

SPOTLIGHT

7-13 Sept, 2001



Peace Talks Negotiating The Non-Negotiable ?

- NEPAL SPEAKS
- EARTHQUAKE TREMORS
- STOLEN ARTIFACTS
- ENCOUNTER WITH K.G. RAJBANSHI

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“लक्स भन्दा उत्कृष्ट कुन?”



बदाम, दुधमलाई र महयुक्त, नेपालमा बनेको अन्तर्राष्ट्रिय स्तरको नयाँ लक्स । अपूर्व सौन्दर्यको नयाँ राज ।

“नयाँ लक्स, कुनै शंका!”

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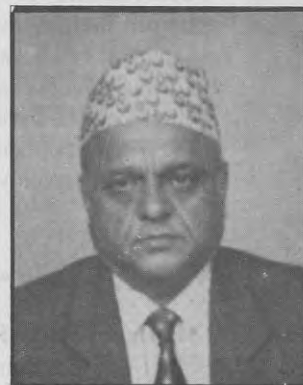
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As the talks begin between the government and the Maoists, at stake is the country's peace.

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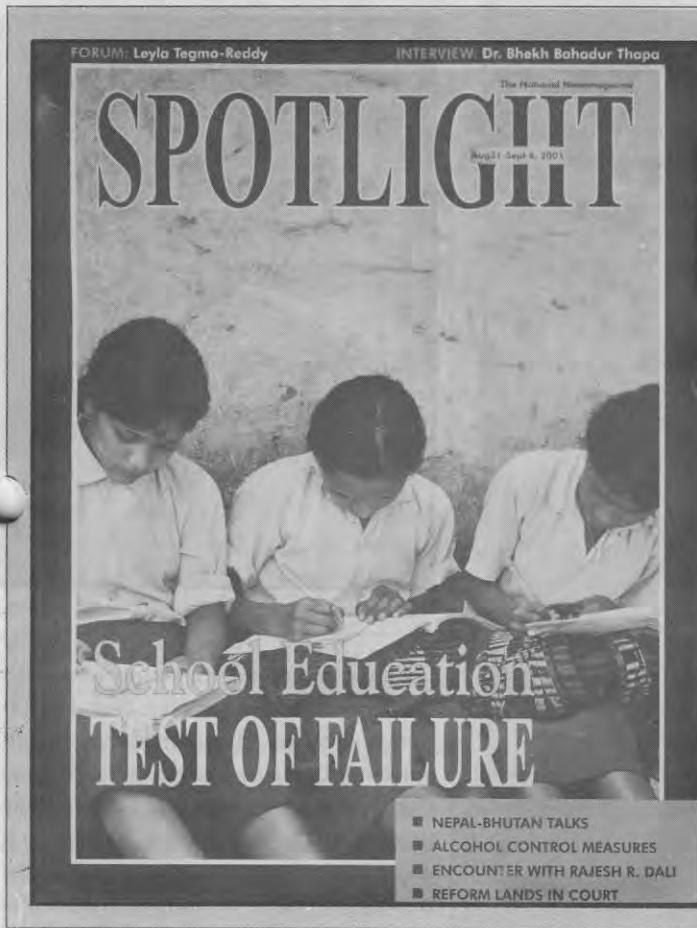
EDITOR'S NOTE

The dialogue between the Maoists and the government has started. If is a good augury. Except that they resorted to armed rebellion, which has resulted in the unnecessary deaths of many innocent peoples on both sides, the Maoists are fighting for a deserving cause. The twelve years of misrule, corruption, nonperformance, personal aggrandissment and anti-nationalism by the politicians of all hues who grabbed the chairs of authority call for sterner actions against all those politicians. Instead of punishing the culprits and the criminals directly, the Maoists, decided to pursue a course that has neither benefited the nation nor the peoples. We can understand their frustrations and disenchantments they had to suffer by the betrayal of their partners who shared their efforts to end the authoritarian Panchayat regime. As a matter of fact, except a few hundred unscrupulous politicians and their cronies who have reaped the harvest of the restoration of democracy and made themselves stinking rich, the overwhelming poor people have been badly jolted out of their dreams. And they have started to dream again, a dream how to get rid of these corrupt politicians. Even though the methodology the Maoists have adopted might not be acceptable to many, they are still looking up to the Maoists for deliverance from the sheer misrule of the post Panchayati politicians. Now that the Maoists have agreed to dialogues and have already done the first round and preparing for the second we would like to advise them, if we may, to stick to only one point agenda for the talks — dismissal of the corrupt and anti-national Nepali Congress government and formation of an interim government of honest and patriotic Nepalese. The interim government will decide about holding elections for the constituent assembly and the constitution thus made will decide what forum of government Nepal should have. Consequently, it seems meaningless to haggle about amendments in the constitution and a republican government. If the Maoists are sincere in their pronouncements to come to the rescue of the poor of this country they have to be very flexible in their stance and cooperate with all patriotic forces without any prejudice. Rigid ritualism will lead us no where and might only contribute to invite troubles and problems inimical to all and the nation as well.

