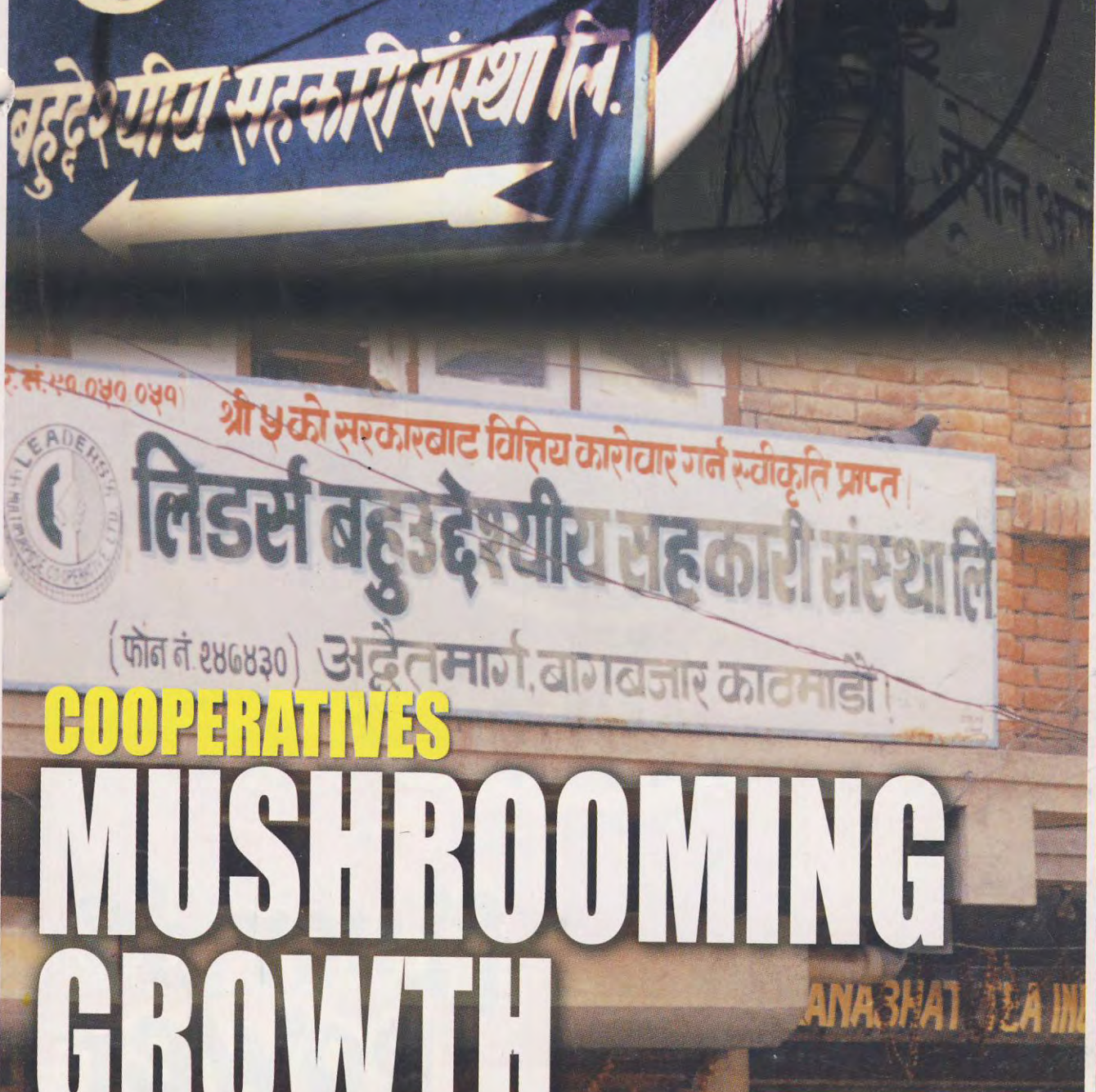


The National Newsmagazine

SPOTLIGHT

18-24 May, 2001



COOPERATIVES

MUSHROOMING GROWTH

- Chinese Premier's Visit
- School Strike
- Shopping Spree

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COVER STORY : CRASH AND COLLAPSE

The lack of regulations and monitoring has resulted in the systematic breakdown of cooperatives, which were otherwise mushrooming.

Page 16



SCHOOL STRIKE : Vigilante Injustice

Despite the justification of most of their demands, pro-Maoist student organization fail to win wide support by employing violent means.

Page 10



INTERVIEW : Bharat Mohan Adhikary

The senior leader of the main opposition Unified Marxist Leninist (UML) Adhikary talks about his party's plans to oust the Koirala government.

Page 23

SPOTLIGHT

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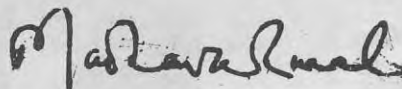
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EDITOR'S NOTE

The three day official visit of Zhu Rongji, the Premier of the People's Republic of China has passed off peacefully. Although the Chinese were very careful not to show any kind of aberration in their thinking and behavior it is reliably reported that the atmosphere of intimacy, bonhomie and camaraderie, so very enviable characteristics of Nepal-China relations could be felt conspicuously missing. A very influential insider has confided to scribe on condition of anonymity, that the Nepalese side was suffering from some invisible constraints. NO one need be surprised if the various problems vexing the Nepalese Prime Minister had mitigated the exuberance the visits of Chinese dignitaries to Nepal generally generate. But, this need not cause any worry to patriotic Nepalese. Since the establishment of diplomatic relationship nearly five decades ago, the Chinese leaders have treated the institution of monarchy as the main pillar of Nepalese nationalism. With the introduction of multi-party democracy, the elected government should have been able to share the feeling. But their questionable loyalty, the blatant non-performance, the rampant corruption and the utter absence of morality in the politicians in the government, could not have inspired the nation's friends in the north to reflect any perceptible respect for their hosts. Despite all these factors, the genuine concerns our northern neighbor has exhibited for our over all development and wellbeing has always been a matter of gratification for us. If our friends in the South could take a leaf out of our relations with our northern friend and, instead of empty rhetorics, showed some genuine concern and stopped hurting our economy, with a changed leadership Nepal would make a speedy headway in her economic development.

* * *

The proposed three day Bandh by the Leftists has generated a kind of panic amongs majority of citizens in the country. Granted that Bandhs are a very effective way expressing dissatisfaction with the workings of the government or any other organization for that matter. But then it must be fully realized that bandhs become effective only with people who possess a sense of morality, who feel accountable and who have some character. They don't affect persons who are callous, irresponsible, dishonest and don't have any character. We have witnessed hundreds of bandhs and chakkajams. But they have seldom forced the government to mend their manner. If anything, they have hurt the economy and disrupted the lives of the people. The poorer section of the society have always suffered the hardest. Perhaps, all the country would agree with the sponsors of the bandh that the ineffective government should be replaced. But, whether bandhs would force the government to step down is much debatable. As such, it would be worthwhile for the sponsors to give second thoughts to the idea of three day bandh. One should never overlook the possibility of the boomerang any senseless act may generate. ■



Madhav Kumar Rimal
Chief Editor & Publisher

FORUM: Dr. Nirajan Upadhyaya

The National News Magazine

SPOTLIGHT

11.17 May 2001

Standing Against All Odds

Special Report: Chinese PM's Visit Judiciary, Focusing on Performance Tea Industry: Brewing Success.

Powerless PM

Apropos your cover story "Standing Against All Odds" (SPOTLIGHT, May 11), Prime Minister Girija Prasad Koirala is struggling hard to maintain his authority amid growing opposition from virtually every quarter. The main opposition party, ably helped by Nepali Congress dissidents, has done great harm to the image and political presence of Koirala by raising the issue of corruption. Koirala, on the other hand, has been meek in his response to all the accusations made against him. Quite true, he is in office, not in power. But what is the way out? Where does Nepal go from here? People are eager to hear answers to these questions.

Ramesh Shakya
Patan

Lauda Effect

The Lauda Air scam has tainted the image of Prime Minister Girija Prasad Koirala ("Standing Against All Odds", SPOTLIGHT, May 11). The seasoned politician is finding it hard to sail over the latest crisis in his life. Quite unlike the Tanakpur or the Dhamija scams, it would not be easy for Koirala to get out of this scandal unhurt. He is caught between the devil and the deep blue sea — the Maoists gunning for him from the jungles and the opposition doing exactly the same from the streets.

Jibesh Singh
Hattisar

The Letter Bomb

Contrary to expectations,

the CIAA's letter bomb could not explode with enough firepower to dethrone Prime Minister Koirala from Baluwatar ("Standing Against All Odds", SPOTLIGHT, May 11).

Why did the constitutional body choose to send such letter which, as experts claim, does not pose any legal compulsions for him to quit, at such a sensitive political juncture? Surely, if the CIAA did think that it ought to investigate Koirala, it could have summoned him or registered a formal case against him. This letter episode only lends credence to rumors that CIAA is not doing its homework properly.

Kamal Prasad Subedi
Lagankhel

Misleading Report

Although most of your reports are balanced and persuasive, the recent one on private schools entitled "Panic For Nothing" (SPOTLIGHT, May 11) was self-contradictory — as the caption of the photo read chaotic situation — unconvincing. One should not glee over the burning of the neighbor's house even if a villain occupies it, because the fire can engulf the entire neighborhood. Is it necessary to bring down the quality of private schools to uplift the public ones? Have we not already experienced that with the New Education Plan that nationalized best private colleges like Ascol and destroyed it? Children were taught for years from Nepalese books

that said Lord Buddha was an Indian. Such books define watersheds as large bodies of water, and potato as cereal. G.B. Mali's science book for grade nine (page 85) has a totally erroneous figure for refraction by a glass slab, and the text is conceptually wrong. But he is such a big man in education that whatever he writes sells like hot cakes. If the student's answer book goes to an examiner who has read only Mali, full marks will be awarded for that explanation; if any other person examines it, no marks will be given. The books by Janak Education Materials Center are no better. In one Nepali book, they could not find the typescript for some letters and blank spaces were left instead. The crux of the problem is blatant negligence and lack of programs and policies. On someone's whims, the corrupt practices of the SLC board are percolated to the grassroots through district level exams at Grade 5 and 8. Then on another's whim, the SLC exam is to be done away with. We are pursuing an unheard of policy of privatizing education. Even in the United States, commonly depicted as the Satan of capitalism and privatization, the enrolment is 14 million in public school (1990 data), and 4.5 million in private; of the latter, almost 4 million are for religious compulsions. The best way to control private or public school is to hand over the reins to the concerned community. Just like the community forest succeeded, as the common man understands the importance of quality education, these schools will grow.

Shukra Raj Acharya
Naya Bazar, Kirtipur

Talks With Pro-Maoist Students Fail

Police arrested two leaders of the pro-Maoist student organization, ANNFSU (Revolutionary), Saturday after four days of talks among the agitating student body, officials, guardians and private school operators collapsed. Police took into custody ANNFSU (Revolutionary) leaders Purna Poudel and Raju Nepal at the main entrance of the Ministry of Education Saturday afternoon as they were coming out of the meeting. The student organization has called a week-long shutdown of nearly 8,000 private and boarding schools throughout the country beginning Monday (May 14) to press their demands, including 50 percent reduction



School students

in the fees charged by the private schools, promotion of government-run schools, removal of Sanskrit as a compulsory subject from the curriculum and compulsory enrolment of the children of government officials and ministers in public schools. *Compiled from reports.*

Army Being Deployed In Gorkha

Royal Nepal Army personnel are

deployed in the Maoist-affected western district of Gorkha as part of the government plan to develop the district as a model under the integrated security and development program (ISDP). A battalion of the 800-army personnel belonging to 'Bajrabahari Gan' is staying at Khaireni VDC for the last 20 days. Chief District Officer of Gorkha, Kashinath Marasini, said the ISDP would help

accelerate the development projects that remain hindered because of the Maoist insurgency. "Royal Nepal Army and Nepal Police will be there for the security of the public and the government staff," he said. The government has decided to implement the program in seven districts, including Gorkha, most affected by the Maoist insurgency in the first phase with a view to disarming the rebels, among others. *Compiled from reports.*

Garment Entrepreneurs Lobby

Garment entrepreneurs have requested the Nepalese government to strongly urge the government of United States to provide Nepal with the same facilities that it has granted to some sub-Saharan African countries. The US government had dismantled tariff and quota barriers for textile and clothing imports from the African countries, whose per capita income is below US\$ 1,500. "Since Nepal too has per capita income of less than \$1,500, Nepal falls within the criteria set by the US government for removal of import barriers," said Uday Raj Pandey, general secretary of the Garment Association Nepal (GAN). Nepal's per capita income presently is estimated to be US\$



Garment market

244. If Nepal were allowed duty free access into the American market, it would mean a reduction in tariff for American importers by as high as 21 per cent. "Reduction in tariff would enhance the competitive edge of the costly Nepali garments, said Pandey. He also accused the government of not being sympathetic to the problems being faced by the industry in the wake of Nepal's preparation to join the World Trade Organization. *Compiled from reports May 13.*

Future Of 'Gardep Project' Uncertain

Officiating joint director of the Gulmi-Argkhanchi Rural Development Project (GARDEP), Richard, has said the fate of the project remains uncertain in the aftermath of violent attacks by suspected Maoist rebels last week. The project is being run under the grant assistance of the European Union. A group of Maoist rebels torched a project vehicle last Tuesday at Chiureni in Rupakot VDC in Gulmi district. The project staff were going to the site to monitor the project's activities, including soil conservation, forest nursery, small hydro project and school construction works. The Maoist rebels targeted the EU assistance project weeks after the European Union issued a strong statement saying that it did not support violent activities being carried out to overthrow a popularly elected legitimate government. *Compiled from reports May 13.*

Machhapuchhre Not To Be Opened For Climbing

Top government officials have declared that they have no plans to include Mt. Machhapuchhre for expedition at least in the near future. "Opening up of the Machhapuchhre for mountaineering purpose may be a matter of debate but we have decided not to open her up for mountaineering sports. And this is the wish of the public as well," said Minister of State for Culture, Tourism and Civil Aviation Chadev Gurung, who represents Pokhara. He claimed that people want it to remain sacred forever. He also said that opening up of the peak for mountaineering may fulfill the whims of some people and even help promote Nepal's tourism industry, but that will not last for more than a few years. Gurungs, Lamas, Thakalis and other communities of Pokhara valley and its surrounding areas take Machhapuchhre as a sacred peak. "Environmental and pollution problems are other factors behind our decision for not opening up the peak for the sporting activities," the minister said. Former tourism minister and noted development planner Dr. Harka Gurung has been spearheading a campaign to open up the mountain for tourists. Dr. Gurung argues that it generate employment opportunities for the local people and help raise their living standards. *Compiled from reports May 11.*

'Refugee Verification To Be Expedited'

Bhutanese Foreign Minister Jigme Y. Thinley has said that the joint verification process for Bhutanese refugees will be advanced more effectively. Mr Thinley made this remark at a reception hosted by Royal Nepalese Ambassador to Bhutan Dr. Bhekh Bahadur Thapa in Thimpu last week. According to Ambassador Thapa, Mr. Thinley reiterated his government's commitment to resolving the refugee problem and stated that Bhutan was willing to promote cooperation in the civil aviation, trade, culture and sports sector with Nepal.



