghold Delhi, where it has been blamed for failed governance and lack of law and security.

With its image taking a serious beating, the future of Congress looks bleak. It finds itself in a mess at a time when the party is looking forward to win a third term — in the 2014 general elections. But without a major image recovery soon, a repeat of the Congress win appears unlikely. ■



Indian PM Dr. Singh (Left), Sonia Gandhi and Rahul Gandhi

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Elections: Sooner The Better

By INDU ACHARYA

After a long political turmoil, the country has finally embarked on a journey towards elections, although it is not yet clear whether the proposed CA election will be held in Ashad or Mangshir. There are differences in the opinions on the possibility of holding the CA election within Ashadh and there are also differences of opinion on whether the election will be really held or not. However, taking the positive line, if the election are to be held as soon as possible (in Ashadh), there are a number of challenges the electoral process of the country is going to face. Some of these challenges are discussed in this article. With the appointment of the election commissioners, the Election Commission of Nepal (ECN) will have a clear road ahead to proceed with the preparations for the forthcoming election in the country. With the presence of experienced and professional team of the election commissioners, it is now easy to hope for a fast track preparation for the elections.

There are a number of fundamental issues to be dealt with by the government and the main political actors that will have high level of impact over the election preparation, timing and logistics at large. In this context, some of the pertinent issues are: some political parties are still not ready to participate in the proposed election unless their conditions (related to formation of a national consensus government from the political parties, inclusion of the new eligible voters as per the new census data etc.); there are opinions from different sectors about holding the election for CA and Parliament as two separate entities; demands are also being raised for holding election to the local bodies at the same time. So far, the major political actors and the election government have not clearly responded to these issues but things are moving towards holding a fresh election for the CA only.

If the CA election is to be held in June (Ashadh), the following challenges will be faced by the government, ECN, political parties and the voters too. The challenges seem to be political, legal, seasonal, technical and procedural as well. Each of these challenges requires different sets of mitigation efforts by all the stakeholders of the proposed election.

On the political side, some political parties have expressed that this government is unconstitutional and undemocratic, therefore, they will not participate in this election unless a new national consensus government is formed. Some political parties are raising the issue of citizenship certificates in the Tarai

region, some political parties are demanding new update of the voter's list according to the new census data (which is also interlinked with the citizenship certificate issue). There is also another school of thought that suggests holding the election for the CA and for the Parliament as two separate entities, which seems to be based on the complications that had arisen during the last CA period, mainly because of its dual nature (CA as well as Parliament). Technically, this option bears a strong logic as separate CA and Parliament will lead the country to a new political discourse in which the governance of the country and preparation of new constitution will be taken as two different sets of task and handled by two different bodies. A third school of thought being voiced by a group of political parties and intellectuals to hold elections for the local bodies at the same time so that the local governance and developmental work could be taken further. There will be some issue of logistics and resources, however, if this will be helpful to bring the country back in track of democratic norms and practices and also if it will deliver a new constitution, the cost for this should not matter. However, there are no indications of such, neither from the government nor from the political parties.

On the logistic side, holding free and fair election in a peaceful manner is always a challenge for the state actors of election. There are a number of issues that need to be addressed properly for this, such as i) the issue of sufficiency of the number of security personnel, logistics and their deployment, ii) the issue of sufficiency of 'trained election staff' to facilitate and conduct the election in timely, free and fare manner, iii) There are issues related to the legal provisions and rules related to the electoral process, registration

of the political parties, handling election disputes.

There are also challenges on the side of voters' education and mobilization. The election commission is prepared to use the electric voting machines as far as possible in the coming election as part of its effort to improve the electoral process and quality of election in the country. This will require intensive voters' education, which is a time demanding process. The mobilization of independent and effective election monitoring (both national and international) is another crucial aspect of the forthcoming election. In the situation of high level of proliferation of party workers into the national election monitoring groups the 'independency' of the national election monitors is also under criticism and questioning. The role and effectiveness of international monitors is also not different as regards these criticisms and questions mainly on the ground of their experience and effectiveness. 'Election tourism' is the term used in the case of mobilization of inexperienced group of international monitors as experienced during the last CA election in Nepal. Not reaching to the interior parts where the most election riggings occur, and loose reporting on the status of 'fair election' were some skepticisms over the nature and quality of the international monitoring during last CA election. This needs to be tackled very seriously not only by the election commission and the government but also by the bilateral and multilateral parties sending international monitors.

Despite all the odds and outs; one thing is clear that if democracy in the country is to be protected, election leading towards a new constitution in Nepal is unavoidable. Therefore early election is the only solution for the country.

Indu Acharya is Associate Professor of Political Science at Tribhuvan University

The CA Post Mortem Why did the Constituent Assembly fail?

Nepal Constitution Assembly Impasse: Comments on a Failed Process is a new book in the market which provides insights into reasons that finally led to the fall of the first Constituent Assembly (CA) in Nepal.

Authored by Dr. Bipin Adhikari, a Constitutional Law expert, who has already published a number of books in his field, the current book elaborately sheds light on the inter and intra party conflicts, the deteriorating law and order, the issues and debates surrounding federalism, the division of the country based on ethnic creeds, and the influence of the regional powers in the constitution making process, etc. that

ultimately froze the process of promulgating a new republican constitution in time.