* * *

Nearly six weeks have passed since Shër Bahadur Deuba has been sworn in as Prime Minister. He has indeed made some significant headway in starting a dialogue with the Maoist rebels. But, his inability to enlarge his cabinet is badly hampering the proper functioning of his government. In the absence of a "de facto" Foreign Minister the Finance Minister had to shoulder that burden. Since Deuba is keeping most of the ministries with himself naturally he cannot do full justice with any. The trade treaty with India is to expire in a few months. And he has not appointed a full-fledged Commerce Minister. And if has been able to read the writings on the wall, the renewal of the treaty is sure to face big hurdles. It is not only important but has become imperative that he appoint some efficient, experienced and strong man as the country's commerce minister so that he can safeguard the interests of the country while negotiating with the friendly neighbor in the South. The inordinate delay in expanding the cabinet has not only exposed Deuba's vulnerability but stamped his government as very fragile. This might also tell heavily on his future negotiations with the Maoists. Who would like to deal with a weakling whose future is very uncertain? People have already started talking that the Prime Minister has wobbly knees. Unless Deuba starts asserting as a strong Prime Minister, his credibility too might sink very low. Will the politicians who helped him gain the chair of the chief executive stand by him steadfast? Time only will show. We think it will be sooner rather than later. ■

Madhav Kumar Rimal
Chief Editor & Publisher



Rope Them In

Following the high failure rate in this year's SLC examination, it is imperative that failed students be given an alternative route to carry on with their academic or vocational pursuits. ("Test Of Failure", SPOTLIGHT, August 31). Otherwise, elements such as the Maoists are waiting in the wings to recruit such emotionally frustrated people. The failed students must be given another chance. The government should rope them in the vocational training. Institutions like CTEVT should be provided funds to train them.

Rupesh Adhikary
Dillibazar

Population Jitters

The rate at which the population is increasing in the country is alarming. In the last decade alone, Nepal's population has increased by five million ("More But Not Merrier", SPOTLIGHT, August 17). This unbridled growth will have an adverse effect on a poor country like ours. The authorities must find ways to check this trend and keep the country's population at manageable levels. More effective plans must be announced to promote small families and birth control.

Baburam KC
Gaushala

Disturbing Problem

The fact that 16 percent of Nepal's population below the age of 45 suffer from heart ailments demands greater attention of the authorities towards this disturbing problem ("Disheartening News" SPOTLIGHT, August 17). It would be fatal if the authorities dismiss the news. Better curative facilities are always welcome, but more important are preventive ones. The government and medical professionals must devise better ways of preventing heart diseases in the young and old alike.

Om Thapa
Manbhawan

Uninsured Lot

Apropos the article "Confined Coverage" (SPOTLIGHT, August 24) it is clear that the Nepalese people are largely unaware about the benefits of insurance. The fact that Nepal ranks lowest in terms of life insurance coverage in this region clearly implies that the concerned authorities have not been able to convince the people about the need to do so. Banking and insurance sectors are considered the engine of economic growth of any country. Due attention must be given to highlight this sector here.

Sri Ram Basnet
Lainchour

Waste Of Resources

The astounding rate of failure has exposed how the huge resources of the government is being wasted ("Test Of Failure", SPOTLIGHT, August 31). At a time when the state is unable to provide employment opportunities even to educated youths, what will happen to these failed students is anybody's guess. In this light, the high rate of failure is a very serious problem that has ramifications that will not only hit at the education system but the overall socio-political situation of the country.

Sudesh Rai
Kumaripati

Counterproductive Move

The land reforms announced by Prime Minister Sher Bahadur Deuba is nothing but a sugar-coated bitter pill ("Where Is The Land To

Distribute?" SPOTLIGHT, August 24). At first glance, the decision appears to be in favor of the poor, but it turns out to be quite the opposite if one probes deeper. The government will definitely have to buy back the additional land from the landlords after implementing the land ceiling. It is neither proper nor possible for the state to confiscate such lands without giving owners due compensation. The state will need billions of rupees to buy back the land. Where will this money come from? Even if the government manages to raise the money, isn't it more logical to use it to build infrastructure and industries, which will ultimately benefit the poor people by giving them employment opportunities?

Suresh Khatri
Thapathali

Land Locked

The Deuba government has succeeded in diverting the attention from the much-hyped government-Maoist talks by raising the issue of land reform ("Where Is The Land To Distribute?" SPOTLIGHT, August 24). It is premature to conjecture how the government will handle the land reform issue but it is clear that it will be a hard nut to crack. Already the Terai-based Nepal Sadbhavana Party and Rastriya Prajatantra Party are fiercely opposing the plan. While it should have been concentrating on the talks with the Maoists, the government has unnecessarily brought up the issue of land reforms. Now it is locked in a political battle to implement it.