Bhutanese refugees

Dr. Thapa stressed that His Majesty's Government wanted to resolve the refugee problem as early as possible and added that a ministerial level meeting will be held in the near future to take stock of the progress made so far. The Bhutanese minister has made these remarks at a time when there has been criticism about the slow pace of the verification of nearly 100,000 Bhutanese refugees languishing in refugee camps in eastern Nepal for the last 11 years. *Compiled from reports May 10.*

Case Filed Against CIAA Chief

A case has been filed against chief of the Commissioner for Investigation of Abuse of Authority (CIAA) Surya Nath Upadhyay for his alleged involvement in corruption. Saroj Kumar Sharma, a resident of Basundhara in Kathmandu, has filed a case at the government-formed commission to probe into alleged irregularities while paying compensation by the Mahakali Irrigation Project. Former water resources secretary Upadhyay was the chair of the project. The petitioner has claimed that Upadhyay gained undue benefits by providing concessions to the Korean contractor of the project, among oth-

ers. A parliamentary committee is also probing into the case. The case has been filed against Upadhyay a few days after the top anti-corruption body sent a questionnaire to Prime Minister Girija Prasad Koirala in connection with the Lauda Air deal. *Himalaya Times May 9.*

Maoists Destroy Temples

Maoist rebels have destroyed two famous temples in the northern district of Kalikot recently. A group of nearly 40 rebels destroyed the historic temples of Dehang and Nuwadek gods in Kotbada VDC in the district and also set the on fire. Interestingly, a group of women Maoist workers have constructed a latrine and a temple of Saraswati, the goddess of learning, at a local school in Ramnakot VDC in the same district. Twelve women associated with the Maoist party volunteered their labor for five days to complete the work, headmaster of Shisu Kalyan primary school, Puran Chaudhari, said. *Kantipur May 10.*

Three-Day General Strike Called

Six left parties, including the main opposition CPN-UML, have called for a three-day long nationwide 'general strike' on May 27, 28 and 29 demanding the resignation of Prime Minister Girija Prasad Koirala for his alleged involvement in the Lauda Air scandal. A meeting of the six left parties took the decision Tuesday. Meanwhile, a pro-Maoist group, Language and Regional Front coordination committee, Nepal, has called a day-long 'Nepal-bandh' on May 31 against alleged discrimination against national languages in the country. *Compiled from reports May 9.*

NSP



Crown Prince Dipendra observing the Madhyapur-Thimi Festival organized by Nepal Tourism Board

AT LEAST SEVEN PEOPLE DIED AND OVER 60 PEOPLE injured when a bus on the way to Syabrubesi in northern district of Rasuwa from Kathmandu fell some 200 feet off the road in Goldhunga VDC, 20 km north-west of the capital Thursday. The passenger bus fell off the road when it tried to pass a parked truck in high speed. According to police, most of the injured have returned home after treatment. Only last week, 21 passengers were killed and nearly 50 others injured in two bus accidents and a separate incident of electrocution Tuesday, reports said.

GARMENT EXPORTS HAVE REGISTERED A NEGATIVE growth rate, sending signals of worry among officials and entrepreneurs. According to the Garment Association of Nepal (GAN), exports to the United States — which absorbs nearly 85 per cent of the total Nepalese garment exports — slumped by more than 5 per cent in the first four months of 2001 as compared to the corresponding period last year. In the month of April this year, exports tumbled by 33 per cent in comparison to the same period last year. During the first four months of 2001, Nepal exported garments worth US\$ 70.8 million only. The total exports to the American market in the year 2000 had stood US\$ 178 million. "For a sector that has enjoyed growth up to 30 per cent per annum, the present decline is depressing," said Uday Raj Pandey, general secretary of GAN.

THE GORKHA WELFARE SCHEME (GWS) OF THE BRITISH government has opened Shree Primary School in the eastern town of Dharan. Colonel Mark Dowdle, Commander of the British Gurkhas in Nepal and Director of the GWS recently opened the school. He said that as part of the GWS's continued commitment to community aid, over 60 schools have been built so far in Nepal. He said more than 1,400 students were benefiting directly from the education scheme being implemented by the GWS at a cost of Rs 8.9 million each year. A British Embassy press release said that in Dharan area alone Rs 5.1 million had been spent during the last five months on community aid, with projects ranging from school construction to the construction of a tarmac road.

DAYS AFTER THE PRESIDENTS OF 30 OUT OF 75 DISTRICT units of the ruling Nepali Congress issued a statement asking Prime Minister Girija Prasad Koirala not to resign under pressure, another 15 district presidents of the ruling party have come out in support of the prime minister. In a joint statement issued Wednesday, the Koirala loyalists have asked the premier not to succumb to any pressure and continue to fulfil his responsibilities toward the nation, people and democracy. They have also requested Koirala, who is also party president, to take decisive steps in time to check undisciplined activities that are gaining ground within the party.

THE GOVERNMENT IS CONSIDERING INCREASING THE price of electricity by a maximum of 5 per cent annually, a government notice said. The notification that appeared in the gazette on Monday allows the authorities to hike the price on a semi automatic tariff adjustment (SATA) basis tied with the consumer price index (CPI) of Nepal Rastra Bank (NRB), the central bank in the country. To this effect, the government has already amended a rule at the Electricity Tariff Fixation Regulation-2050 B. S. The Nepal Electricity Authority (NEA) has already sent price revision proposal to Electricity Tariff Fixation Commission (ETFC), reports said. The proposal is based on the gradual increase of per unit price of electricity, with the increase of capacity of ampere meter installed in each household and firm.

THE PUBLIC ACCOUNTS COMMITTEE (PAC) OF THE HOUSE of Representatives has said it has discovered yet another case of financial irregularity while leasing an aircraft for state-owned Royal Nepal Airlines Corporation. The parliamentary committee is probing the leasing of a Boeing 757 plane in 1999 with the China South Airlines. The PAC meeting on Wednesday concluded that the leasing of the plane without going through global tender was against the interests of the national flag carrier. The deal was made when the UML's Bhim Rawal, held the civil aviation portfolio.

FOUR POLICEMEN WERE KILLED WHEN A LANDMINE laid down by Maoist rebels exploded early Tuesday within the premises of the Ilaka Police Post at Chisapani in the western district of Syangja, officials said. According to a spokesman at the Home Ministry, three policemen died on the spot and another succumbed to his injuries later. All 27 policemen under the command of a police inspector were returning to the post after spending the night outside. The rebels had earlier warned them to surrender their weapons. The rebels were suspected to have laid down the landmine when the post was empty. Police in remote areas reportedly seek safety outside the post during the night. This is the first incident where policemen have been killed inside their own post by a Maoists-triggered explosion.

THE WORLD FOOD PROGRAM (WFP) HAS AGREED TO provide financial assistance of Rs 568.3 million to supply food to around 100,000 Bhutanese refugees living in seven refugee camps in eastern Nepal for the last 11 years. The amount will be spent to procure food between July 1, 2001 to June 30, 2002. The Nepal government also provide US\$ 100,000 for the program. WFP Nepal Representative Douglas Cason Coutts and Foreign Secretary Narayan Shumsher Thapa signed an agreement to this effect here Tuesday. The WFP has been providing food assistance for Bhutanese refugees in Nepal since 1992.

PRIME MINISTER GIRIJA PRASAD KOIRALA INITIATED conservation work of the ancient artifacts of the Mayadevi temple excavated at Lumbini, the birthplace of Lord Buddha, on the occasion of the Buddha Jayanti Monday. The ancient artifacts excavated at Lumbini will be conserved under the first phase, the temple of Mayadevi — mother of Gautam who later was known as Buddha — will be restored in the second phase and a market stone will be covered with a bullet proof glass and a golden roof in the third phase. All three phases are expected to be completed within the next three years.

IMPROVED VARIETIES OF MAIZE, WHEAT AND RAINBOW trout fish fingerlings developed in Nepal are quite popular in Bangladesh, Pakistan, Brazil, Papua New Guinea and Thailand, officials said. Officials at the Nepal Agriculture Research Council (NARC) said they have also developed a package of cultivating baby corn and popcorn and artificial insemination for cows and buffaloes. They said NARC has also successfully developed a technology of impregnating very young calves through balanced fodder. NARC has also drafted a strategy for the next 10 years in order to make its programs more integrated and result-oriented.

“Neither is Bhattaraiji cooperating with me, nor am I expecting his cooperation.”

Prime Minister Girija Prasad Koirala, in Budhabar.

* * *

“The problem of law and order is getting linked with corruption.”

Madhav Kumar Nepal, leader of the main opposition, alleging corruption in arms deal, in Nepal Samacharpatra.

* * *

“It is the Maoists who have created a situation of confusion among the factions (within Nepali Congress). And it is during the situation of confusion that conspiracies succeed.”

Ram Chandra Poudel, Deputy Prime Minister and Home Minister, in Himalaya Times.

* * *

“India and western countries are trying to prevent the construction of Syaprubesi-Rasuwadaghi road.”

Kirtinidhi Bista, former Prime Minister, in Himalaya Times.

* * *

“Dialogue could take place soon.”

Padma Ratna Tuladhar, human rights activist, making his predictions about the dialogue between the Maoists and



the government, in Jana Bhawana.

* * *

“Sino-Nepal relations help Nepal stand straight without having to bow before others.”

Hiranya Lal Shrestha, leader of Marxist Leninist, in Nepalipatra.

* * *

“Even if only to keep his promise, Prime Minister Koirala should resign.”

Amar Raj Kaini, leader of Nepali Congress, saying Koirala is morally bound to resign following CIAA's letter, in Punarjagan.

* * *

“The CIAA does not have the authority to write such letter to the Prime Minister.”

Shailaja Acharya, former deputy prime minister, in Bimarsha.

* * *

“Although they are giving anti-corruption slogans, they don't have wide support from the people. That is because the people know that once they go to Singha Durbar, they, too, will turn corrupt.”

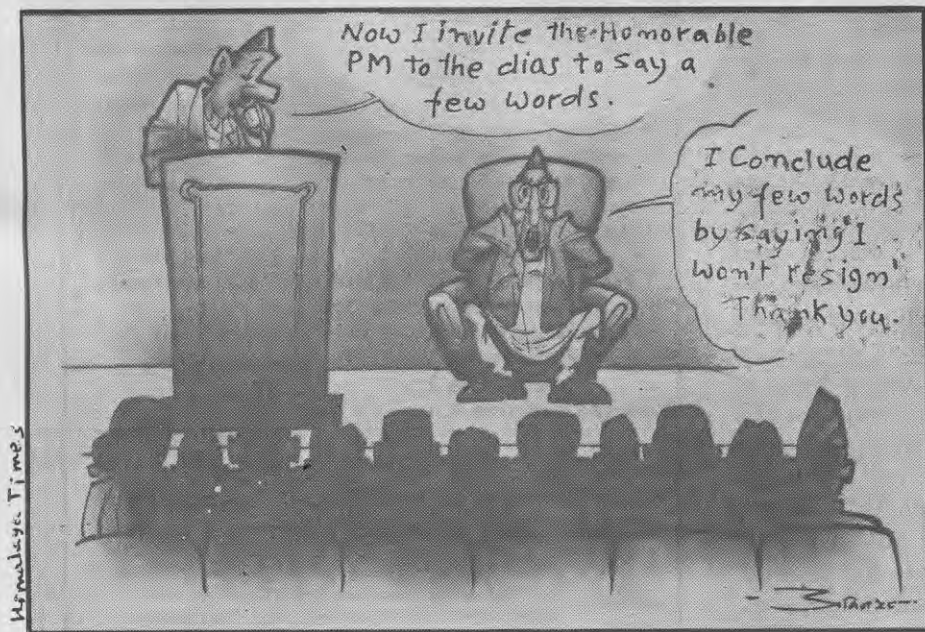
Bidur Poudel, former Congress MP, commenting on the main opposition Unified Marxist Leninist's movement against the government, in Jana Aastha.

* * *

“Even some foreign friends have taken up the course designed by us.”