Special emphasis has been given on the happenings of the final eleven days of the CA, which gives the readers a vivid picture of politics inside and outside the CA.

Ending the book with possible solutions about the current impasse on constitution making process, the writer, who is familiar with the idea of B.P. Koirala, wants to see a new constitution enshrined with democratic values and norms. For any truth seeking readers interested in knowing about the events that took place while trying to draft a new constitution in Nepal, the volume of information available in 236 pages of this book can help them sufficiently quench their thirst.

Nepal's Alarming and Unsustainable Fossil Fuel Addiction

Aago taapnu muda ko, kura sunnu budako.

["Warm yourself on a log fire, listen to wisdom of the Old Ones"] - traditional Nepali proverb

- By NIRENDRA BASNET

Continuing the tradition of *Pani Satsangs*, following the earlier one that discussed transmission bottlenecks to hydro power development, the 34th *Pani Satsang* focused on Nepal's addiction to fossil fuel and how the transportation sector could be weaned away from it. Organized jointly by the Switzerland's Toni Hagen Foundation and Nepal Water Conservation Foundation, it exposed the staggering and unsustainable levels of current fossil fuel consumption in Nepal. Beyond the alarm, the presentations and discussions at the *Satsang* also showed us the options of moving onto a more environment and village friendly transportation future. Moreover this *Pani Satsang* was also to honor a genuine friend of Nepal, Toni Hagen, who had dedicated the working years of his life to Nepal. He believed that Nepal, like mountainous Switzerland, should go for ropeways development, powered by indigenous hydropower, to complement trunk-route highways, rather than devastating fragile hillsides with unsustainable and landslide-inducing roads. The last essay he wrote before he passed away in 2003 was in the book *Ropeways in Nepal* (Nepal Water Conservation Foundation, 2004), which compared the path taken by Switzerland that was climate-, economy- and environment-friendly versus the fossil fuel addicted one pursued by Nepal since the last half-century.

With geology as his professional background, Toni Hagen arrived in Nepal in 1950 to map the Nepal Himalaya, a task that required him to trek the entire length of Nepal from the Tarai to the high Himalayas, in search of precious mines and mineral which could benefit this country. Along the way, he was moved into proposing solutions to the extraordinary challenges faced by the rich mosaic of communities in Nepal. Thus began his *pursuit of happiness* to bring the solace of development to Nepalis, cut off from global happenings and lacking basic necessities to sustain their livelihoods. He understood the political economy of development this country faced and he sought to provide the best available

options, often against the grain of official foreign aid fads, to move this country to a more sustainable future. Speakers at the *Pani Satsang* shared their research findings, others who shared their deep admiration of Toni Hagen's work.

The *Satsang* was inaugurated by Katrin Hagen, Toni Hagen's daughter who is a doctor and had come to Nepal this time to run a medical camp in Taplejung. She described how Toni had arrived in Nepal on the invitation of King Mahendra, to explore the development needs required by the country in whose heart Nepal's villages occupied a special place. She highlighted Toni Hagen's belief that a nation can make peaceful progress only by sustainable projects that promote decentralization, local participation and provide cash to villagers. Today with "Dozer Aatanka or bulldozer terrorism" of roads being indiscriminately gouged out in every VDC's hillslopes, one must wonder why well-known sane alternatives were not chosen by Nepal's development leadership - that of *gaon-besi* ropeways which would have been economically far more beneficial to Nepal because, by using indigenous hydropower, it would also be conserving the rural environment with pollution free and low maintenance.

Toni's understanding of Nepal and how much he wanted to assist the nation in meeting its goals was further highlighted by the former Nepalese ambassador to Switzerland. Mr Shamburam Simkhada appreciated the how Toni loved not just the geography of the country but even more the amazing resilience and adaptation capabilities of the Nepali people. Even with great social, economic, environment adversities on their path, they somehow managed to create solutions befitting the communities and the environment they lived in. Such was his admiration for the people and country, and so effective an unofficial ambassador of Nepal that he came to visit the country a day after his beloved wife passed away. Toni Hagen's inspiration was not just limited to Nepal: his books have served to inspire those abroad as well. This point was further expanded by His Excellency Dr

Thomas Gaas, the Swiss Ambassador to Nepal, who, while traveling to Cameroon, had Toni Hagen's book in German, which translates roughly to "The Ways and Errors of Development Corporation".

This *Pani Satsang* also presented us with alarming numbers, highlighted by Professor Amrit Nakarmi from the Center for Renewable Energy of the Institute of Engineering, which show how the country is hurtling headlong into economic bankruptcy. Currently Nepal spends 126 percent of its foreign exchange earnings for importing fossil fuels, mostly for transport and private captive diesel plants due to the massive power cuts in the national grid. This has led to an oil addiction such that if there were any international increase in oil prices, Nepal will face an economic catastrophe over and above the political mess she is already in. With load shedding hours increasing, it was shown that 40 percent of the fossil fuel imported is utilized for running private generators. Umesh Shrestha described how Nepal Oil Corporation is already into undeclared bankruptcy, and the only sane alternative is to "go electric". Today more than 600 electric three wheelers transport more than 125 thousand passengers daily, and that needs to be promoted on a war footing by the government if the country is not to become an economically failed state. Dipak Gyawali, Chair of Nepal Water Conservation Foundation, described how as minister and ex-officio chair of Nepal Electricity Authority, he had the NEA board pass in May 2003 electricity tariff restructuring with time-of-day metering that would have allowed electric vehicles cheap, off-peak Rs 2.10/kWh of electricity between 10PM and 5AM. Unfortunately, subsequent party governments failed to move in this direction.