Krishna Dahal
Sanepa

UN To Launch Poverty Alleviation Program

A senior official in the United Nations system has said the world body is now ideally equipped to launch a "very strong poverty alleviation program" in Nepal. The visiting UN Assistant Secretary General and UNDP assistant administrator for Asia and Pacific, Dr. Hafiz Pasha, said the UN is looking for other new areas of cooperation to reach out to the 'ultra-poor' in the villages to try to alleviate poverty as early as possible. Narrating his experience after visiting the UN programs in western districts of Baglung, Syangja and Kaski, Dr. Pasha said he was highly impressed by the enormous participation of women in community development programs and local institutions in Nepal. There has been a con-

siderable degree of social mobilization in Nepal and there is a need to invest more in education, health and physical infrastructure to combat with the predominant rural poverty, he said. *Compiled from reports Aug. 31.*

Businessmen Warn Of Agitation

Business leaders have warned of agitation and strike in protest against the Income Tax bill being discussed in the parliament, saying that the bill is complex, impractical and does not take into account the concerns of the taxpayers. Addressing an interaction program here Wednesday, vice-president of the Federation of Nepalese Chambers of Commerce and Industry (FNCCI) Rajendra K. Khetan said the bill seems to be a poor copy of the



Shrestha

tax laws in the western countries and has failed to take into account Nepal's economic situation. He claimed that the bill, currently being discussed at the Finance Committee of parliament, contained articles and clauses that were in contrary to accounting principles and granted discretionary powers to the tax officials. President of Nepal Chamber of Commerce Rajesh Kaji Shrestha said the bill would hit the already weak Nepalese industries. Officials have, however, brushed aside such allegations, saying that the new act would increase transparency and expand the narrow tax base in the country. *Compiled from reports Aug. 30.*

'Becoming The People's King'

Senior journalist Dhruba Hari Adhikari narrates the new monarch's views on contemporary issues after his audience with King Gyanendra at Nirmal Niwas last week. Excerpts:

King Gyanendra on his personal property and businesses:

I am aware that the King should not be involved in trading and businesses in competition with the people. As far as the personal property I owned before ascension to the throne is concerned, I have already transferred the (legal) rights to those who are entitled to it. The other property and physical facilities being used by my predecessors are the property of the country, including my present residence. So there should not be any confusion.

On the role of army in the Holeri episode:

The decision to deploy the army (to rescue nearly 70 policemen abducted by the Maoist rebels) had been taken as per the proposal made by then premier (GP Koirala). But the army unit may have failed (in meeting its objective) due to lack of appropriate plan of action. I think the Maoists should be drawn toward electoral politics by persuading them to give up arms. Under no circumstances can the situation of a Nepali raising arms against another Nepali be accepted.

On the issue of population and citizenship:

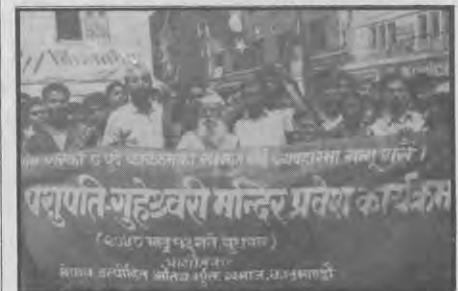
Right from the days when I was engaged in the nature conservation, I have been saying that Nepal doesn't have food and other natural resources to sustain a huge population. Regarding the citizenship issue, the court has already furnished its recommendations and verdict. All of us should abide by that. The king must have a broad heart. I have a dream of becoming the 'people's king' who could accommodate Nepalese having faith in different ideologies. Let's see what happens.

On relations with India and China:

The reality is that the two big countries are our neighbors. We should not provoke one against the other, because that would be a short-sighted policy. We should be sensitive toward the rational concerns of our neighbors, at the same time protecting our dignity and honor. China has emerged as an economic force in the global scenario. As a neighbor, it will be wise for Nepal to make efforts and initiative to utilize the opportunities that would be available from China. *Naya Sadak, Sep. 03.*

'Dalit' Activists March Into Pashupatinath Temple

Hundreds of 'dalit' (so-called untouchables) people jointly entered the premises of Pashupatinath and Guheswori temple in the capital Wednesday morning