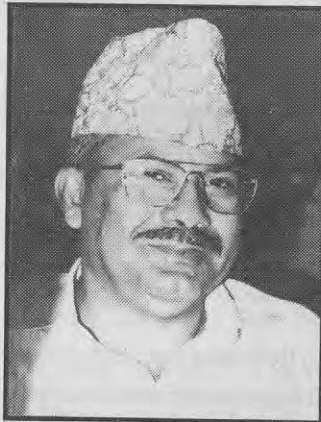
Gokul Prasad Pokhrel, senior journalist and chief of Nepal Press Institute, saying that the institute's journalism course has been lauded by many, in Chhalfal.

* * *



Koirala-Nepal Secret Meeting In Public

The sight was unbelievable, given the political weather and the intensity of name-calling: a jolly Prime Minister Girija Prasad Koirala talking to main opposition party leader Madhav Kumar Nepal. When Koirala embraced Nepal, it was in front of Public Account Committee Chairman Subhas Nembang, another important player in the current political wrangle. Although the venue was a reception organized by Chief Justice of the Supreme Court Keshav Prasad Upadhyaya, the meeting of various political leaders indicated that it was a political function. Whatever differences our political leaders have in the streets and on

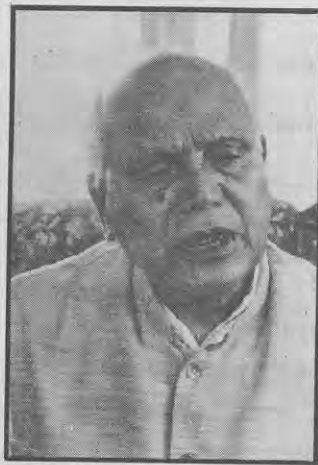


Nepal : Caught with the PM

stage, Koirala and Nepal showed that they can, after all, stand together.

Bhattarai's Drama

Former prime minister Krishna Prasad Bhattarai declared that he would go on a fast-to-death if Prime Minister Girija Prasad continued in power. For political observers, that hardly came as news,



Bhattarai : Will Koirala feed him?

as Bhattarai has a flair for colorful theatrics. When Bhattarai had a dispute with Prime Minister Koirala in 1995, he had declared his willingness to move to Benaras to spend the rest of his life in peace. Five years later, Bhattarai was prime minister again. Instead of going to Benaras after resigning under duress from Koirala, Bhattarai went to Bhaisepati. Nobody believes Bhattarai will start that fast-to-death. He has enough flexibility to change his mind once Koirala appears to agree to his terms.

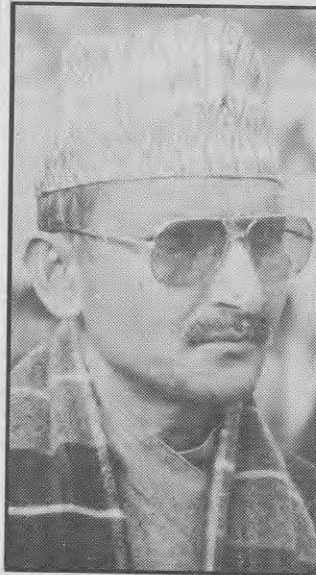
Singh-Thapa Alliance

At a time when his proposal for national consensus was finding few takers, Rastriya Prajatantra Party leader Surya Bahadur Thapa found a serious listener in Nepal Sadbhavana Party chief Gajendra Narayan Singh. Although Singh is yet to make any final announcement on the proposal, Thapa is happy to have had the chance to explain his views. Those who know Singh, however, do not believe he would fall for Thapa's prescription. Instead of going straightway to the proposal, Singh may want to bring a new

proposal with salient features pertaining to the terai.

Oli's Edict

CPN-UML leader K.P. Sharma Oli declared that the Koirala government would not last more than two months. Oli's edict was issued at a



Oli : Predicting D-day for the government

time when the six left parties announced three-day general strike. Whether the extended standstill will bring any new pressure on the prime minister remains to be seen, but Oli seems to be confident that Koirala will quit. Having come this long in pressing for the prime minister's departure, Oli knows that it would not be easy for him to go to party workers with Koirala still in office. For its part, Oli's confidence will boost the spirits of his workers. A mutually beneficial arrangement, indeed.

Real-life Plot

Madan Krishna Shrestha and Haribansha Acharya have performed numerous stage shows on story lines revolving around fraud. When they encountered a similar situation in real life recently, what do you think their reaction was? Well, we may have to wait for their next show to find out who plotted what against whom. ■

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ZHU RONGJI'S VISIT

Strengthening Friendship

The Chinese premier breaks with protocol to meet with different sections of people

By KESHAB POUDEL

The full implications of the three-day official visit by Chinese Premier Zhu Rongji remain to be seen, but the arrival of the high-ranking Chinese official at a crucial juncture in Nepal signifies the importance given by China to its small southern neighbour.

Amid political uncertainty in Nepal, the Chinese premier conveyed every message diplomatically to Nepalese politicians and government officials.

exchange for the controversial Lauda Air deal.

The opposition Communist Party of Nepal-Unified Marxist and Leninist, along with five other communist parties, have made every effort to destabilize the political process by pressuring Koirala to resign.

For a month before Premier Zhu's visit, Koirala was busy in the game of political survival. Because of internal political disturbances, the government suffered a lot.



PM Koirala welcoming Premier Rongji : Warm reception

After the announcement of the date of the Chinese premier's visit, Nepal faced several rounds of political uncertainty. At one stage, the fate of Prime Minister Girija Prasad Koirala was cast into doubt when the Commission of Investigation of Abuse of Authority wrote a letter seeking clarifications on the cabinet's decision to approve foreign

exchange for the controversial Lauda Air deal. Although Zhu's visit lasted less than 44 hours, its timing bears much significance in many areas such as bilateral trade.

Unlike previous Chinese leaders visiting Nepal, Zhu met with people of different strata, including members of both houses of parliament and the business community.

One of the important aspects of Zhu's visit was that he attended a quiet dinner with constitutional monarch King Birendra, a rare invitation extended by the palace to a visiting head of government.

During his meeting with members representing both houses of parliament, Premier Zhu held discussions on various matters. Interestingly, Zhu became the first visiting prime minister to hold discussions with legislators in a group.

The Chinese premier's meeting with the business community was another significant feature of his visit. Breaking the tradition of making contacts through formal channels, the Chinese decided to go their own way.

"This is a major policy shift in Chinese diplomacy in Nepal. Although the Chinese behave in a traditional manner, they have raised their concerns softly with Nepalese officials," said a senior official on condition of anonymity. "They also expressed concern over the Free Tibet movement in Nepal and urged the government to curb it."

"China will always remain positive about Nepal's development efforts. The age-old ties between the two countries will grow stronger," said the Chinese premier.

Zhu expressed these cordial sentiments upon his arrival at the Tribhuvan International Airport. "I would also reach out extensively to friends from various communities in Nepal and explore new channels of cooperation in various fields," the Chinese premier said in a statement issued upon his arrival.

Nepal will have another road link with the Tibet Autonomous Region of China within a few years. After the completion of the 19 km Syaprubeshi-Rasuwa road, Nepal's reliance on the Kodari highway will ease. With this new transport route, trade with China is expected to increase by several folds.

Apart from witnessing the signing of five major agreements, the Chinese leader discussed bilateral issues with the heads of the state and the government, politicians and business leaders.

The warmth conveyed by the Chinese premier during his visit has added to the cordiality that exists in bilateral ties. ■



Photo by NISHCHAL K. P. P. P.

Students in class : No disturbance, please

SCHOOL STRIKE

Vigilante Injustice

The pro-Maoist student organization takes an arbitrary course by vandalizing private schools and closing them down for a week

By SANJAYA DHAKAL

Eight thousand private and boarding schools across the country remained closed for the second day in a row on Tuesday, May 15. They will remain closed until May 18, if the situation does not improve.

More than one million school-goers are being deprived the basic right of education thanks to the heavy-handed tactics employed by the pro-Maoist student organization in pressing for the implementation of their 15-point demands.

The majority of the demands raised by the All Nepal National Free Students Union (Revolutionary) — the student wing of underground Maoists — have been welcomed as justified by most people.

Nobody can disagree with some of their demands, such as the one aimed at

stopping the exploitation of parents by the private schools that charge exorbitant fees. Even a member of the ruling Nepali Congress and former education minister Arjun Narsing KC had recently said 80 percent of their the union's demands are justified.

The other demands include free school education, nationalization of private schools, making Sanskrit education optional and ending the practice of singing the national anthem in schools. The same organization had closed down schools for a whole week in mid-December last year, too, despite all-round protests.

However, the method which the organization has used in pressing their demands cannot be justified. "It is simply terrible. This is no way to press for demands. It is madness," said one school principal on condition of anonymity.

The ruthless manner in which the

student organization is putting across its demands has shocked the entire country. "There seems to be a method in their madness," said another principal.

First, they vandalized two private schools in the capital on May 8. This was targeted at sending a strong message to school operators of what laid in store for them if their demands were not met.

Rupy's International School in Bafal, Kathmandu, and Elite's Co-Ed in Lamatar, Lalitpur, were ravaged and their principals, both of whom were of Indian origin, were manhandled by the marauding students.

The wave of terror that was triggered by these attacks has engulfed the entire country and the Private and Boarding Schools Association of Nepal (PABSON) — the umbrella body of private schools — has already announced that they themselves will close down schools for three days with the hope that talks would solve the problem soon.

The meeting between the government and the representatives of the student organization, held at different stages, remained inconclusive. The government added to the confusion by arresting the union participants from the meeting venue itself on Saturday. Now, the student organization has said there will be no dialogue until their representatives are freed.

"We wanted this problem to be solved through dialogue. But the government acted very irresponsibly. No dialogue can be held unless our colleagues are freed," said Devendra Parajuli, the chairman of the ANNFSU (Revolutionary).

In this whole episode, the role of the education minister is also being seen as controversial. Even though the education sector is gripped by such a crisis, the minister does not appear serious to solve it. He was not involved in the dialogue — leaving the job to his subordinates. As some of the demands could have policy implications, the dialogue ought to have taken place at the highest level.

Caught between the political game are the one million-plus students and 75,000 teachers who are left wondering about their future.

Many say the current movement by the ultra-leftist students could spell disas-

ter for the private and boarding schools in the country. "There is no teaching-learning environment. No school can function in such an atmosphere," said a principal. Some fear that the recent attacks by the "revolutionary students" could force Nepalese parents to send their children to India and abroad for education.

"Shutting down schools for even a single day inflicts great damage to the whole nation. In financial terms, losses worth millions of rupees occur when schools are forced to close for a week," said Umesh Shrestha, vice-president of ABSON and principal of Little Angel's School.

Despite their shortcomings, the private schools have been lauded for imparting quality education. As the service of public schools have been deteriorating day by day, the existence of private schools have helped maintain the standard of education in the country.

History stands testimony to the fact that the nationalization of schools is not the solution. The Nepalese government had introduced a new education plan and centralized the sector in 1972. But less than a decade later in 1980, the government opened this sector to private participants.

The student organization is supported by the underground Maoists launching a "people's war" demanding that Nepal be made a republic. Their views on the private sector is anybody's guess.

Meanwhile, Parajuli, in an interview with a vernacular weekly *Jana Bhawana* has said that his organization "as of yet" does not want to close down the private and boarding schools for good. "We only want to cleanse them of the present anomalies," he said.

"We believe that it is the duty of the government to provide quality education to its citizens. But the government is not investing in education. Rather, it is purchasing arms and increasing investment in military. As a result, the public schools are in a mess and the parents are forced to send their wards to the private schools, which in turn are financially and mentally exploiting them. Our movement is aimed at ending these exploitations," he said.

But the outright vandalism employed

by the student organization in the name of their movement can only send terrifying signals to the students and the community.

The May 8 violence was denounced by all. As the owners of the two schools that were ravaged turned out to be from the Indian origin, there was an added angle to the whole episode. The Indian embassy came out with a strong statement raising objection to the terror tactics.

"The Embassy is concerned at the renewed attempts at attacking Indian nationals and their property. It has requested His Majesty's Government of Nepal to provide security and protection to Indian nationals in Nepal and their property. It has seen mischievous reports giving reasons rationalizing the unjustifiable attacks on educational institutions which have been patronized by the people of Nepal for the high quality of education they impart to their students. While every well-meaning person would strive to improve the teaching standards in the schools in Nepal, it would be a serious mistake to believe that this can be achieved by vandalizing the schools which impart good education. The embassy hopes that in the interest of the students studying in the educational institutions, violence against the educational institutions will not be encouraged," reads the statement by the Embassy.

The statement's coming at a time when the Indian

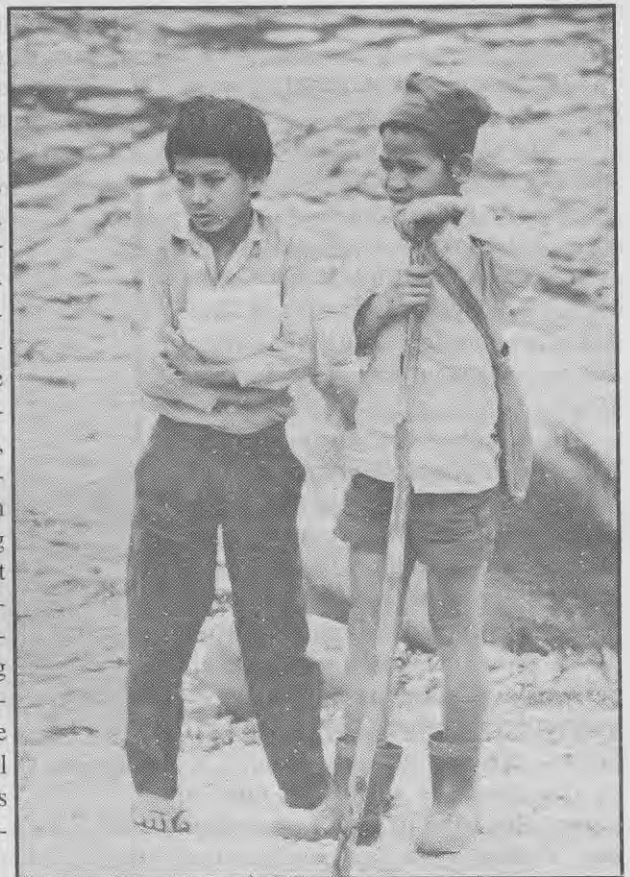
media is portraying Nepal as a hotbed of ISI-driven activity and, hence, a potential security threat to India, can have serious ramifications if left unattended by the concerned authorities.