It is same point which Toni Hagen pointed out time and again for more than half a century, and repeated it a decade ago to Durga Nath Sharma on Nepal Television. He said, "...but all this has to start at the grassroots. The people have to participate in shaping their own destiny. No one can dictate to them, and you cannot have democracy without it only through violence and bloodshed." ■

DEVELOPMENT

Roping Change

With investments running in billions of rupees annually, Village Development Committees and District Development Committees are building roads haphazardly in rural areas, aiming to transform the life of the people. But, instead of bringing change, these environmentally unfriendly roads have added burden and wrought devastation in some rural areas. Recent experiences of Gorkha and Tanahu show that the ropeways can transform the rural life with relatively smaller investment. With support from the European Union, the ropeways constructed by the Practical Action has changed the life of rural folks.

By KESHAB POUDEL

The life of 32-year Panmaya Chepang used to be difficult despite her constant striving to overcome poverty. From sending her husband to Saudi Arabia for six years, to planting vegetables, she made many efforts to make her life easier. Her situation had not changed until the installation of a ropeway nearby. The ropeway eventually became a savior for the entire Chepang community. Along with the support for the ropeway, Practical Action provided the people with technical support to modernize agriculture.

"Now, we are making more money from vegetable farming than my husband used to send home from Saudi Arabia. We actually make a lot of money by working together here in the village," says Panmaya. Most villagers of Hukilung, in Gorkha district, are Chepangs, who live

below the absolute poverty line.

Although Hukilung village is only 500 meters from the Prithivi Highway, one of the major highways of Nepal linking capital Kathmandu with the rest of country, it had remained far away from the mainstream society until a few years ago. There was no road to connect the village at the top of the hill to the highway along the opposite bank of the Trishuli river, and no bridge to cross the river. People from the village used to walk for several hours to reach the highway. Even if the road was constructed, it would be costlier as well as environmentally unfriendly.

Everything is so different in the village now. Under the Access for Opportunities, an EU funded project, the Chepang community installed a gravity ropeway in 2009 and an improved

tow-in in 2011 to transport goods and to cross over the river respectively. Practical Action launched the Project in 2007 with the objective of improving the socio-economic situation of 14,838 marginalized households in Achham, Kalikot, Tanahu and Gorkha districts.

The project focused on improving the transport services such as by way of installation of gravity ropeways and tow-ins to enhance people's mobility and access to essential service such as health, education and water, and to increase their interactions with external communities and markets. The project also aimed at increasing and diversifying income generation activities through improved production, processing and marketing of farm products.

Following installation of the ropeways, the Practical Action undertook

complementary activities to improve living conditions in the village. These included product diversification, training for farmers and micro irrigation.

"The village began to thrive as never before. A few weeks ago, I visited the village and my chest swelled with pride to see the change," said Rabindra Bahadur Singh, project manager of Practical Action.

The farmers shared similar views. "We used to grow very little food, not even enough for 2-3 months. The rest of the year we lived on forest roots and tubers. Some of us used to work in Fishling Bazaar as porters to support our families and some worked overseas in India and Arabian countries," says Ratna Chepang, the Chairperson of the Jalapa Devi Agriculture Cooperative, formed with the help of the project. "From this project, we received improved seeds, micro irrigation technologies and new farming skills. Most importantly, we got the ropeway for transporting our goods to market. Now, we are producing surplus crops and each household earns NPR 120,000 (\$1380) per annum from selling vegetables."

With the installation of ropeways and technical support to grow the vegetables, the village is seeing its residents nearly double their income. "This has triggered marked improvements in the living conditions of the 56 Chepang households in the village," said Singh, project manager. "The change is not only confined to income, it also has changed the status of children in health, education and hygiene. Before the project, for example, the attendance rate was low and the children's hygiene was poor."

This is not a single village making such a progress. Devasthan of Gorkha is another village where villagers are making a good income from selling vegetables and saving enough money.

"This model village now showcases what marginalized communities can achieve if they have access to right skills and technologies. The community deserves all the praise for taking responsibility for changing their lives and working hard for it. Practical Action is proud to provide a helping hand to their journey to prosperity," said Singh.



Farmers Carrying Vegetables Photo Courtesy: Practical Action

Ropeways are regarded as the best transport for Nepal. "Simple rope-ways, as there are in the Swiss Alps, in an abundant number to connect single small valley villages and high pastures and forests, seem also to be of great value for opening up the country," late Toni Hagen, renowned Swiss development expert wrote in his report presented in July 1959 to the government of Nepal. This seems still valid.