Dalits entering temple en masse

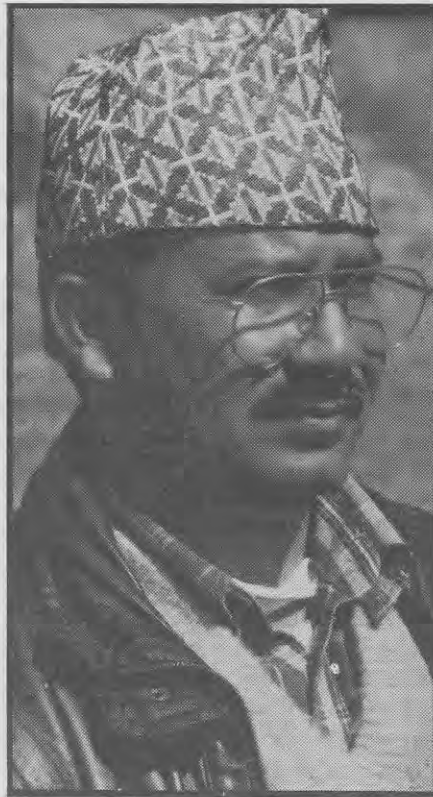
and worshipped Hindu gods and goddesses. Organized at the initiative of 'Nepal Utpidit Jatiya Mukti Samaj,' a sister organization of the CPN (UML), the function was also participated in by opposition lawmakers and human rights activists. The peaceful march was organized after a government announcement said that barring people from entering Hindu temples because of their caste would be punishable. President of the Samaj, Chhabilal Biswokarma, welcomed the government decision and said his organization would organize a nationwide campaign to abolish the practice of untouchability. The participants in the prayer ceremony also took part in a 'mass tea party' organized at the end of the worship. *Compiled from reports.*

Great Potential For Hill Development

There is a great potential for the development of Nepali hills and mountains by exploiting sectors of comparative advantage, a recent study said. According to the Hill Options Study conducted by SAPPROS, a think tank, with the help of the International Fund for Agriculture Development, there is a tremendous possibility of producing high-value crops, livestock farming and development of micro enterprises in the hilly and mountainous areas of the country. Addressing a two-day seminar organized here to discuss the findings of the study, Finance Minister Dr. Ram Sharan Mahat admitted that local community-based agencies were more efficient and cost effective in delivering services to the rural people compared to the government. Member of the National Planning Commission, Hari Shanker Tripathi, said the level of poverty was disproportionately high in the rural areas and there was a need to launch sustainable poverty alleviation endeavors in these regions. *Compiled from reports Aug. 29.*

'India, Palace And NC May Be Backing Maoists'

Leader of the main opposition, Madhav Kumar Nepal, has alleged that



Nepal

the Maoists are being used by India, the royal palace and the ruling Nepali Congress to fulfil their own vested interests. Addressing a meeting of intellectuals at his party's central office at Balkhu Sunday, UML general secretary Nepal said India may have been providing certain 'backing' to the Maoist insurgency with a view to keeping Nepal under its 'security umbrella.' There is enough room for suspicion since Indian TV channels are showing Indian military marching within Nepalese territory and the frequency of high-level Indian dignitaries visiting Nepal has also gone up, he said. Referring to India's forced military intervention in Sri Lanka in the eighties, Nepal said both the royal palace and Nepali Congress could be assisting India in its 'grand design.' The palace may have 'backed' the Maoists with a view to end the multi-party polity in the country whereas Nepali Congress, too, may have been assisting the Maoists to finish off the UML, he claimed. *Kantipur Sep. 03.* ■



Senior politician Dilli Raman Regmi passed away last week after prolonged illness at age 88. A prominent leader of the 1951 revolution, Regmi served as foreign and home minister in different governments.



King Gyanendra accepts credentials from new Chinese Ambassador Wu Cong Yong

AN OPPOSITION LAWMAKER HAS SAID THE NEPAL-INDIA Trade Treaty of 1996 should be modeled after the South Asia Preferential Trading Arrangement (SAPTA). Taking part in an interaction organized jointly by the Federation of Nepalese Chambers of Commerce and Industry (FNCCI) and Nepal-India Chamber of Commerce and Industry (NICCI), UML lawmaker Dr. Dilli Raj Khanal said the Nepal-India trade treaty should be in line with the concept of economic liberalization, SAPTA and attention should be paid to reducing the Rs 23 billion trade deficit with India. FNCCI President Ravi Bhakta Shrestha said the trade treaty should be renewed to promote trade, investment and tourism between the two countries.

SEVENTEEN MORE PEOPLE WERE KILLED IN LANDSLIDES in Arghakhanchi and Gulmi districts in western Nepal. Six people from the same family died when the house of Tej Bahadur B. K. at Arghatosh village development committee in Arghakhanchi was buried. A rescue team has been dispatched to the site, officials said. In a separate incident, 11 people died when a number of houses were buried under massive landslide that occurred following heavy downpour at three different places in Gulmi district Tuesday night. Hundreds of people have been killed in different parts of the country due to flood and landslides after the advent of monsoon this year.