Besides, the closure of the schools coincides with the visit by the Chinese Premier Zhu Rongji to Nepal.

Civil society, intellectuals, parents, teachers, students and media, in general, have all denounced the violent method

used by the ANNFSU (Revolutionary). Even the Communist Party of Nepal (Masal) — another ultra leftist group — has denounced the violent methods used by them.

The Kantipur daily in its special editorial on May 15 titled "ANNFSU (Revolutionary) On Taliban Path" writes — "Along with the nationwide shutting down of schools, Maoists have obstructed the GARDEP-run development project in Gulmi. They have prepared dress code for girls in Dharan, Chitwan and other parts. In short, in the name of Maoist movement, they are exhibiting their anti-education,



Village students : Require better attention

anti-development and anti-women attitudes. The question arises — whether they are moving in the Taliban path?"

As there is a tremendous public pressure on both the government as well as the student organization to solve the problem peacefully and without disturbing the academic environment in the country, one has to remain hopeful that the sense will finally prevail and the current chaotic situation will end soon. ■

JUDICIARY

Mission Learning

The justices of the Supreme Court sit together at an interaction program to share their experiences

By KESHAB POUDEL

If a recent public statement made by the chief justice of the Supreme Court is any indication, our legal community puts great value on the need to place a local perspective on universal values of law.

"The University of Melbourne has included in its curriculum, the Nepalese Supreme Court's decision on environment, which is a matter of immense satisfaction to us," said Chief Justice Keshav Prasad Upadhyaya, addressing an interaction program organized by the Judicial Council for the justices of the Supreme Court.

He described the Constitution of the Kingdom of Nepal 1990 as one of the best in Asia. "However, we will not interpret our constitution on the basis of circumstances prevailing abroad. We will interpret our constitution by observing our own context and realities. Only when we are able to uphold the spirit and values embodied in the constitution can we truly reflect the people's hopes and aspirations," the chief justice added.

"A decade is not a long time in history. But in the 10 years we have had this constitution, the Supreme Court has made many important rulings in keeping with the letter and spirit of the supreme law of the land," Chief Justice Upadhyaya said.

Constitutionalists argue that there are certain universal practices in interpreting the constitution. Constitutional terms like freedom, rule of law, adult franchise, accountability, separation of power, executive, judiciary and legislative have almost identical connotations and interpretations around the world.

Supreme Courts around the world

adopt certain universal standards and values while delivering their verdict. Chief Justice Upadhyaya's remarks contain relevance especially since Nepal's Supreme Court is in the process of interpreting many constitutional matters and other issues of national importance.

The apex court has made many significant decisions over the years on constitutional issues, but some of its deci-



Supreme Court : Interpreting constitution

sions are not free from controversy. On some questions, it has departed from the tradition of delivering its verdict in accordance with international standards, defining cases within the specific circumstances of the country.

When justices deliver their decisions citing the Nepalese context, how will they affect the universal values enshrined in the term 'democracy'?

"We are capable of defining the constitution and providing justice in keeping with the needs of our society," said Chief Justice Upadhyaya in his keynote address.

Participated by all 22 justices of apex court, the interaction program was aimed at increasing understanding among them. "This program is being organized also in view of the growing public interest in the work and activities of the Supreme Court," said Kashi Raj Dahal, secretary of the Judicial Council.

"The role of the judiciary in the present context is very crucial as it needs to protect the spirit of the constitution," said Justice Laxman Prasad Aryal. Where has our law gone when children supposed to be at their homes are forced to live in prison?"

Although the justices of the Supreme Court jointly meet every week, this was the first time they decided to share their experiences in the format of a two-day seminar.

"The duty of justices is to keep the existing constitution alive. The constitution cannot be amended haphazardly," said Justice Kedar Nath Upadhyaya.

As our constitution is still in a preliminary stage of exercise, it is bound to face many new challenges along the way. Constitutional governance in Nepal stands to gain by following the experiences and interpretations of other countries.

If a constitution that embodies the universal spirit of democracy is interpreted in accordance with Nepalese realities, where would that lead us? ■

KHEM RAJ GURUNG

Winning Nepali Hearts

A young folk singer from eastern Nepal produces a popular album breaking all records

By BHAGIRATH YOGI

When Khem Raj Gurung left the college mid-way in eastern Nepal and arrived at Kathmandu four years back, he had got little inkling about the days ahead. An enthusiast of Nepali folk music, he decided to devote his time and energy to the discipline he loved the most—singing. With the help of some of his well-wishers and acquaintances, he was able to produce his first album, 'Jeevan- Part 1' in 1995.

"I did not know people at that time and had to face several difficulties to produce my first album," recalls Gurung. After his album failed to get good response in the market, a disappointed Gurung even decided to join the British Gurkhas but was rejected. He then made up his mind and told himself that he would continue singing and composing music, come what may.

Three years later, his second album 'Jeevan- Part 2' was launched by Music Nepal—a leading music company—in the market. Released without any formal ceremony, people in eastern Nepal were first to enjoy the songs in the cassette. Within a few months, the cassette and particularly the folk song 'Wari Jamuna Pari Jamuna' had become the most popular song all over the country and beyond.

Based on local 'Hakpare style' as practiced in eastern hilly district of Sankhuwasabha—where Gurung was born 27 years back—the song gives a typical Nepali rural taste to the audience. Though other songs in the album are also very well composed and sung, this very song was instrumental in pushing the sales of the album to nearly 100,000 copies in less than a year—a record in itself.

Now, Khem Raj Gurung has be-

come a household name for the Nepali music lovers. "I am elated," says Gurung. Not only youth and children, even the old people enjoy the song. Whether it is eastern terai or western hills, the song has created similar sentiments. "The popularity of the song has proved that Nepali is really a language of nation and also serves as an important medium for national integration," said an analyst.



Gurung: Singing for the masses

For Gurung, his much-celebrated success is not an end but only a beginning in what would be his long career. Son of a former British Gurkha soldier, Gurung had a musical environment right from the childhood. He used to pen poems, drama, and compile and sing folk songs. After studying up to high school level in his home district, he enrolled at a local col-

lege but could not complete his education. By saving some time out of his busy schedules, Gurung wants to pursue advance courses in music.

Gurung is now working on a CD entitled 'Anmol' and also producing an album with the name 'Soaltee' in which one of his American friends has recorded the songs in Nepali language. A versatile singer and composer, Gurung sings with equal ease the modern, pop and national songs. "My audience have loved me primarily because of my folk songs. So, my next compilation of folk songs will come out in the form of 'Jeevan- Part 3,'" said Gurung.

There have been a number of invitations to Gurung from within the country and abroad to perform live before the audience. In one of such performances within the country, the audience hardly believed that this young man could sing the folk song with such command and ease. He recalls one incident at a Kathmandu college when students urged him not to sing 'Wari Jamuna Pari Jamuna' fearing that they would turn 'flop' while trying to sing the popular song.

"Though I enjoy the folk songs, singing folk songs is the most challenging job," said Gurung. "Folk songs are what make our identity. Besides Mt. Sagarmatha, we can introduce our country abroad by playing madal, murchunga, shahanaï and flute."

The success of his latest album has enthused Gurung to work much harder in the area of music. "I don't have any plans to marry right now. First, I want to devote fully in the service of Nepali music," said Gurung. "Moreover, I have given up the thinking of leaving my country."

The songs compiled and sung by Gurung have catered to the changing tastes of Nepali audience. He may have also inspired a whole generation of young Nepali artistes to try their luck. But the bottom line for Mr. Gurung is hard work. "I am a very humble student of Nepali music. I have to learn a lot," said Gurung. Of course, he has a long way to go and reach new heights. The well wishes of Nepali audience are with him. ■

IIIrd LDC CONFERENCE

Appeal For Global Cooperation

As Least Developed Countries seek international support in their development endeavors, Nepal examines its challenges

By SANJAYA DHAKAL

In 1971, when the United Nations identified 25 nations as 'Least Developed Countries (LDCs),' Nepal was one of them. Three decades later, the number of LDCs has risen to 48 and Nepal still retains its membership in the 'poor people's club.'

The 48 countries (33 in Africa, nine in Asia, five in the Pacific and one in the Caribbean) that are destined to live under deprivation and underdevelopment share common constraints in their efforts toward modernization.

With a view to bringing these countries — which house 605 million people (more than 10 percent of the world population) — into the development mainstream, the United Nations agreed in 1997 to organize the third UN conference on the LDCs in Brussels this year (May 14-20). The conference, which aims at eradicating poverty in the LDCs through their progressive integration into the world economy with the support of the international community, is expected to propose action for the sustainable development of the LDCs.

"Though LDCs in South Asia did quite well compared to other parts of Asia during the '90s, disparities between the LDCs and developed countries have further widened," said Dr. Shanker Sharma, member of National Planning Commission. "Nepal is ahead of other countries in South Asia in terms of opening of trade and investment, market orientation, involvement of NGOs in social service delivery and empowering local bodies."

According to the United Nations, more than half of the population in the LDCs lives on less than US\$ 1 a day. Global trade increasingly marginalizes their economies, as their share of world exports is 0.4 percent. Right from the beginning, NGOs and

other sections of civil society have been involved in the UN conference preparatory process both at national and international level.

According to officials, Nepal was preparing to raise the issue of unrestricted access to markets in developed countries, increase in official development assistance (ODA), issues related to accession to the World Trade Organization (WTO) and addressing supply-side constraints, bridging the digital divide and paying special attention to the fate of the landlocked LDCs.

Addressing the meet in Brussels Monday, the head of the Nepalese delegation, Finance Minister Dr. Ram Sharan Mahat, urged more favorable support from the global community to the LDCs in their fight against poverty. He asked for duty-free and quota-free market access for all products from LDCs, debt relief, and special concessions to landlocked countries and speedy accession to the WTO, among others. Dr. Mahat called for cancellation of all outstanding debt owed by the LDCs. "External debt has become a severe obstacle to the development of many LDCs including Nepal," said the finance minister.

"Much of the scanty resources of LDCs are directed toward debt servicing. Debt cancellation will release a significant amount of resources for

investment in the social sector and infrastructure development of the LDCs, which are crucial components of poverty alleviation," he added.

According to the United Nations, between the mid-1980s to the mid-1990s, the total debt of LDCs grew from \$70 billion to \$135 billion. The NGO community, too, are lobbying hard to press the developed countries to waive all the debt to the LDCs. They have also raised issues related to finance and the market, governance and political structure, access to and control of natural resources and people's empowerment.

Trade liberalization and free-market policies should benefit and protect the interests of the peoples of LDCs. Openness of markets should not be confined only to capital, but there should be freer flows of information, technology and people, said the Kathmandu Declaration adopted by a meeting of Asian NGO Coordination Com-



Women workers : All work and less pay

mittee that met here last month

Poverty reduction remains a paramount challenge for the LDCs even in the new century. "The donor community and domestic governments must re-orient their programs for poverty reduction," said Arjun Karki, president of Rural Reconstruction Nepal (RRN) and member of international steering committee of LDC Conference from Asia.

According to the country report prepared by Nepal to be presented in the Brussels meet, improvement in the human development index of Nepal was most remarkable among the developing countries in the 1990s. Literacy rate increased from 40 percent in 1991 to 53 percent in 1998.

Development of physical infrastructure has also been observed to be significant in the decade of 1990, said the report. The total length of road, and the total supply of electricity were increased each by more than 100 percent in the last decade. Similarly, significant improvement has been seen in the development of communication and other infrastructure facilities.

The economic reform process, adopted in the early nineties, has given high importance to macroeconomic stability. Fiscal deficit was reduced from an average of 7.7 percent of Gross Domestic Product (GDP) during the pre-liberalization period to 5.8 percent in 1999. Monetary expansion was at a desired level and inflation rate especially in the second half of 1990s declined significantly. However, the development expenditure as well as foreign assistance in the second half of 1990s declined in real terms. Similarly, efficiency and effectiveness of public expenditure in health and education are low and weak, said the report.

On the other hand, declining share of official development assistance, increasing share of loans compared to grants, increased debt burden, widening trade deficits, vulnerable export situation, slow pace of regional cooperation, dismal foreign direct investment (FDI) inflows and rise in world oil prices have been the impediments for high and sustainable growth. Internally, political instability, weak governance, limited resource and rise in terrorist activities have been the reasons for slow

development pace in the country.

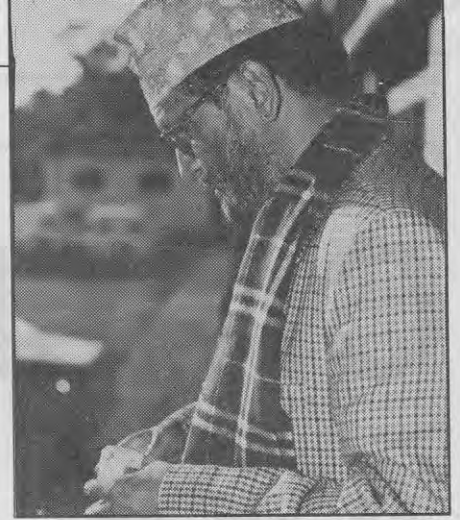
In addition to natural calamities, Nepal is vulnerable to some of the shocks like the Maoist activity, the Bhutanese refugee problem and HIV/AIDS epidemic. The "people's war" initiated by the underground Maoist group entered has into sixth year. Armed conflicts have taken a heavy toll in terms of human lives and property. Violence has flared up in many districts of the country and is spreading. Similarly, the Bhutanese refugees deported to Nepal by Bhutanese government in 1990 have posed a potential threat to the economy of the country, said the report.