Others too agree. "Ropeways are a mountain-friendly technology: they are three times cheaper and eight times quicker to build while being twice as energy efficient and equivalent to 'green road' (in terms of Mega Joules/ton transported). Moreover, they do not emit greenhouse gases. Unlike badly built roads, especially through current "dozer politics" in the districts, they also do not induce landslides and environmental damage," said Dipak Gyawali, chairman of Nepal Water Conservation Foundation, in a recently organized Toni Hagen Memorial Symposium.

"Gaon-Besi short haul goods carrying ropeways have also shown that they can make Nepal's micro-hydro installations a profitable money-spinner if attached to a ropeway that carries goods up and down the mountains from sunrise to sunset: in such cases, electricity for lighting village house in the evening can then be provided next to free as social

goods! Hydro developers have also found that temporary constructions on ropeways are cheaper and environmentally friendlier than building access roads through government forests. Yet this is a transport technology that, despite an early start in 1924 during Chandra Sumshere's rule, has seen its development myopically arrested in Nepal. It is a tragedy that needs reversing if Nepal's development is to move towards a cleaner, sane "green development", if Nepal's marginal farmers in the deep hinterlands are to have access to the market where they can sell their products and improve their livelihoods, and if Nepal can stop the perpetual hemorrhaging of its precious foreign exchange earnings with petroleum import," said Gyawali.

At a time when villagers are considering the construction of road or using the bulldozers to cut the unstable mountains as a symbol of all round development, the installation of gravity rope ways will also help change the mindset. With the support from European Union, Practical Action, has already proved that ropeways can be a sustainable model for the transformation of rural life.

The villagers of Devasthan Village Development Committee of Gorkha district have seen an unimaginable scale of transformation in their village in just

a couple of years. At a time when some villagers, who spent huge amount of money to construct the rural roads, are suffering devastating consequences of landslides along the roads, villagers in Devisthan have been enjoying the fruits of environmental friendly and low cost gravity rope way.

Adjoining the Prithvi Highway, the villagers used to sacrifice almost full days to fetch agriculture products up to the point. However, the installation of ropeway saved their entire days. Kaji B.K., a dalit of Devisthan, has seen a complete transformation in his life as well as in village following the installation of the ropeway. Although Prithvi Highway passed through nearby mountains for decades, the villagers had to wait for a long time before really maximizing the economic benefits out of it.

Unlike Tanahu and Gorkha, which are close to transport link, the story of remote districts of Kalikot and Achham is different. The two-Ins helped to increase the safe mobility of the people but the access to markets in these districts are poor.

Despite huge potential to grow various kinds of vegetables with easily available market nearby, small landholders in Devisthan did not have affordable transport means. However, the construction of ropeway four years ago has drastically changed their income and livelihood.

With the total investment of approximately Rs. 1.6 million in installation cost, the ropeway can increase income by ten times. "I have a very little land. Thus, I leased the land and planted tomatoes with an investment of Rs.13000 (US\$ 150) initially. Thanks to good harvest, I am able to make a net profit of over Rs.300,000.00 (US\$ 3000)," said a farmer.

Life is difficult for families living in remote and mountainous areas. Getting crops to market can be exhausting and dangerous – it is generally mules, women and children who carry these heavy loads on their backs, down treacherous, winding dirt tracks. When it rains, or there's a landslide, it's completely impossible.

It could take two people over three hours to carry a 120kg load of apples 1.3



Improve Tuin Photo Courtesy: Practical Action

km down a steep mountain path – and that's just the first part of the grueling journey to market. Now, with a gravity ropeway, the apples take less than five minutes to cover the same distance. Depending solely on gravitational force – and using no external power – gravity ropeways are simple, inexpensive to operate, and environmentally friendly.

"It's such a simple solution to the isolation endured by so many poor Nepalese families. The main components of the ropeway are sourced locally and our project staff train local manufacturers to build the parts. We show the village group taking responsibility for the ropeway how to maintain it. A small charge to each user ensures enough money to keep the ropeway in good condition while also paying for two operators to manage the top and bottom stations safely," said Singh.

The ropeway means people can get more produce to market from their mountain villages. And because it gets there quicker, it's fresher and earns them more. They have more time to tend their crops, more money to buy fuel for cooking and heating, and can even pay for education and healthcare. Technology really is making a remarkable difference to their lives.

In 2007, Practical Action launched the Access for Opportunities, Nepal, project, with the objective to improve the

socio-economic situation of 8,000 marginalized households in Achham, Kalikot, Tanahu and Gorkha districts of Nepal. During its five-year period, the project designed and delivered 15 gravity goods ropeways and 18 improved tow-ins to enhance peoples' mobility and access to other essential services. Along with installing the ropeway, the project also helped to develop the capacity of local communities, who were then mobilized to install improved tow-ins and ropeways.

"There is a growing demand for Nepal's successful model in the region. Practical Action is now providing technical support in hill tracts of Bangladesh, Northeastern state of India and Bhutan," said Singh.

Practical Action's experiences demonstrate that the complementary transport such as the ropeways and tuins are the most appropriate technologies for Nepal to satisfy the rural people's immediate access needs. However, this needs to be replicated at mass levels to have greater implications.