THE UNDP'S SUB-REGIONAL RESOURCE FACILITY (SURF) office was formally launched in the Nepalese capital Tuesday. The SURF has been recently set up in Kathmandu to strengthen UNDP's position as a provider of high-quality advisory services to countries in South and West Asia. The SURF Kathmandu office will support nine UNDP country offices stationed in SAARC countries along with Afghanistan and Iran. Addressing the function, Finance Minister Dr. Ram Sharan Mahat said the SURF system would further enhance the quality and timeliness of UNDP support and benefit directly to the countries of the region. The Assistant Administrator for the UNDP programs in Asia and the Pacific, Dr. Hafiz Pasha, said the SURF will serve as an in-house consultancy unit to backstop a cluster country offices, and through country offices to their host governments within UNDP's focus areas of democratic governance, poverty eradication, environment and sustainable energy, among others.

THE GOVERNMENT OF THE FRENCH REPUBLIC HAS

agreed to provide 4,000 tonnes of soft wheat to Nepalese government under grant aid. Under the agreement, 25 percent of the proceeds from the sale of wheat in the domestic market will be used to cover the cost of internal transportation. The remainder will be used to finance projects designed to strengthen food security agreed by the two governments. Finance Secretary Dr. Bimal Koirala and French Ambassador to Nepal Claude Ambrosini signed the agreement on behalf of their governments last week.

PRIME MINISTER SHER BAHADUR DEUBA HAS SAID THAT the government would send a high-level team within three days to inspect the situation of former kamaiyas (landless laborers). He was talking to a delegation of pro-kamaiya activists who had gone to see him Sunday about the plight of the former kamaiyas. Saturday's Kantipur daily had quoted chairman of the Backward Society Education (BASE) and a rights activist, Dilli Chaudhary, as saying that up to 200 former kamaiyas, most of them children and women, had died due to lack of treatment since the advent of monsoon this year. The activists have blamed the government for not making proper arrangements for the rehabilitation of the former landless laborers despite announcing the abolition of the system more than a year ago.

THE BUDGET DEFICIT SOARED IN FISCAL YEAR 2000/01 due to lower growth in resource mobilization in comparison to expenditure growth, said a report published by the Nepal Rastra Bank (NRB). According to the report, on the fiscal front, government expenditure increased by 20 percent amounting to Rs 67,836.6 million during the review year compared to 11.4 percent growth in the previous year. Of the total expenditure, regular expenditure increased by 22.6 percent, development expenditure by 16.3 percent and freeze expenditure by 10.8 percent. The national urban consumer price index recorded an annual average rise of 2.4 percent last year compared to a rise of 3.5 percent the previous year. On the external front, exports registered a lower growth of 14.9 percent to Rs 57,244.7 million during the review period compared to a growth of 39.7 percent the previous year. Similarly, imports grew by 4.5 percent only amounting to Rs 113,386.3 million as against a growth of 24 percent the preceding year. Foreign exchange holding of the banking system increased by 12 percent to Rs 105,168 million, the central bank said.

THE COMMUNIST PARTY OF NEPAL (UNITY CENTER) HAS extended its support to the demands put forward by the underground CPN (Maoist) — the setting up of an interim government, formulating a new constitution and making Nepal a republic state — during talks with the government last week. In a statement issued Saturday, the ultra-left party warned the government that it would be held responsible for the 'civil war' that is bound to take place if the talks failed. The CPN (Unity Center) is the only communist party in the country to extend support to the Maoist demands.

THE DEMAND FOR INDIAN CURRENCY DOUBLED IN towns in the Terai last week, reports said. Kantipur daily quoted Chandra Shekhar Karki, manager at the Nepal Rastra Bank, Birgunj branch, as saying that the demand for Indian currency has soared to Rs 15 million per day as against the average daily demand of around Rs 8 million only a week back. Karki hoped that the phenomenon would be temporary. Meanwhile, Finance Minister Dr. Ram Sharan Mahat told reporters Friday that the government was not considering revising the exchange rate between Nepalese and Indian rupees. ■

“Anything that undermines the monarchy will not be tolerated.”

Prime Minister **Sher Bahadur Deuba**, speaking at a talk program “The Importance of Monarchy in Hindu Kingdom Nepal”, organized by the World Hindu Federation.

* * *

“The Maoists should understand the people’s wish for peace.”

Krishna Prasad Bhattarai, former prime minister, in Gorkhapatra.

* * *

By introducing a bill that is against the spirit of its own decision, the government has stood in the way of change.”

Madhav Kumar Nepal, leader of the main opposition and general secretary of Unified Marxist Leninist (UML), fiercely criticizing the land ceiling proposed by the government in the bill to amend the Land Reform Act as inadequate, in Spacetime Daily.

* * *

“Dialogue has just started. Nepali Congress will move ahead after having a look at the Maoists’ agenda.”

Sushil Koirala, general secretary of the ruling Nepali Congress party, in Gorkhapatra.