Although, the levels of HIV epidemic are low, it is spreading into the general population and the disease is no longer confined to "high risk" groups. The number of HIV/AIDS infected persons is estimated to be in between 30 to 60 thousand in Nepal. This figure could reach as high as 200,000 in the next ten years. This could create a major social problem in the country resulting in higher health expenditure.

The country report presented by Nepal also proposes a program of action for the next decade (2001-2010). It identifies agriculture, private sector development and FDI, trade, industry and tourism, water resources and infrastructure development, social sector development, targeted programs and employment generation, gender and environment, governance and aid utilization, and maintaining law and order as major areas to be addressed during the next decade.

The country report admits that with a low level of savings estimated at around 15 percent of GDP, the country is unable to finance the level of investments necessary to achieve a desired rate of growth of output. Similarly, taxable capacity of the country and substantial requirement of foreign exchange for amortization requirements together with the current account deficits reveals that external assistance requirement at 2010 would be at least about \$ 736 million, about 167 percent higher in comparison to the foreign assistance received in 2000.

As the Nepalese government targets to achieve a high and sustainable growth of about 7.5 percent in order to alleviate



Minister Mahat : Pleading for the country

poverty and reduce regional imbalances significantly over the next decade, the country will have to give top priority in mobilizing its own human and natural resources and use them efficiently to achieve sustainable development.

Said James D. Wolfensohn, President of the World Bank, addressing the Brussels meet Monday, "The LDCs should clear up the mess (first) that critically dampens the development prospects. "Poor governance, weak institutions and conflict still plagues some LDCs, hampering their ability to attract and effectively use development resources. These countries can certainly benefit from advice and technical assistance, but ultimately it

is up to them to reform institutions, implement regulations, combat corruption and avoid conflict and political instability. The cost of not acting — both human and economic — rise every day."

It might be early to become hopeful regarding the outcome of the UN Conference at the turn of the millennia. "It is because the LDCs can't serve well the interests of the developed countries," said Dr. Parthibeswor P. Timilsina, professor of economics at the Tribhuvan University. "Instead for running around for more international aid, Nepal should adopt strong economic policies to ensure judicious use of available resources and increase investment. At the same time, we need to mobilize our own manpower for national development."

It is high time the Nepalese leadership heeded these words of advice to avoid a permanent membership in the 'poor country's club.' ■

COOPERATIVES Crash And Collapse

With weak regulations and ineffective monitoring, financial institutions, particularly cooperatives, are collapsing one after another, creating panic among the people. Operators of over half a dozen cooperatives have closed shop and fled with depositors' money. The government does not have laws to recover money from the promoters. Until officials come out with a strong regulatory and monitoring system, more promoters could escape with the hard-earned money of poor and vulnerable people

By KESHAB POUDEL

Bhimsen Sapkota, 38, a vegetable vendor at Koteshwor, never imagined that the promoters of the cooperative where he had deposited Rs. 75,000 (US\$ 100) would vanish one fine morning. On the afternoon of May 10, 2001, Sapkota got the bad news. Rumors that the promoters of the cooperative had fled, taking along more than Rs 4 million belonging to 200 depositors including local vendors, laborers and shopkeepers, spread like wildfire.

Devastated by the disclosure, Sapkota, along with some other depositors, rushed to the office of cooperative hoping that they might be able to catch someone. Others rushed to the Koteshwor police station to file complaints. By the time Sapkota finally registered his complaint, the promoters must have had more than enough time to vanish without a trace. Angered by the deceit, some depositors manhandled the employees of the cooperative and ransacked the office building.

Despite the public pressure, police are yet to arrest any of the cooperative's

promoters. Desperate to get back their money, some depositors are making their own efforts to get hold of the culprits. Depositors at Peace Nepal Multiple Cooperative at Samakhushi have a similar tale to tell. Some of the promoters fled last week, taking away more than Rs 25 million in deposits. Although, in this case, the depositors found out about the disappearance of one of the promoters within hours, it was still too late to seize the culprit.

Soon after the closure of its head office, a branch office of Peace Nepal Multiple Cooperative closed down in the



District police office : Rising cases of fraud

headquarters of Lamjung district in western Nepal, taking away Rs 1.1 million. The branch office collected deposits of Rs 2.2 million and had invested Rs1.1 million. Twenty-three depositors filed a written complaint with the chief district officers, the Kathmandu district police and the government's Department of Cooperatives demanding urgent action.

There is no record of how much money cooperatives have deposited over the last ten years and how much they have

invested in different sectors of the economy. However, news of cooperative promoters running away with huge amounts of deposits has been coming out regularly. No one knows how many culprits have been caught and sent to jail or how many depositors have been able to recover their money.

Worse, few have a clue about the nature of the charges that should be framed even if the promoters are arrested. The government is yet to show seriousness in

formulating laws to check the misuse of the cooperatives and finance companies that have mushroomed in the capital and other cities of the country over the past decade.

Some believe that those who let these people open shop in the first place should be held accountable and punished. "The government has to arrest those who issued the license to the cooperatives, because they are solely responsible for observing the performance of the cooperatives," says a lawyer.

But officials of the Department of Cooperatives have their own grievances to share. "When we try to delay the registration of a cooperative, the promoters file a case in court seeking immediate action," says the registrar of the department. "We don't have the authority to punish those who misuse the money of depositors," he adds.

Department officials fear that the situation is going to get worse in the days ahead when most deposits begin to mature and the cooperatives have to return the money to the owners. Most of the cooperatives have collected savings on promises of doubling the principal in five years and others pledge annual interest rates as high as 24 percent.

As the demand for loans is comparatively low, the cooperatives are barely in a position to return the original deposits. Because of frequent strikes and shutdowns and lingering political instability, even small borrowers are unable to pay back their loans.

Cooperatives collect money every day but they do not have places to invest it. In these circumstances, it is difficult to understand how they expect to pay the depositors the high interest rates they have promised. Against such odds, many cooperative promoters find an easy exit in vanishing with the money they have.

"Over the next two or three years, we will see many more promoters doing the vanishing act," says an official at the Department of Cooperatives. "The department must have certain regulatory powers to check the misuse of public money."

Although cooperatives in the agriculture and dairy sector are performing quite

well, the major problems arise with the roughly 1,500 cooperatives that are involved in banking transactions.

The law does not allow cooperatives to open branch offices, but many are doing just that. A branch office of another cooperative recently closed down in Biratnagar, taking away Rs. 2 million in deposits. Despite this brazen violation of the law, no one seems to have shown the initiative to act against such promoters.

Established four years ago, the cooperative in Koteshwor collected savings from the vegetable vendors, shoe menders and waged laborers who deposited their daily saving ranging from Rs 25 (33 cents) to Rs 300 (\$4). For Sapkota, it took more than two years to save Rs 75,000. "God saved me because I had withdrawn Rs 50,000 just the previous day," said Sapkota. "We have filed a complaint under the charges of fraud at the police station."

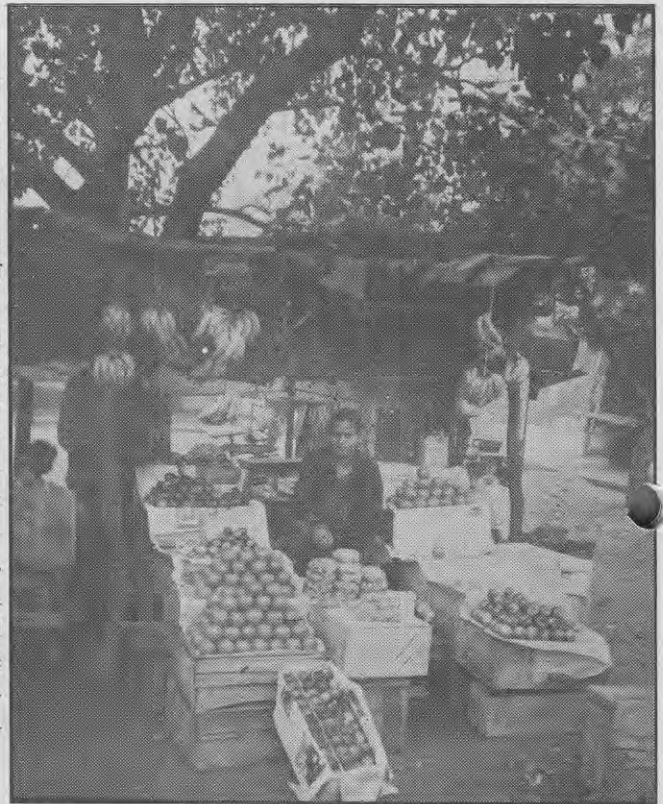
Legal ambiguities have complicated recovery efforts. Loan is considered as a civil liability and is not a crime. Cheating and default are different crimes. If there is a criminal part, then police can file a case under criminal fraud. Because of the lack of appropriate laws, police file almost all default cases under the criminal law gov-

erning cases like fraud and cheating.

There is another important distinction. Corporate crime is different than individual crime. It is very complicated in nature. Deposits were made in trust of promoters but not employees. So for any kind of misuse of money, the cooperative society should be held accountable. When the transaction is made between the cooperatives and individuals, the promoters should be penalized. A cooperative is a legal entity and has to take action against employees for any misappropriation.

Legal Tangle

A cooperative is an institution not an individual. "Police register cases under fraud charges because it is difficult to register them under the cooperative crime," says a government attorney. In most cases, the culprits are charged under the Fraud Act.



Vegetable vendor : Gripped by financial insecurity

Cooperatives are authorized to accumulate savings and distribute credit in small areas. As soon as cooperatives receive permission, they start functioning as a bank or financial institution, which require more expertise. According to the Department of Cooperatives, there are 7,000 cooperatives registered in the country of which 1,500 are working as banks.

Although it is a new phenomenon, promoters have cheated a large number of depositors and members. Some promoters flee with a few million rupees while others run away with tens of millions. Whatever the amount involved, the victims are mostly people belonging to the low strata of the population.

According to police records, more than half a dozen cooperative promoters fled the country last week alone, taking away more than Rs. 50 million or (\$ 666,000) in deposits. Following the restoration of democracy, the liberalization of the political system was accompanied by the opening up of the economic system. The government started to loosen restrictions in many sectors. The banking, finan-



A cooperative's office : Sprouting everywhere

cial and cooperatives sectors were opened to the private sector.

While the disappearance of a large number of cooperative promoters has set a bleak scenario, some cooperatives are doing encouraging work. Nava Chittiz:

Cooperative is one such organization. "The business of cooperatives depends on how credible the promoters are and how they handle things," said Bivuti Raj Pandey, Executive chairman of Nava Chittiz. (See box)

Positive Aspects

The opening of cooperatives has provided people in remote areas easy access to credit and other banking facilities. Cooperatives also open up the opportunity to generate resources from the local commu-

'We Don't Have The Authority To Regulate'

— HARI PRASAD NEPAL

HARI PRASAD NEPAL, registrar of the Department of Cooperatives, sees the need for a firm regulatory mechanism to check the misuse of cooperatives. He spoke to SPOTLIGHT at his office on various issues related to the problems of cooperatives. Excerpts:

How do you see the problems faced by the cooperatives?

There are about 7,000 cooperatives working in Nepal to mobilize local resources for the benefit of the local community. There is a need for strong regulations to regularize micro-credit institutions, regardless of whether they are run by NGOs or other organizations. Cooperatives are mostly based in the village and community. However, in our country, cooperatives are not member, village and community based. Cooperatives accept deposits from non-members. The Cooperative Act 1992 also stresses the need to run the cooperative within its membership. The act clearly specifies the condition that the cooperative can extend loans to its members and accept deposits from them. The act incorporated the provision that the cooperative would require the permission of the Nepal Rastra Bank to work as a bank. In the early days, the cooperatives started banking functions without obtaining permission from the Nepal Rastra Bank. But nowadays, the central bank has not issued such permission to cooperatives.

Cooperatives have collected huge amounts of money from non-members because of the high flow of money in the market. When cooperatives started to accumulate money from non-members, they should have abided by certain financial rules in the areas of credit limits and liquidity. The institutions that deposit public money should follow prudent norms. Unfortunately, no one has done that. The present chaotic situation in the cooperatives sector is the result of their failure to abide by financial rules. Cooperatives are closing down because of

lack of liquidity, high administrative costs and bad loans. The problem with the cooperatives is that they collect the deposit from non-members and offer loans to members. This means the cooperatives collect the deposit from unlimited members and offer loans to limited numbers. When limited numbers of client do not pay back their loans, the cooperatives are unable to refund money to depositors. After the amendment, the cooperatives cannot collect deposits from outside their membership and face limitations on banking transactions.

What will the cooperatives that have collected deposits from non members do now?

Cooperatives will have to refund the deposits they collected from non-members by November 2001. There also need to regularize their transactions. For newly established cooperatives, we can enforce this new provision. However, we cannot do anything to cooperatives that have already collected huge amounts of deposits. The Department of Cooperatives can now close down cooperatives or impose a Rs 1,500 fine if they do not abide by the rules. Unlike Nepal Rastra Bank, which can take strong action against financial institutions and intervene if necessary, the Department of Cooperative cannot do anything beyond imposing the Rs 1,500 fine. The problem in the cooperatives sector has set in because they started functioning as a financial institution.