Nepal's geography plays a fundamental part in the way human and material resources can be mobilized. The constraints arising from these natural process on modern development in Nepal are various and critical. Practical Action has showed the way to address the poverty by increasing income through the intervention in transportation and agriculture. ■

Bill Made To Establish And Manage The Proposed Bagmati Valley Civilization Development Council, 2066

The provisions in the proposed bill made to establish and manage the Bagmati Valley Civilisation Development Council are in general positive. Making some changes in it would however make it a more effective act. These suggestions have been provided below the related articles in the proposed bill. Those provisions in the bill that have been left unchanged are not included in this paper.

Provisions that need to be further added or changed

Preamble:

Whereas it has been deemed necessary to establish and implement the Bagmati Valley Civilisation Development Act in order to keep the Bagmati and its tributary rivers clean, healthy, pure, and free from illegal occupation, and protect and promote the regions surrounding the river, the natural, archeological, cultural and religious heritage, civilization and environment, and develop the necessary physical infrastructure necessary for the purpose, this Act has been made by the Constituent Assembly as per Article 83, Sub section (1) of the Interim Constitution of Nepal, 2063.

Suggestion: As the preamble of the proposed bill intends to keep the Bagmati river and its tributaries and their surrounding areas healthy and free from illegal occupation, and it is necessary to preserve and promote the river.

Paragraph 1.

Suggestion: As the council is being established with the intention of preserving and promoting the Bagmati civilization and keeping the river and its tributaries clean, healthy, and pollution free and saving its historic significance, if the provision in the proposed bill is further widened the goal might be more effective gained.

Determining/limiting the flow region of the river:

The council shall determine a minimum flow area that is not less than the one that was marked in the 2021 BS mapping.

Suggestion: In this article of the Act, the provision that “the flow area shall be determined in a manner that does not reduce the flow area from what it was when this bill was inacted,” suggests that the historic and natural flow area of the river cannot be maintained, therefore it should be replaced with: “the minimum flow area shall be determined ensuring that it is not less than the historic natural flow area of the river.”

Suggestion: It is necessary to increase civil society participation in the executive committee and make it more participatory, it is therefore necessary that the Nepal Government appoint 3 people with minimum 2 women as members of the council on the recommendation of the vice chair of the council.

15. Work, Duty and Rights of the Committee: Besides what is already mentioned in this Act, the following shall also be the work, duty and rights of the committee:-

- a. prepare necessary policies to develop necessary physical infrastructure to keep the Bagmati river and its tributaries healthy, clean, pollution and illegal occupation free, and protect and promote the surrounding natural environment, historical, cultural and religious heritage and civilization, and delimit the river, and present these findings to the Council
- b. determine the policy, strategy, programs and budget of the council and present it to the council
- c. construct, operate, repair and maintain the necessary roads, sewage processing system, embankments, check dams, and green areas
- d. prevent or stop any kind of garbage from being thrown, kept or collected or unprocessed sewage from being mixed in the river
- e. do the necessary to stop illegal sand-mining from Bagmati and its tributaries
- f. protect the source areas of Bagmati

- and its tributaries and conduct tree plantation around such areas
- g. conduct public awareness programs to ensure that Bagmati and its tributaries remain pollution and open defecation free areas
- h. conduct activities to protect and promote the natural heritage, culture and environment of the areas that are within the jurisdiction of the council
- i. identify true/original landless refugees/squatters illegally occupying areas around the Bagmati and its tributaries and prepare alternative provisions to recommend their removal to the government
- j. Conduct public private partnership as per necessity or construct, operate or handover or implement a participatory plan that includes community organizations, consumer committees, and/or private sectors
- k. Collect resources necessary for the Council
- l. Implement or have implemented the plans and activities approved by the council
- m. Take consultations from experts for the Council's works as per necessity
- n. Prepare the organizational structure and necessary employee posts and present it to the council for approval
- o. Conduct other works to fulfill the objectives of this Act
- p. Endeavour to make the waters of Bagmati and its tributaries at least bathable if not drinkable
- q. Develop, manage and operate eco-tourism concepts in and around Bagmati and its tributaries

Suggestion: As it was important to add “protect and promote the environment around Bagmati river and its tributaries to make them healthy, illegal occupation free” instead of what is there with regards to the works, duty and rights of the committee. Likewise because it was also necessary to add “make the waters of Bagmati river and its tributaries safe enough to bathe in and develop, conduct, manage and operate

eco-tourism activities" in the mentioned works, duty and rights.

16. Right to regulate, ban, or control: (1) No one has the right to conduct any activities that lessen the flow of Bagmati and its tributaries, illegally occupy the river banks or influence or cause to influence the change of flow of Bagmati or its tributaries. The subsection shall in no way be deemed to be obstructing any of the works, duties and rights of the Council conducted as per the Act.
- (2) Except for the Council no one else may conduct any activities in the flow area or towards either the left or right banks or the areas mentioned under Article 8 section (b) of the Bagmati river or any of its tributaries.
- (3) The committee may periodically publish notices informing the general public and all concerned of the following activities that are regulated, prohibited, or controlled within the jurisdiction areas defined by Article 8, section (c) of the council, and no one may conduct such activities without the approval of the committee:
- (a) any kind of construction work
 - (b) take benefit of agriculture, natural heritage, archeological, religious and historic place, use of public land or immovable property, or raise cattle or poultry
 - (c) settle people or make settlements, or pass maps for such settlement purposes
 - (d) create or establish fields for sports, entertainment, fair, market
 - (e) Mine sand, stones, gravel, mud, or export water (in water tanks) without authority
 - (f) establish or bring to operation any industry, or mix or cause to flow any unprocessed sewage, drainage, water, chemical refuse in the river
 - (g) any activities or works that might adversely affect the natural beauty, importance of the tourist destination, or the health of the general public or the environment
 - (f) constructing sewage and mixing it in the river
 - (g) Dumping or mixing any garbage, or