* * *



Juna Bhawan

“The government has the law but cannot put order. The Maoists have no law but only order. If both worked to provide law and order, the country could move forward.”

Padma Jyoti, an industrialist, speaking at a public program.

* * *

“Ask the talks committee. I don't know what is going on..”

K.P. Oli, leader of UML, when asked why the talks on unification of UML & ML party is not maning ahead, in Jana Bhawana.

* * *

“Neither parties should forward difficult conditions for unification.”

Gokarna Bista, UML lawmaker, on the ongoing talks of unification of UML & ML, in Jana Aastha.

* * *

“I want to do such exemplary work that would inspire all disabled people.”

Sudarshan Gautam, a student at the Bachelor of Business Studies (3rd year), who lost both hands in an accident, expressing his wish to enter the Guinness Book of World Records by driving a car with his legs in city traffic on September 8, in Himalaya Times.

* * *



Himalaya Times

Hero No. 1

From central committee members of the ruling Nepali Congress assembled at Baluwatar to luminaries of Nepal's motion picture industry congregated at the Birendra International Convention Hall, everybody wanted Prime Minister Sher Bahadur Deuba in their midst last week. The main opposition CPN-UML sees him as a revolutionary leader ever since he announced his eight-point program that includes radical land reform. Senior Congress leaders cannot stop praising him for bringing the Maoists rebels to the negotiating table. The Maoists are not far behind in hailing Deuba as the "soft and liberal" face of the Nepali Congress. When Deuba rose to address the annual motion picture awards ceremony last week, he drew sustained applause. This prompted some to confer the title of "Hero No. 1" on the prime minister.

Three In One

Bishnu Gopal Shrestha has proved that he is a truly multifaceted personality when he successfully organized the motion picture awards ceremony at the capital. Shrestha, a former boxer and renowned goalkeeper of the national soccer team, has always been successful in his ventures. As a boxer, he won many championship trophies during the 1970s. As a goalkeeper, he won the hearts of not only fans of the Rani Pokhari Corner Team but also of Kathmanduites. After entering the film industry, Shrestha found another area to show his talent and has excelled.

Hometown Haunt

Whenever he faces a crisis, former prime minister Girija Prasad Koirala visits his hometown of Biratnagar, as if to get

advice from some supernatural forces. After returning from Biratnagar, Koirala usually feels some relief, but he creates trouble for others in his party and outside. Political careers are redefined and power equations are redrawn. That's why when the grand old man returned from his hometown last week, alarm bells immediately went off in political circles.

Media Bias

Information and Communications Minister Jaya Prakash Prasad Gupta has initiated a new schedule to brief the media on overall issues of the government. Gupta, who is also the spokesman of the cabinet, has made it clear that he wants to disseminate information to the widest number of people through the media. At a time when a select group of journalists, heavily dominated by representatives of the official media, is invited to his press meetings, how can Gupta hope to achieve his goal?



Gupta : Discriminatory!

Does he think private-sector journalists are so sloppy with their work?

Troubling Record

Although he aspires to become prime minister one day, House of Representatives Speaker Taranath Ranabhat

does not command enough support in his party right now. Actually, Ranabhat, who earned the epithet of "Mr Raatata" for his ebullient performance while releasing the report on the royal palace killings, might be losing whatever support he may have. The speaker seems to be enjoying the opportunity to adjourn the house at the slightest commotion. But his naughtiness in parliament could erode his image and undermine his prime ministerial ambitions. When he led the "group of 36", he created trouble for Girija Prasad Koirala's first government. During the last session of parliament, he presided over a stalled house for 64 days, hastening Koirala's exit as prime



Ranabhat : No trouble-shooter

minister. After Sher Bahadur Deuba got in the hot seat, Ranabhat has adjourned the house for 14 days under pressure from a handful of MPs. Ranabhat's record suggests that he was born to create trouble for his own party. ■

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NEPAL'S STATEMENT

A New Offensive

Madhav Kumar Nepal's recent statement accusing India, the palace and the Congress of promoting the Maoists triggers debate

By KESHAB POUDEL

Although the CPN-UML's report on the genesis and growth of the Maoist movement does not mention the roles of India or the Nepali Congress, the party's general secretary, Madhav Kumar Nepal, has charged New Delhi, the palace and the ruling party for conspiring with the insurgents to destroy the UML.

This is the first time a leader of Nepal's stature has accused India of having a hand in the Maoist movement. Other left parties and some leaders of Nepali Congress have been accusing elements within the palace of hobnobbing with the Maoists. The fact that Nepal's accusations came after his recent widely reporting meeting with Maoist leaders in Silguri, in the eastern India state of West Bengal has not been lost on observers. No less intriguing is the fact that Nepal's statement came when a high-level Chinese military delegation arrived in town.