Cooperatives are small but they are over ambitious. The challenge lies in monitoring and evaluation, but we cannot do this within limited manpower. There are many successful cooperatives run honestly by its promoters. The basic problem is dishonesty. Registering cooperatives does not require much effort as everyone can open one by just depositing Rs 100 each from 25 individuals. The basic problem is the dishonesty of some of the promoters. We are trying to find a solution to the current problems. We are

seeking the support of Nepal Rastra Bank to regularize the cooperatives.

What efforts are you making to check the misuse of cooperatives?

Our staff are on house-to-house visits to direct the cooperatives. We have also asked the chief district officers to take action against cooperative promoters who disappear with the public money. In many districts, the CDOs have arrested some promoters on charges of fraud. These actions are effective.

In Kathmandu valley, it is very difficult to do the same. In a big urban area, we need to have another approach. Only cooperatives based in Kathmandu are facing problems. Outsiders run most of the cooperatives that have closed down. Community-managed cooperatives are bringing good results. We have to discourage outsiders from opening cooperatives. We are trying to develop community- and member-based cooperatives. We want to see cooperatives governed by the local people. We don't want to issue licenses to people who come from beyond the locality. We don't have regulatory power. There is no room for taking action.

What conditions do cooperatives need to fulfil in order to operate as banks?

Cooperatives have unlimited access to savings and are tax-free. Now they have to pay taxes in transactions. Most of the cooperatives based in Kathmandu also have branch offices outside the valley. In such situation, no one can supervise the activities of such bodies. Since last year, we have not given permission to open branches. We want cooperatives to focus on the local community.

Moreover, we need to have Cooperative Bank Act or Credit Union Act to permit cooperatives to start banking activities. A general Cooperatives Act cannot govern cooperatives that operate as big financial institutions. We need to have a separate act. ■

nity.

The Cooperatives Act of 1991 was brought out with the objective to allow farmers, laborers, low-wage workers, the unemployed and landless peasants to set up an organization to collect deposits and mobilize them for local benefit. Because of the loopholes in the act, many promoters misused the concept of cooperatives. According to the act, a cooperative is known as an institution set up by at least 25 individuals or institutions with an objective of providing social and economic services.

The Department of Cooperatives has been given full authority for registration with deposits of Rs 100. But cooperatives have started to collect unlimited amounts. According to the act, the members of a



A financial institution : Needs to be better regulated

cooperative must be from the local area and have a share in it. Contrary to that provision, many outsiders are running cooperatives where accountability and social responsibility is totally lacking.

Registration Procedure

Since the act came into force, more than 7,000 cooperatives have been registered in the district cooperative offices in different parts of the country. According to the act, a district cooperative office can register the cooperative. Many say this is where promoters can misuse their name. As the department does not have

'People Are Losing Faith In Cooperatives'

BIVUTI RAJ PANDEY

BIVUTIRAJ PANDEY is a well-known former bureaucrat. He is now executive chairman of New Horizon Cooperatives Limited. Pandey spoke to SPOTLIGHT on various issues related to the problems of the cooperatives?



Last year you had mentioned to us the possibility of major problems in the cooperatives sector. How do you look at the situation today?

Last year I saw the possibility of many cooperatives crashing. I have not seen any kind of honesty on the part of promoters. Although there has been a mushrooming growth of cooperatives, honesty is clearly lacking. The intention of the cooperatives is wrong as everyone want to flee after accumulating public money. The promoters of more than half a dozen cooperatives have already fled. If they are really honest, they don't have to flee. The cooperative might not able to collect loans or may have other problems, but everyone want to escape by taking public money. The government, too, has failed to identify these people. Before issuing licenses to the cooperatives, the government must go through the antecedents of such individuals. No one deposits money in cooperatives unless they know the promoters. The Department of Cooperatives registers these bodies as soon as 25 individual apply with Rs 2,500 (US \$ 300) deposits.

What should be done to control cooperatives?

This is very difficult to answer. I don't visualize it. People come to me asking what guarantees I can give to depositors? People are losing faith in cooperatives. We need to develop their credibility. There is a rumor that more than 15 cooperatives are on the verge of collapse. It is the responsibility of the Department of Cooperatives to rescue such cooperatives and save public money. At least the government has to save the public money. The government has to encourage the cooperatives to collect the bad loans. First, the cooperatives should not be allowed to open branches. When the central office is not running properly how can they be allowed to open branch offices. We need to have people with integrity. Our cooperatives are in bad position.

Amid this crisis, how do you see your future?

We are surviving on our credibility and good will. Individual credibility determines the future of a cooperative. Although the situation is also not good, we are returning money to depositors when they ask for it. There are also problems in collect loans, as people do not want to return it. So many lenders are not paying interest. We have run the institution for the last seven years.

How do you see the role of the Department of Cooperatives?

The department needs to play a more active role. Some cooperatives are facing problems of bad loans. The government must cooperate with the cooperatives to refund the money. They have also followed a positive role. We understand that the government does not have sufficient resources, but it must take certain responsibility. The cooperatives do not have any guardians. We have more than Rs 10 million in non-assets. We have auctioned property worth of Rs 4 million. It is very difficult to recover the loans. If the department works as a facilitator, the situation may have change.

How have these problems emerged?

There are so many bad elements within the cooperatives today. Earlier, there were a limited number of organizations that ran very successfully. As we are based on membership, we cannot defy the demand of the members. There are certain cooperatives that do not have specialized manpower. The government has to specify the criteria for loan flow. There has to be some guidelines. I don't get any types of guidelines from the department. We need to have an efficient control mechanism. In the name of liberalization, everything cannot be opened. Cooperatives are mushrooming like momo restaurants and beauty parlors. How many cooperatives does Kathmandu need? The department must make a decision. ■

adequate work force, nobody knows the fate of cooperatives once they have been licensed. The problem with most of the cooperatives is that they are not operated by the local people, thereby raising the chance of misuse of funds.

In the name of economic freedom, all cooperatives enjoy total freedom in the accumulation of deposits and in investing them. What then are the roles of the Nepal Rastra Bank and the Department of Cooperatives? "It is not our duty to supervise the cooperatives; that's the duty of the cooperatives," says one of the senior officials of Nepal Rastra Bank.

Most of the shareholders and promoters of cooperatives do not know what their roles are and are not trained in accumulating deposits and investing money in important sectors.

According to Clause 34 of the Cooperatives Act, every institution has to present its audit report and transactions annually along with savings distribution policy and plan, name of promoters and remaining tenure, the date of the general council and other details presented by the registrar.

However, only a small number of cooperatives make available their annual transactions and financial reports to the district office. Because of low number of employees at the district office, they do not find time to visit the cooperative sites.

"How can seven employees observe 1,500 cooperatives in and around athmandu district," asks a senior employee. "In most cases, cooperatives are running out of a small rented room. The government must provide us with adequate manpower," he adds.

Clauses 35 and 36 of the act authorize the registrar to monitor and check the transactions of cooperatives. Strangely, cooperatives have no record of doing so in the last ten years. Even the Department of Cooperatives does not have a proper file-keeping system.

Under Clause 26, a cooperative can begin banking activities after obtaining permission from the Nepal Rastra Bank, but a large number of cooperatives are running such operations without having acquired such permission. "Nepal Rastra

Bank does not want to become involved in this dirty transaction," says a senior bank official. "Even with a strong monitoring mechanisms, many financial institutions are still collapsing," he adds.

A cooperative and association can issue loans to its members and collect savings but it cannot go beyond the prescribed limits. "The cooperative cannot extend loans under the title of hire-purchase, which requires more money and expertise," says another senior NRB official. "Unfortunately, some cooperatives are issuing loans under this very title," he adds. Although the registrar can dissolve and take action against the promoters of cooperatives, he can also ask colleagues to monitor how the organization is working.

If promoters misuse savings and deposits, the amount can be recovered by confiscating their personal property. However, recovering money from promoters is difficult because it involves a lengthy process. In many cooperatives, disputes between promoters begin soon after they start accumulating savings.

The situation of finance companies is similar, but these organizations operate under the supervision of Nepal Rastra Bank. Therefore, the possibility of the depositors losing their money is very low. Nepal Rastra Bank has registered 48 financial institutions, which collected Rs. 11 billion in deposits and invested Rs 10 billion.

For a country like Nepal, cooperatives are necessary to collect deposits and provide small loans to the local community, especially where other financial institutions hesitate to venture into. A major problem is that most cooperatives



A rural woman : Poor financial condition

have abandoned the original vision of common benefit and are operating as banks in urban areas. Despite the government's stated policy, no one is willing to go to rural areas where it is difficult to collect deposits.

"As a large number of cooperative promoters are fleeing, the government has to stop issuing new license until it acquires firm monitoring capabilities," says Dr. Raghav Dhoj Panta, a former member of the National Planning Commission.

At a time when such a large number of cooperatives are collecting huge amounts in deposits, there should be complete transparency in the way they collect and invest their money. Without an effective mechanism to monitor the activities of the cooperatives, the hard-earned savings of millions of country's poor would continue to remain under threat. ■

FOOTBALL BAN

Age-Old Problem

Nepal faces an embarrassing suspension from the next Under-16 youth championship for using over-aged players

By SANJAYA DHAKAL

It was the most loosely guarded secret of Nepalese football. Be it in the Under 16 or the Under 19 tournaments, many players representing Nepal did so by concealing their actual age. As many other countries apart from Nepal fielded similarly over-aged players, the mutual silence had helped persist this anomaly with impunity.

But with the sudden decision by the Asian Football Confederation (AFC) to ban five nations including Nepal, Iran, Oman, Thailand and Bangladesh for playing over-aged players during last year's Under-16 Asian football championship held in Vietnam, the football officials here have been caught with their pants down. The silence has been broken.

"Yes, it is proved that Nepal fielded over-aged players as then All Nepal Football Association (ANFA) led by Ganesh Thapa failed to submit the required X-ray

reports verifying the age of the players to the AFC," said Geeta Rana, the president of the National Sports Council-recognized ANFA interim committee.

Unfortunately, the decision is going to bar Nepal from participating in the next U-16 youth championship that will be held in Qatar in 2003.

Bikesh Shrestha, of the Nepal Football Fan Club (NFFC) says that after years of chronic cheating, the ANFA finally had to pay the price.

"The Nepal Football Fan Club (NFFC) welcomes the AFC's ruling hoping that it will once and for all stop the All Nepal Football Association's continual charade of fielding over aged players," reads the statement by the club.

Even the football officials admit that they have used over-aged players. "The use of over-aged players is rampant. The recent AFC action only proves it," said a football player.

"In the last few years, Nepal often had had embarrassing encounters in its attempts to field over-aged players. In the Olympic qualifiers Nepal was nearly thrown out as our players could not present proper passports in Hong Kong. A similar incident happened in Bangladesh during the under-19 qualifiers. Complaints had also been made by teams

who played against Nepal in the last two under-16 qualification tournaments regarding the ages of the Nepali players. It is also open knowledge in Nepal that we field over-age players as players who have been playing club football for five or six years to make our youth teams which means that they must have started playing at club level at the age of 10 or 11," charges the club's statement.

Although the AFC's actions are justified, it will be a serious setback to Nepalese players as well as fans who will have to bear the brunt because of the irresponsible behavior by the authorities.

"There were high hopes for the next Asian Youth Championship because many of the ANFA Academy trainees would have been of the participating age then. Several football clubs, too, had started youth academies and thus Nepal's suspension will come as a blow to them and their players who were hopeful of making the national under-16 team. The NFFC calls on ANFA not to even ponder, as we know that it will, fielding the current

crop of under 16 ANFA Academy players in the 2003 edition of the tournament, as by that time they will be under-19 players," further reads the statement by the NFFC.

Meanwhile, the AFC's decision has sent a chill down the spine of unassuming Nepalese football authorities. "Definitely, we are going to be more aware of this problem. We will be keeping a strict vigil regarding the age of our players from now onwards," said Rana.

According to Rana, the problem here is the lack of system of keeping records of individual players. If the record of each and every individual is kept and the practice of playing age-wise tournament is developed, this problem could be checked. It remains to be seen whether the Nepalese sports authorities will take the current AFC decision as a lesson. ■



Nepalese players : Victims of irresponsible administration

'We Have Been Compelled To Organize A Three-Day Strike'

—BHARAT MOHAN ADHIKARY

Chief whip of the CPN-UML **BHARAT MOHAN ADHIKARY** argues that the three-day general strike called by CPN-UML, along with five communist parties, will not be withdrawn until Prime Minister Girija Prasad Koirala resigns. Adhikary spoke to **KESHAB POUDEL** on various issues affecting contemporary politics. Excerpts:

What issues did you discuss in your recent meeting with the business community?

We discussed issues related to the budget with the business community. As the main opposition party, it is our duty to listen to the voice of business community. We also held discussions on the implications and effect of the ongoing budget.

At a time when your party has called a three-day general strike that would paralyze the national economy, what is the use of your talks on economic issues?

We know that the general strike will damage the national economy, but how can we let Prime Minister Girija Prasad Koirala to go scot-free when he has violated the law. It is our political compulsion to call three-day general strike.

If you find it rational to call a three-day general strike to force Prime Minister Koirala to resign, why don't you organize an indefinite general strike until he steps down?

We don't want to harm the country for a long time. As I told you, organizing the three-day strike is our compulsion.

If an indefinite general strike harms the country, how do you believe that the three-day stoppage will not take its toll on the national economy?

When all the political doors are closed, we don't have an alternative to calling a general strike. People have to sacrifice something to gain something more valuable.