causing pollution

17. Deconstructing or removing physical infrastructure: (1) The Committee shall issue a 90 day ultimatum and notice to remove or deconstruct any illegally built infrastructure from the public land that falls within the jurisdiction area of the Council

Suggestion: Because it is necessary to allow time to those illegally living around the Bagmati river and its tributaries to remove their belongings besides the physical infrastructure.

18. Document government and public owned land: The committee must periodically maintain the documentation of all the land (government, public or otherwise) that is within the jurisdiction of the council, and submit a copy each to the District Administration Office, Land Revenue Office, and the District Development Committee.

Suggestion: Because the Land Revenue Office is an important agency in keeping track of the government and public land it is necessary to mention the agency in this provision.

Send for departmental action to be taken: (1) As per this paragraph the Committee may write or recommend to any agency for any action, or write to concerned authority for departmental action against the head of any department or agency that has not taken recommended action in time as per the committee's recommendation.

Suggestion: The concerned agency head has a direct role in the execution of any of its office works. Along with the agency head the other staff and employees of the department also have a role in executing the works on time, it is therefore important that there be provisions to recommend departmental action to authorized personnel against other staff and employees of the agency or department who have not executed their given responsibilities on time.

Suggestion: Allotting 0.05 percent of the land and building tax and sewage tax collected from houses within the Kathmandu metropolitan city, sub metropolitan city, municipality and VDCs might allow valley residents to feel

ownership of river conservation and promotion activities as well as allow the council to become financially independent which will in turn assist the council's works to be carried out in a timely regular and effective manner.

Punishment

31. Punishment: (1) If anyone conducts any activity that opposes Article 16 of the Act and falls in the area within the jurisdiction of the Council, the Council may fine the individual up to Rs 300,000/- and destroy the physical infrastructure thus constructed there.

Suggestion: Because it is important to discourage/prevent anyone from conducting any activity against Article 16 of the Act, a minimum fine has to be imposed.

(5) If anyone refuses to follow the orders as per this Act or conduct any activity that opposes anything mentioned in sub sections (1), (2), (3), (4) of this Act, or any other regulation made under this Act, the committee may collect the due as well as fine Rs 25,000 to the individual.

Suggestion: So all may follow the directions and order issued as per this Act and may discourage anyone from conducting anything that opposes this Act.

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Caste: As Big As We Make It

By ADITI ARYAL



People visiting Nepal from around the world often feel greatly touched by the friendliness, warmth and hospitality shown by us, the natives. In their blogs or write-ups, they never fail to mention this aspect and encourage other visitors. They talk about Nepal as a multiethnic, multicultural and a vibrant society. But we are caught up in the caste system, fighting because of it and expressing our hatred against each other in our own country.

Every next day different sections of leading dailies cover this one topic without fail – caste discrimination. People always point out how the leading positions, like PMs or Chief Justice, have always been held by the so-called upper castes. Similarly people from other ethnic backgrounds have always talked about how they have been sidelined; their culture, practice and society ignored and how their accents and looks have been made fun of.

Whenever I came across articles which talk about caste discrimination or caste this and that I always try to relate why it is that caste was always a major issue for hatred. What is in this entire caste thing that separated people into different tiers and turned one against other? Why should it be that we can decide who is better than whom by knowing their castes?

Caste has since ancient times been a factor. Religion talks of it, previous generations have been implementing it and we blindly tend to follow it. Every time people are interested in knowing my surname and they decide whether to like me or not depending on their own surnames. This is a sad reality of what we see and do every day. Since childhood we are asked to foster friendship and ties within limited castes falling in the same stratum. The so-called supreme castes usually speak ill of other castes and in case of misconduct by anyone relate them to the lower castes.

This entire thing about caste, some superior and some inferior, is a blotch on humanity. Caste discrimination was implemented so as to maintain dominance by the upper and perhaps cleverer castes. This deteriorated to the worse levels like terming some as untouchables. We can see how this was always in favor of the supreme castes because they could manipulate the weaker caste as per their wishes. The supreme caste could use the weaker castes' services and labor, cheat and deceive them, use their share of communal resources, mistreat them, and maybe even get away after killing them. The weaker caste could not even ask for justice because they could not at all speak two ways to the self-declared better caste. The unprivileged were made to accept they were the lower caste and they had to submit to the upper caste. This thing is prevalent even today in the same form in many rural areas and in modified forms in the urban areas.

This is why the hatred for the upper caste. This is why we get blamed and criticized even if we achieve things with our own competence. We have been trying to enforce our superiority not by being superior but by imposing it. Now, this is unfair and unethical and worth receiving hatred. No matter how well we try to blend in with the crowd, our 'upper caste values' curb our flexibility of relations. And this is not our fault because we have been brought up with these thoughts. However, it is changeable. And it must be changed with time.