Since the reported failure of his meeting with top Maoist leaders in their hideout, Nepal has been making desperate efforts to unite the left parties in a front against the insurgents. He has met leaders of eight communist parties and the confabulations are continuing.

"I have a suspicion that the palace and the Nepali Congress are working within an Indian 'grand design' in backing the Maoists," said Nepal, who was one of eight Nepalese communist leaders who held discussions with Maoist leader Prachanda in Silgudi. (Kantipur\ Himalayan Times, September 3)

Congress leaders dismiss such remarks as a regular part of communist "I

don't believe the words of Nepal who has often harped anti-Indian, anti-palace and anti-Congress statements whenever he has found himself in trouble. Anti-Indian statements seem to be easy way to catch votes for communist leaders," said Arjun Narsingh K.C., a central committee member of the Nepali Congress.

Nepal made the accusation while



Nepal : Meaningful utterances

addressing a meeting of UML intellectuals. He urged them to play a more active role "in this crucial juncture when forces are making desperate moves to take away the rights and liberties gained by people following the restoration of democracy in 1990".

Whatever the eventual fallout of Nepal's statement, it clearly shows that the existing political equations in the country seem to be changing. As the

Maoists have been busy organizing rallies in different parts of the country and are planning one in Kathmandu in which they hope to bring in tens of thousands of people, other communist parties are already feeling the heat. Like the UML in 1990, underground Maoist leaders are receiving enthusiastic public receptions, as if other communist parties do not exist.

"There is a possibility that India may be backing the Maoists to force Nepal to come under its security umbrella," Nepal told the UML intellectuals. "Indian television channels are showing movements of Indian soldiers on the Nepalese border and there has been an increase in the frequency of important Indian personalities visiting Nepal. One, therefore, has grounds to suspect [India's involvement]. Many countries have supported moves to crush internal rebellions in other countries and India's involvement in Sri Lanka was a glaring example."

Nepali Congress president and former prime minister Girija Prasad Koirala has often used the word 'grand design' in his public statements. However, the Congress septuagenarian has never made an effort to explain what he meant. Koirala used the term whenever he saw instability in his government and party. Nepal has gone a step ahead by specifying the elements involved in the 'grand design', at a time when all other communist parties, including the UML, are struggling for survival amid the Maoists' evident interest in open politics.

Nepal is one of the prominent architects of the political instability of the last decade. His party blocked House of Representatives for more than 64 days during the winter session and called a three-day Nepal bandh, plunging the country into a round of political turmoil.

It was these UML-led violent activities to destabilize political system that Koirala considered part of a 'grand design'. The Nepalese people deserve to know why the UML general secretary has chosen to use the same term at this particular juncture. ■



RNA personnel : On guard

ROYAL NEPALESE ARMY Under Political Assault

The army has become the focus of political discussions. With hearsay and conjecture defining the parameters, can such debate be productive?

By AKSHAY SHARMA

Very few people knew the facts surrounding the military mission against Maoist rebels in Nuwagaun in Rolpa district, according to a recent newspaper report. The obvious implication is that the incessant commentaries and criticisms that followed in the media were largely based hearsay.

In another article in the same publication, Udi Tagari, an Israeli freelance journalist, suggests that the Maoists represent a real threat not because of their military might but because of their popular support. "A grudging enthusiastic support, vindicating decades-long enthusiastic mistreatment and neglect by the center — which is not only the state and its various institutions, but also social and economic centers in Kathmandu and a few other central towns." Tagari finds it virtually impossible to believe that the Maoists

with their rickety and rudimentary arms were ever or can ever be a problem for the army.

So what fuelled the sustained media coverage that, for the most part, sought to tarnish the image of the army? In a recent newspaper article, Dipt Prakash Shah, a former top legal official with the Royal Nepalese Army who was recently nominated by King Gyanendra to the upper house of parliament, framed the question more specifically. "Inside Nepal, one group [the Maoists] decided to wage a war and others opposed it. In these circumstances, why has the government failed to ensure the security of the people?"

Shah adds: "There is a police force to maintain law and order. If there is a serious situation, the National Security Council [chaired by the prime minister] has the authority to deploy the army. The government chosen by the people has to fulfil its basic duties like ensuring social and fi-

nancial justice and national security. When a popularly elected government is at war, especially if there is a civil war, the victims are the people. Such a situation paralyses the whole nation."

Some politicians and publications, oblivious of the sensitivities and stakes involved, are waging their own war against the army. As one expert puts it, "This is the first time the army is facing a frontal attack from within. The process of denigrating the army began after the tragic event at Narayanhity Palace on June 1 and the Nuwagaun episode was used to advance the campaign."