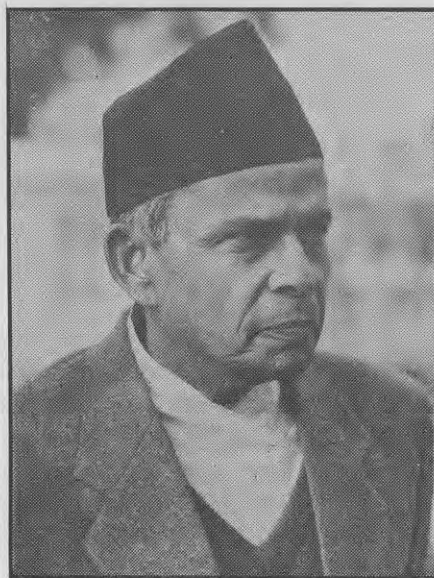
Do you mean paralyzing the economy is a sacrifice?

When the law-and-order situation is

getting worse, corruption is growing rampant and there is no sense of governance, what can be the rationale to support the government. If the law-and-order situation improves and corruption is controlled, the economy will automatically improve.

It is said that intellectuals and the business community have expressed anger over your call for a general strike. Is this true?

The business community requested us to withdraw the general strike. We reminded them that they also called a general strike



during the anti-VAT campaign three years ago. Sincerely, the CPN-UML has called the general strike to pressure a corrupt prime minister to resign.

As the main opposition party and government in waiting, how can you justify the use of unconstitutional methods to oust the prime minister?

We were forced to announce drastic steps after the prime minister failed to abide by rules of the game. What moral and legal ground does Prime Minister Girija Prasad Koirala have to remain in power when the Commission of Investigation of Abuse of Authority has demanded his clarification on the Lauda Air deal? If

the prime minister does not abide by constitution, why should we alone abide by it.

Do you mean your party also wants to go against the constitution to oust prime minister?

The people are supreme in a democracy. They have every right to take action against a corrupt prime minister.

Who has the final authority to decide the fate of the prime minister? It is your party or the Congress parliamentary party?

We know that the Congress parliamentary party has the right to choose its leader. When they failed to do so, the opposition party also has a certain role to play. At a time when Prime Minister Koirala even flouted the suggestions of his colleagues Krishna Prasad Bhattarai and Sher Bahadur Deuba, we have to force him to resign.

Do you think prime minister will resign?

Indications that Koirala will resign within a few days so we don't have to go for a three-day strike. Even Deputy Prime Minister Ram Chandra Poudel has hinted that Prime Minister Koirala will resign.

If Koirala refuses to resign, what is the possibility of your withdrawing the general strike?

We will not withdraw it as long as Prime Minister Girija Prasad Koirala remains in office.

How can you claim yourself to be a messiah of the poor people when the general strike called by your party will hit the poor people and peasants living in the rural parts of the country? Don't you think the general strike will give you a bad name?

Since we are calling the general strike to improve the country's performance and punish the corrupt people the common citizens will take it in good faith. I have already told you that we need to make some sacrifice to achieve something better. We overthrew the Panchayat system by calling strikes. ■



A departmental store : Convenient for one-stop buyers

CONSUMERISM

Shop Till You Drop

Supermarkets and street vendors compete to give customers a wider range of choice

By AKSHAY SHARMA

"The supermarkets have made my shopping as compact as a package tour," says Saloni Shrestha of Naya Bazar. The crowded video game parlors and the busy computer screens tell it all. The trend of consumer-driven commerce has caught up with Kathmandu. Even noodles and Coca-Cola come with promises of prizes. The people have fallen for the liberal market policy the government adopted a decade ago. Some experts suggest that the people of Kathmandu and other cities could soon find themselves adopting a ghetto-like lifestyle, using supermarkets to save time and the trouble of bargaining.

The buyer's market has firmly established itself on the streets, too. "The hide-and-seek between street vendors selling jeans, T-shirts, sports shoes around Ratna Park and khaki-clad metropolitan police

makes you feel sorry for the sellers," says Anand Pant of Gyaneshwor. Such public sympathy comes amid an upswing of business on the streets.

The cheaper version

Street vendors can be found almost anywhere in the city. Hong-Kong Bazaar (Exhibition Road), Mahabauddha, Gangabu Bus Park are among the ideal places to buy cheaper goods. "Those are the places where the people bargain the most," says Ajay Shrestha, who runs a shop opposite to the street vendors at Dharahara.

The vendors have their share of good and bad days. "Nepal bandh is when our business shoots up," says Babu Kaji Tamang of Damauli, who makes a living selling clothes in and around the historic monument. "That's our prime time because the metropolitan police do not bother us. On other days, we have to be constantly ready to pack up and run from the cops."

Shop owners acknowledge that bargain deals available on the streets. "A pair of Levi's pant that costs Rs 800 or Rs 900 can be bought at a fairly reasonable price from these vendors," says Amir Ratna Tuladhar, who owns a clothing shop at Kamalakshi. "The quality is the same. Half of the customers go to places where you can bargain. The street vendors are our main challengers."

As expensive it gets

Supermarket operators provide a different consumer profile. "The young people that usually visit my place want to buy everything original," says Sunil Manadhar of Roots, situated at the Stock Exchange Complex at Putali Sadak. "People who just want a Xerox copy of brand names go to the street vendors. People believe that goods in supermarkets and products that cost more are original and better."

Some experienced buyers can detect the comparative advantages on the streets. "You can get the same stuff on the streets for one fourth of what you would pay in the store," says Sunil Joshi. "I bought some clothes and other stuff at Hong Kong Bazaar before I went abroad for studies. If I were to buy the same goods in the United States it would cost me ten times more, and the items you get there are mostly made in China, Nepal or other countries."

Laments

The street vendors have left some store owners with piles of unsold items. "I have 500 pieces of jackets because people can get the same thing much cheaper on the sidewalks and street corners," laments Gyenche Nagarkoti, who owns a clothing store at Pashupati Plaza. "We can't sell these items cheaper because we have high rents to pay."

The price differentials are stark enough. "My friend bought a Yashica camera for Rs 20,000 before going abroad for studies and the price sounded reasonable to us. As I was walking around Mahabauddha later, I saw the same camera at one of the Chinese-goods stores there," remembers Rojit Shrestha of Maharajgunj. "I was shocked to find that the camera cost only Rs 14,000."

Once upon a time

Sama Joshi sees the long way con-

sumers have traveled in a decade. "Once Suraj Arcade, popularly known as Dragon House, at New Road used to be popular with shoppers. Because of the mushrooming of supermarkets there seems to be no reason to go there these days."

Anil Man Shrestha, who owns a shop at one of the oldest shopping complexes in Kathmandu, Bishal Bazaar, in New Road, says most people go to him for T-shirts, jeans, and shoes. "People go to supermarkets because the prices are reasonable. The younger people tend to give more priority to shoes. Most youngsters prefer shoes made from England and Italy. They are looking for quality shoes and the products they get here are good and strong."

Pramesh Shrestha of UFO in Kamlakshi says prices are fixed at his store and customers generally bargain for a 10 percent reduction. "We haven't been affected by the street vendors because we already have a reputation in the business."

Habits

Sunil Maharjan of Roots, which caters mainly to the upper or middle strata, sees a clear class distinction in terms of the tendency to bargain. "We expect people from the upper class to bargain because they have been to more expensive places and have shopped in places like Bangkok and Hong Kong. "Middle class customers don't bargain as much, maybe they tend to feel embarrassed."

The numbers of supermarkets, complexes, or plazas — whatever you call them — have grown exponentially. And every big store has computerized billing. Binod Shrestha, who runs a shop in New Road says, "Because of Value Added Tax data, customers now have started to ask for receipts. Computers have become vital. But people from the middle class tend to ignore the receipts."

Contrast

With the rise in retail outlets, prices have fallen. "Sunglasses used to cost Rs 1,000 before," remembers Sulabh Giri. "Now better quality sunglasses can be found for between Rs 150 and Rs 250. There has been a growth in the quality and quantity of the items available."

"I paid Rs 1,500 for a pair of jeans

two years ago," remembers Chiring Lawrang Sherpa. "Now the same thing costs about Rs 300. Where would we be if the price of food came down as drastically?"

"Those who have the tenacity to bargain end up paying less," says Asim Rana. "The shopkeeper once demanded Rs 1,200 for an item, but I brought the price down to Rs 700."

Binod Shrestha of New Road says he usually doesn't let people bargain. "But the customer being king, we tend to defer to their wishes."

Tactics

Some consumers engage in games with the salespeople. "Every salesperson is a kind of psychologist. So I tend to



Roadside supermarket : Growing attraction

divert my interest towards another uninteresting item to persuade the shopkeeper that I am not interested in what I am," says Kiran Aryal. "By this tactic I have bought so many items at reasonable prices."

Others are put off by the misleading offers. "I saw this sign which said 70 percent off. When I went in to buy, I ended up getting only about 20 to 50 percent discount," remembers Arvind Timilsina.

Buying is an individual decision, says Chewang Sherpa, a trekking guide. "It's your decision whether you want to buy things cheap or expensive. I bought a shoe from the Hong Kong market and went on an Everest trek. The shoe didn't last a week. Another time I went to a supermarket and bought some shoes. They didn't

last long either when I went around the Annapurna trail."

Trends

Buying trends have also changed. "Before foreigners were the main buyers of curios, handmade products and Nepalese carpets. Now, Nepalese seem to be more interested in these," says Raju Maharjan, who runs a shopping complex in Thamel. "Thamel is supported by Nepalese. They buy shirts, T-shirts, trousers, anoraks because they are cheap and have famous brand names on them."

"I like the products in Thamel because they are cheaper, easy to wear, look good, comfortable and, above all, since they are made in Nepal. I have a patriotic attachment to them," says Abhishek Shahi of Balaju.

Misconception

Kastamandap Supermarket at Kamaladi came up nearly one and a half years ago. "Tourists or foreigners are merely interested in tourism products. Indians and Nepalis are more interested in clothes," says Prasanna Shrestha of Kastamandap. "There is a misconception that goods here are expensive and most people hesitate to come. Customers who have come once have not hesitated in coming back."

Studio Hollywood, across the street from Kastamandap, opened nearly three years ago. "About 75 percent of the Nepalese customers that come here are interested in clothes," says Sukra Raj Bajracharaya. "In the peak season, 80 percent of our customers are Indians. Everybody likes to bargain so we give a 10 percent discount to regular customers."

Mandala Arts inside Studio Hollywood was established 20 years ago. They specialize in selling hand-painted material. Rina Shrestha says, "Half of our Nepalese customers prefer T-shirts, while 50 percent of Indians and foreigners are interested in Disney toys."

With such a diverse range of superstores competing against each other and with street vendors, consumer dynamics has become an interesting subject to see in action these days. ■

BOOK

Partners For Progress

A panel of experts probes the prospects of greater partnership among civil society, non-governmental organizations and the government

By A CORRESPONDENT

With the restoration of democracy in 1990, a new debate has begun on the role of non-governmental organizations, civil society and the government in the process of development and in raising public awareness on various issues of concern.

At a time when Nepal is facing many challenges in carrying out development works effectively, encouraging more fruitful partnership among non-governmental organizations, civil society and the government assumes added importance. The government in Nepal has taken several steps to bring together these concerned parties on a common endeavor. However, the benefits of a harmonization of efforts are yet to fully materialize.

The Social Welfare Act 1992, the Ninth Plan document 1997-2002 and the Local Self-government Act 1998 have underlined a legislative framework for the operation of people's institutions, non-governmental organizations and civil society in local self-government and in the development process.

One can see many successful experiments jointly launched by the government, non-governmental organizations and civil society. In the area of poverty alleviation, there is a wide scope to carry out such collaborative efforts.

With this three-pronged partnership, many new programs have been

successfully implemented across the country. The demand of citizens of donor countries for accountability of performance at the grassroots level is expected to secure better conditions,

NGOs, Civil Society and Government in Nepal

Editors: Krishna B. Bhattachan, Dev Raj Dahal, Sheetal Rana, Jyoti Gyawali, Min Bahadur Basnet, Kashi Ram Bhusal and Ram Raj Pokharel

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especially in matters of improving the life of poor people.

In an effort to study various aspects of these institutions, Tribhuvan University's Central Department of Sociology and Anthropology organized a seminar focusing on the effectiveness of the roles non-governmental organizations and civil society have been playing to address the concerns of the poor people.

The book, the proceedings of that exercise, is divided into two parts. The first deals with non-governmental organizations, civil society and the government in Nepal. The second part deals with student initiated lecture series on non-governmental organizations and international non-governmental organizations in Nepal. Most of the contributors to book are well-known experts and have tried to explain the chal-

lenges in bringing various institutions together.

In his article "New Predicaments of Humanitarian Organizations", Dr Chaitanya Mishra discusses the various characteristics of humanitarian organizations and their theoretical base. As a research paper, Dr. Mishra spends most of his time discussing theoretical approaches.

Deepak Gyawali in his paper "Are NGOs in Nepal Old Wine or New Bottle?" critically evaluates all aspects of non-governmental organizations. He compares various phases of the development of non-governmental organizations and their contributions to social and economic development. Commenting on Gyawali's paper, Ram B. Chettri stresses the need to change the functioning of non-governmental organizations.

As Nepal has witnessed the emergence of a large number of non-governmental organizations as well as international organizations following the restoration of democracy, duplication of work has already aroused some concern. Bihari Krishna Shrestha's article tries to explore different phases of development from this perspective.

Krishna Bhattachan discusses the roles of international non-governmental organizations and disadvantaged groups in Nepal.

Dilli Ram Dahal's paper also tries to analyze the problems and prospects of the relationship between government organizations and NGOs/INGOs in Nepal.