It is for us to learn that caste is not at all a big issue. Being born into a certain caste is not in anybody's hands. It is just like everyone being born with faces and voices we can like/dislike or learn to live with. If there is a creator we all talk about, He made us similar extrinsically if not same. All humans are binomially classified under *Homo sapiens*. Interpretation of religion could have been a mistake. People who taught us all this could have been mistaken too. We should bring a change to this. Caste is only as big an issue as we make it. The people who praise us for our hospitality do not know our castes nor can they identify it by our surnames. We need to be more tolerant towards all castes- ours or others' and stop fighting with each other with issues such trivial as these. ■

A Change in Time: A Change in Fashion

By SABRINA ADHIKARI

"Fashion is not something that exists in dresses only. Fashion is in the sky, in the street; fashion has to do with ideas, the way we live, what is happening." – Coco Chanel

Fashion is not something everyone is really into or interested in. It is a supreme form of art where you put together clothing materials and accessories to make yourself presentable and fanciful. However, fashion is also the way of decoration, style, and behavior done for attraction. The way in which a people dress up defines what kind of a background they come from. It helps decide and show what their personalities are like and also displays an overall view of the particular person. Fashion is glamour, it is pride, but overall, it is you.

Nepal is a developing country. Along with the other developments, there had also been a vast development in the clothing scenario. Not much change has taken in rural places, but in the Kathmandu valley and other cities, western clothing is becoming the fact of life. It is being acknowledged and worn by a large cross-section of the city people. They keep themselves updated about what kind of clothes are in fashion and what are gone out of it. The change in fashion is so rapid. There is creativity everywhere.

These days, the youth of Nepal in particular have started exercising freedom in the matter of clothing. They are interested in dressing up vintage. They have started wearing clothes the way their parents used to wear it in the late 70's and 80's. Many Nepalese have adopted the western style but at the same time traditional 'Daura Surwal' and 'Gunyu cholo' are coming back. The traditional clothing is so unique and beautiful. We have different people of different ethnicity wearing different types of clothes. Clothes are worn differently in Himalayas, Pahadi and Taraili regions according to the local weather and cultural heritage. Clothing stores in Nepal sell these clothes, and people are buying and wearing. They all try their best to look good and feel first-class. Clothing stores in Nepal have also started selling clothes which they think people prefer the most. People have the sense of what is nice and what is not 'encouraged' by the society.

However, it is important to be clear about what is Nepali fashion? What about the Nepali expression in clothes? Nepal is rich in culture and heritage. To keep it intact, on special occasions like marriages, people should go for national costumes, and avoid wearing 'salwar kurta' and other types of foreign dresses. The trend that we have been observing is bad. It is too unacceptable. We can have different tastes, but we should be preserving our national heritage at any cost. It should not be allowed to disappear.

Different people have different perspective about fashion. Some people tend to think that fashion is a waste of time, money and recourse, but it is time that Nepal stands along with the other countries in every field possible. Different people have different views about fashion and clothing, but in my view, fashion is an art which represents time, culture, and religion tradition. Fashion needs to develop in our country because fashion is not a problem as long as it is appropriate. It displays the confidence of the people. ■

MOVIE REVIEW

Chashme Baddoor



It's raining remakes! RANGREZZ. HIMMATWALA. Now CHASHME BADDOR. I've often been asked, is there a paucity of ideas in Bollywood? Why do dream merchants opt for remakes? Why not inventive concepts? Additionally, a lot of cineastes strongly feel classics should not be tampered with. For, rarely has a remake surpassed the original, in terms of content. In the process, those opting for remakes have lost credibility when comparisons are made...

Now David Dhawan steps into the revered territory with CHASHME BADDOR, a film attempted by Sai Paranjpye more than three decades ago. CHASHME BADDOR is loved for its simplistic plot, wittiness and slice of life realism. A story of three friends who fall in love with the same girl and the confusion that ensues... Sure, David borrows from the original, but the humor in his version is in your face, over the top, flamboyant... it's simply wild, when you compare it with Sai's version. Does it mean it's more entertaining or a hodgepodge of the cult classic? Let's analyse...

CHASHME BADDOR narrates the story of three friends [Ali Zafar, Siddharth, Divyendu Sharma], who attempt to woo the same girl [Taapsee Pannu]. While the girl sets her sights on one of the guys, the remaining two go on an overdrive to tear the love birds apart.

At the very outset, let me make it clear that David's adaptation is shades different from Sai's version. As different as chalk and cheese. As different as Rohit Shetty's BOL BACHCHAN was from its original source, Hrishikesh Mukherjee's GOL MAAL. Like I stated at the outset, this one's over the top, loud and very 'David Dhawanish', if one can use this terminology. But to give the credit where it's due, it's thoroughly engaging and entertaining.

(Courtesy: BollywoodHungama)



MOVIE PREVIEW

Iron Man 3

Genres: Action, Adventure, Science Fiction

Director: Shane Black

Cast : Robert Downey Jr., Guy Pearce, Gwyneth Paltrow

Tony Stark uses his ingenuity to fight those who destroyed his private world and soon goes up against his most powerful enemy yet: the Mandarin. Release Date: 03-May-2013



Uma

Genres: Drama

Director: Tshering Rhyar Sherpa

Cast : Saugat Malla, Reecha Sharma, Mithila Sharma, Dahayang Rai, Puskar Gurung, Ashok Sharma, Srijana Subba

Set in the early 2000s, the film is about Uma, her brother (and police officer) Milan and their mother. Their lives reach a turning point when Uma's mentor is arrested and killed on suspicion of being a Maoist. This leads to drastic measures that result in more killings. The winds of change grip the family in an eternal conflict. This is a story, like many others, where families remain divided, torn between ideologies and beliefs. Release Date: 24-May-2013



फागुनदेखि बैशाखसम्मको अवधि हावाहुरी बढी आउने समय हो । आगो बाल्दा सुरक्षित ठाउँमा मात्र बाल्ने, सलाई, लाइटर, मट्टितेल आदि ज्वलनशील वस्तु केटाकेटीले भेट्ने ठाउँमा नराख्ने । केटाकेटीलाई आगो बाल्दा हुनसक्ने आगलागीका दुर्घटनाहरूबारे सम्झाइबुझाइ गर्ने र यस्ता कुराहरूबाट सजग रहन जनचेतना बढाउने कार्यमा सहयोग गरौं ।



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The Dog In The Night Time: Reinhold Messner



By **BUDDHA BASNYAT, MD**

An epochal mountaineering feat was achieved by Reinhold Messner, the climber from South Tyrol, Italy, in 1978 when together with Peter Haebler of Austria, he climbed Mount Everest without supplemental oxygen. Although the debate about the potentially detrimental health impact of a climb like this on the brain rages on, it is clear that Messner and Habler have achieved a stellar place in the annals of climbing.

Messner did not stop with that climb. In 1980 he made the first solo ascent of Mount Everest. This was an audacious climb from the foot of the North Col (Tibet) and back with no support team, no established camp, and no prepared caches. On Aug 16, 1980, as his friend Nena Holguin waited for him at the base of the North Col, he started out his climb wearing jogging shoes and reached the Col. At 5 AM on the 17, he set off on his epic climb. He fell into a crevasse but extricated himself and slept in a small bivouac tent that night; and on the third day with snow fall and poor visibility surrounding him, he staggered on and finally saw the Chinese tripod at the top of Mount Everest.

Messner accomplished in 3 days what had taken many other previous climbers several weeks. At this time in Messner's

career, he had climbed five of the 8000 m peaks in the world without oxygen and he was ultimately to become the first person to climb all 14 of the 8000 m peaks.

What makes it physiologically possible for elite climbers like Messner to accomplish these difficult climbs? Is it just drive and ambition or are there important physiological factors? To answer this question, Dr Oscar Olez, Messner's personal physician from Switzerland did extensive physiological measurements in six elite altitude climbers like Messner and found, much to his surprise that these climbers had nothing unusual in their physical make up. In fact exercise testing parameters revealed these climbers' performance to be far below world-class long distance runners.

John West, the famous physiologist likes to say that this "unremarkableness" is reminiscent of the curious incident of the dog in the night time in Sherlock Holmes "Silver Blaze". When Holmes draws Watson's attention to "the curious incident of the dog in the night time", Watson replies, "the dog did nothing in the night-time". Holmes says, "That was the curious incident". ■

Rayamajhi Bags Golf Title

Major Nischaya Jung Rayamajhi won the Himalayan Bank Golf Tournament 2013 that was held at the Tribhuvan Army Officers' Golf Club in Kathmandu.

Rayamajhi — who became the first amateur golfer to play an even-par round at the Army course — accumulated 40 points. Prithvi Malla finished as the runner up on count back after he was tied on 37 points with third-placed Gaurav Shah.

Bishnu Bahadur Thapa won the best gross award with 37 points. Brig Gen (ret'd) Bhupendra Bahadur Thapa claimed the senior section trophy on count back. He was tied on 35



points with runner-up Brig Gen (ret'd) Gunja Man Lama. Sameer Acharya bagged the guest section award with 38 points, while Jayendra Shah was best among the HBL Family golfers with 36 points.

Other winners of the tournament included Ramesh Gurung (longest drive), Col Kamal Singh Pradhan (closest-to-the-

pin) and Col Ram Dhar (most birdies). A total of 67 golfers took part in the tournament sponsored by Himalayan Bank Limited. TAOGC President Lt Col Nepal Bhushan Chand, Club Captain Maj Gen Mahesh Bikram Karki, Himalayan Bank Chairman Manoj Bahadur Shrestha and CEO Ashok SJB Rana handed over the prizes to the winners. ■

*With Best Wishes & Greetings
on the Auspicious Occasion of
Happy New Year 2070 B.S.*

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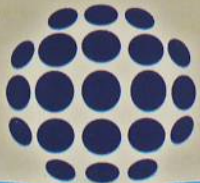
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I would like to express my heartfelt best wishes & greetings to all the students, parents, employees, teachers and well-wishers and pray for their peace and prosperity on the Occasion of Happy New Year 2070 B.S.



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