At a time when the country is gripped by a debate over the complementary and conflicting roles of non-governmental organizations and civil society, the book illuminates critical aspects of the issues involved and suggests ways of bridging the gap. ■

By M.S.KHOKNA



TRANSITION

LEFT: Dr. Ram Sharan Mahat, Finance Minister, for meetings in Honolulu, USA, and Brussels, Belgium, to take part in the 34th annual meeting of the Asian Development Bank the 3rd international meet of the LDCs respectively.

Ram Krishna Tamrakar, Minister for Health, for Geneva, Switzerland, to take part in the 54th General Assembly of the World Health Organization (WHO).

FELICITATED: Sushmita Kandel, renowned karate and kick boxing player, for her

outstanding performance, by the Chhahari Youth Club, Jorpati.

ELECTED: Durga Baral (Vatsayan), as the chairman, **Mohan Shyam Maharjan (Khokana)** as the vice-chairman, **Ramesh Bista**, as the secretary and **Abindraman Shrestha (Abin)**, as the trea-

surer of the Cartoonists Club of Nepal.

AWARDED: Champa Rana, a feminist, with the Parijat Sagharshasheel Nari Puraskar and **Dr. Tarakanta Pandey**, a literary critic, with the Parijat Sirjan Puraskar, for outstanding performance in their respective fields. ■

'The Education Sector Still Needs Government Protection'

— RAMESH NATH JOSHI

RAMESH NATH JOSHI is the general manager of Janak Education Materials Center Ltd (JEMC). As the sole distributor, publisher and the printer of textbooks, the center works on a round-the-year schedule. Since his appointment two years ago, the center has made steady progress. Joshi spoke to SPOTLIGHT on various issues relating to the role of the JEMC in the present context. Excerpts:

How do you assess the situation in the distribution of textbooks at the beginning of the academic year?

Well, we have been able to supply all kind of education materials demanded by schools. Frankly speaking, we are supplying books at cheap prices and without any government subsidy.

Despite your claim, many schools complain that textbooks are not available on time. How do you look at it?

This might have been the case until a few years back. But the center is now successfully meeting the demand for the textbooks. Books have already reached different parts of the country and we have not received any complaints. This year, the demand for textbooks is about 158 million copies and we are following that target. It is in the process of printing. I am very proud to say that we have received information that books have already reached many district headquarters.

There is a strong lobby in the country that wants to end the monopoly of the center in publishing and distributing textbooks. What is your opinion on opening the sector to private firms?

There are some vested interest groups who want to dismantle an efficient and capable organization like the JEMC. I don't think any other organiza-

tion would be able to offer textbooks at such cheap prices and maintain quality. If you allow other parties in the curriculum business, cheap and low-quality books will flood the market. The government has a certain responsibility towards the education sector. Unlike other areas, the education sector still needs government protection. If the government wants private sector involvement in the center, we must issue shares to the people.

How do you see the policy of privatization of government-owned corporations?

In today's society, privatization, globalization and liberalization are popular catchwords. Our policy makers are also making efforts to implement such programs. I am also an advocate of liberalization and globalization, but I am concerned about the procedure adopted in implementation. As far as I know, privatization is not familization. The aim of privatization is not to hand over an industry to a particular family but is to encourage greater public participation in the industrial sector. In a country like Nepal where a strong corporate culture is yet to emerge, it is impossible to implement the concept of privatization effectively. We have to enlist the corporations in the share market where the common people have to get opportunity to become shareholders. The private sector in Nepal is in the process of learning and it has yet to show a successful venture. After 50 years of efforts, we have developed some strong institutions under the government sector. If we privatize all of them haphazardly, we will lose all our resources.

What is the financial position of the center?

The JEMC is a non-profit making corporation. The aim is to supply high-quality textbooks and other reading ma-

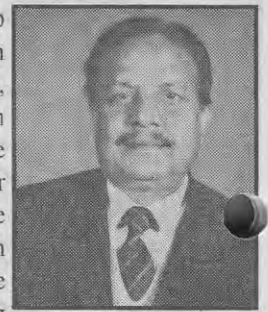
terials at cheap prices. Even in such a situation, we have been able to make some profit. Our textbooks are much cheaper in terms of the prices prevailing in the market. We have already paid more than Rs 40 million to the government. Interestingly, the center was set up at a cost of Rs 40.1 million.

Does the country have any other institution like the JEMC?

We do not have another institution that has specialized in the printing and distribution of textbooks. I am very proud to say that the center has a strong work force and a marketing team capable to handle all challenges. Unlike other sectors, book printing requires certain specialization. I don't think the private sector would be able to learn this process quickly.

How do you see the future of the center at a time when the government is talking about the need to privatize it?

Rumors of privatization have created some sort of uncertainty in a government-owned corporation like the JEMC. Because of this, the morale of the employees also has declined. The government must make clear policy announcements on the type of corporations it wants to privatize and those it wants to retain. An institution like ours is based on the social obligation of the government. I don't say that the government has to keep shoe and brick factories under its control. In the name of encouraging the private sector, the government should not privatize institutions indiscriminate. ■



Now In Town

BOOK

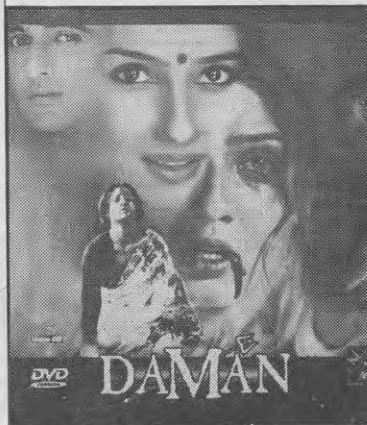
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J.P. Cross/2000 Rs. 550.00

(Source : Himalayan Book Center, Bagh Bazar, Kathmandu, Ph : 242085)

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"Do not yearn for physical joy and, by so doing, discard the more permanent joy of inner calm and contentment."

- SATHYA SAI BABA

GASOLINE ALLEY



MR. BOFFO



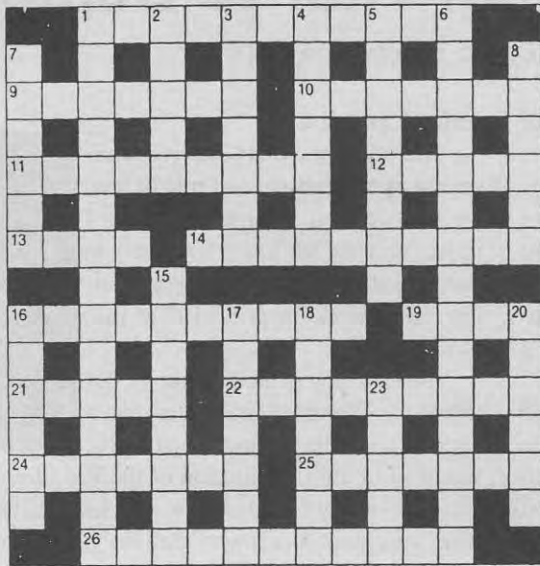
FOR BETTER OR FOR WORSE



CATHY



CROSSWORD



ACROSS

1. Dissenter turning many Tories puce (4-7)
9. Here in Jerusalem, bicultural still (7)
10. It's golden rain on New church ! (7)
11. Forms a striking relationship (4,2,3)
12. A Trollopian inclination... (5)
13. ... Is the downfall of Lewis Eliot? (4)
14. Lowers in crates (4,6)
16. Transept that is constructed on Church Rock (5,5)
19. Fool many and many more (4)
Zestful failure (5)
24. Is one too drunk to notice Center Point? (7)
25. Whence animation is observed in an empty box (7)
26. Rash ascetic might use alibi for excuse say (11)

DOWN

1. Critic (see colum) savaged Stockhausen's oeuvre (10,5)
2. Potter's inspiration curtailed Mosaic enthusiast (5)
3. Coppers got up twice for a sweetener (7)
4. The death half loved by Keats has fellow united in support of art (7)
5. Scott's protector is human after all, almost to a T (8)
6. How like the bindweed: one find's nothing in it (15)
7. Quiet men only mount the "aw" factor (6)
8. A parliamentary setback (6)
15. Noxious missile is well under way (5,3)
16. A gesture of honour (6)
17. Recuperative effect of New castle, one finds (7)
18. Don Juan in Spain: demned cretin (7)
20. A letter from Helen Graham (6)
23. Primate inhabiting hill or island (5)

Down: 1. Electronic music 2. Rabb! 3. Sucrose 4. Easelful 5. Talisman 6. Convolutaceous 7. Pathos 8. Recess 15. Stink pot 16. Salute 17. Elastic 18. Enticer 20. Tenant 23. Loris

Across: 1. Euro sceptic 9. Alembic 10. Silence 11. Hits it off 12. Slope 13. Snow 14. Véal calves 16. Saint peter 19. Clot 21. Lemon 22. Antelcan 24. Tossport 25. Cartoon 26. Catachresis

SOLUTION

BRIDGE

NORTH 320
 ♠ A 10 3 2
 ♥ 4
 ♦ Q J 10 5 3
 ♣ J 9 6

WEST
 ♠ J
 ♥ Q J 7 3 2
 ♦ 9 8 2
 ♣ K 7 5 2

EAST
 ♠ 9 8 7 5 4
 ♥ K 10 6
 ♦ K 7 4
 ♣ 8 4

SOUTH
 ♠ K Q 6
 ♥ K 9 5 5
 ♦ A 6
 ♣ A Q 10 3

Vulnerable: North-South
 Dealer: South

The bidding:
 South West North East
 1♠ 1♥ 1♦ 2♥
 3NT All pass
 *Negative

Opening lead: Heart trey

BID WITH THE ACES

South holds:
 ♠ 9 8 7 5 4
 ♥ A 10 6
 ♦ K 7 4
 ♣ 8 4

North South
 1♠ 1♣
 3♣ 2

"There's one way to find out if a man is honest - ask him. If he says, 'Yes,' you know he is a crook."

— GROUCHO MARX

In bridge, each side is entitled to know about the opponents' partnership agreements. Nevertheless, barring prior secret understanding, a player may legitimately deceive his opponents with bids or plays contrary to his announced agreements.

In a team match, both West players led a heart to East's ace. South refused the heart return and won the third round, dummy discarding a diamond and a club. When south's spade king dropped West's jack, both declarers cashed the spade queen, inviting West to signal.

At one table, West craftily discarded the club deuce, attempting to persuade South to take the club finesse. However, South knew West's tendencies, so he cashed his diamond ace and led another diamond to East's king. A club shift went to South's ace, and South could claim nine winners (three diamonds, four spades, a heart and a club).

In the replay, a cagey West discarded the diamond nine on the spade queen. Again the aim was to persuade South to take a club finesse. Nevertheless, South prevailed, making his game in a different way. He cashed two more spades, discarding a club, noting West's discards of two minor-suit deuces.

Distrusting West's deceptive signals, he took a diamond finesse and cashed his diamond ace. Triumphant, he exited with his carefully preserved heart nine to West's jack and claimed his game when West had to concede a free club finesse.

Not everyone practices deception. But it pays to know which do and which do not. ■

Faith In Judicial System Vital To Democracy

By Chief Justice KESHAV PRASAD UPADHYAYA

Respect for the law is respecting the principles of justice. Our constitution has endorsed the rule of law as a basic characteristic of national life. There is no one above the law and the law does not discriminate on the basis of big or small, high or low, but delivers justice on the basis of equality. Thus, all people need to have equal respect for the law. We celebrate Law Day every year because the Pradhan Nyayalaya Act 2009 has opened the way to accept these values in the day-to-day life. This day has great significance.

Merely talking about the rule of law does not mean that we can deliver justice to the people. This noble goal cannot be achieved as long as those associated with the judicial system do not have full commitment to upholding it. We have acquired many experiences in the five decades since we started to celebrate Law Day. The time has now come for all of us, including judges and lawyers, to evaluate ourselves about our role and commitments.

Without living under law, those who seek and those who deliver justice cannot uphold the economic, social and political rights guaranteed by the constitution. People like judges, employees, lawyers and others working under the justice administration have to be more sensitive in understanding the spirit of the law. Moreover, they have to remain active and alert toward their responsibilities. Civil society also has additional responsibilities. Citizens are the genuine consumers of the justice. This is the reason citizens should be aware of and careful about justice.

Judges are the medium to fulfil the wishes of the people in accordance with the constitution, settling the dispute in accordance with the law. They are also the medium of upholding the law. The end cannot be achieved without the means. Without identifying the end, the use of means becomes meaningless.

It is important for all of us to retain the faith of people in our judicial system. For this, we need support from all sectors of society. The role of judges and lawyers are equally important in this matter. We have to prove that justice can be delivered equally to all the citizens of the country.

This is the reason why the principles of justice in accordance with law and law for justice are equally important. One has to seriously understand the adage that justice without law is like lame and law without justice is blind.

I believe Law Day will provide guidelines to all on ways to make the law fair and just. To achieve this goal, one requires active support from Nepal Bar Association. I hope Nepal Bar Association will make efforts to develop equitable society by supporting weak, backward, women, children, the elderly and other members of the community.

It is everybody's duty to respect the court and place faith in justices. This we can do only after we all have shown our commitment to the rule of law. Law is equal to all the community. As long as we are unable to inject the feeling every one can get justice, we will be in not a position to bring every citizen into the

national mainstream.

Democracy cannot survive without the strong presence of rule of law. On the occasion of Law Day 2058, I think everyone has to work actively to translate the spirit of the slogan 'follow the law and respect justice' into living reality.

Rule of law is the essence of democracy. Therefore, it is everyone's duty to raise the feeling toward law.

The goal of the Constitution of the Kingdom of Nepal 1990 to create a society based on law will materialize only after those who seek and those who deliver justice both express their commitment to the law. ■



This article is based on a speech Chief Justice Upadhyaya delivered at a function organized by Nepal Bar Association to observe Law Day.

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