Leading politicians are on the front lines of this battle. "Former prime minister Girija Prasad Koirala showed his immaturity by implying that he chose to step down because the army did not obey his orders," says a political analyst. "What could a seasoned politician like him expect to gain by questioning the flawless record of discipline and loyalty the Royal Nepalese Army has maintained? Or was Koirala misled by aides who were working for other forces?"

There is no dearth of speculation on why the army didn't move against the Maoists. The fact, however, remains that the soldiers eventually helped to bring the Maoists to the negotiating table. Why didn't the army attack the rebels? Perhaps because they did not get specific orders and the assurances of the conditions necessary — to do so.

The generals understood that deploying their soldiers would have drawn the immediate attention of opposition parties, pressure groups and human rights organizations, all of which were in favor of a negotiated settlement and against the use of force. How could the top brass have been expected to act without an across-the-board consensus?

"The army can quell the insurgency if all the forces in the country and the people want them to. But how hard have the elected leaders thought about this matter?" Shah asks. "During the course of military action, normal human-rights related issues and other legal considerations must be laid aside in order to successfully quell the crisis. According to the constitution, emergency rules must be invoked in

the areas affected," he writes.

No effort was made towards creating the conditions for a successful military mission. Instead, Koirala's resignation was followed by sustained attacks on the army from some of his closest confidantes. "A leader of Koirala's stature should not have resorted to such cheap shots. Nepal's specific conditions and circumstances have determined the nature and evolution of its polity. Can politicians be so sure they can survive in a state of confrontation with the army?" an analyst asks. "Are the anti-army tirades spewed by senior Nepali Congress leaders like Sailaja Acharya and Arjun Narsingh KC merely political posturing



RNA giving security : Unnecessary controversy

by a frustrated cabal or is something more sinister involved?"

Shah sees an element of dubiousness in the entire episode, extending into the government-Maoist talks. "The government or leaders have no right to address the issues raised by the Maoists. Their rebels' demands can be met only through a revolution like in France or Russia. An overwhelming majority of Nepalis revere the monarchy and understand that it is an institution without which the country and people cannot prevail. Moreover, His Majesty cannot go against the wishes of the people."

Where will this effort to undermine

image of the army eventually lead Nepalis? "There are six factors that play some role in the polity of Nepal: the monarchy, army, the two main popular political forces and our two big neighbors, China and India. The army has always played a stabilizing role in Nepal's politics," the analyst adds. "The ongoing orchestrated attack on this force of stability cannot be viewed as purely coincidental."

A columnist for The New York Times once wrote: "There should be a permanent force of Gorkha soldiers as an international peace-keeping force. They are disciplined, they are respecters of families, they commit the lowest level of atrocity as compared to other armies in the world and above all, they come from a very high altitude that makes them stronger than people coming from low altitude. Their healthy conditions allow them to bear any kind of hardships."

Those advantages are hardly appreciated by Nepalese politicians, who have developed a habit of using state institu-

tions to pursue their narrow political agendas. "In criticizing the army, Koirala may have been led into a trap by people working for extraneous forces that want to create rifts between the political and military leaderships," the analyst adds.

"The army doesn't need to be told under whose command it is. Koirala should have kept in mind that the army, according to the constitution, is under the government. The king is part of the constitutional equation. The army will not go into action without the full preparation it needs," he adds.

Preoccupation with political equations and the numbers game in parliament may have prevented politicians from fully understanding how the military operates. "Koirala had no time to look into the structural imperatives of the institution when he ordered the mobilization of the army," the analyst says. "He treated the military as if it were any other political force." Such political overreach, even in a democratic system, could prove detrimental to the nation's well being. ■

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LAND REFORM

Agenda For Instability

The actions of opponents and proponents of land reform are pushing the country into new political, social and economic turmoil

By KESHAB POUDEL

Soon after Prime Minister Sher Bahadur Deuba announced his "revolutionary" land-reform program, political parties began pushing their own hidden agenda, thrusting an already unstable society towards new political, social and economic turmoil. Their demands, although contradictory, have succeeded in creating confusion among people of different regions.

The two smaller rightist parties — the Rastriya Prajatantra Party (RPP) and the Nepal Sadbhavana Party (NSP) — are doggedly persisting with their unreasonable demand for ceilings on all forms of property. Worse, both parties have succeeded in stalling parliament for 15 days. The agitating legislators even asked the government to issue a white paper on the distribution of land in the Terai following the first land-reform program in 1965. Prime Minister Deuba has already accepted their demand to distribute citizenship certificates in the Terai before implementing the land reform program. But he hasn't been able to calm them.

The main opposition CPN-UML and other smaller left factions, which originally welcomed Deuba's land-reform agenda as "revolutionary", have rejected the ceilings proposed by the government. These parties have called for a further reduction of the proposed ceiling of 10 bighas in the Terai to five bighas. The combined left may decide to stall parliament for another month and announce some mass-action programs, including bandhs, to step up pressure on the government.

"We will propose some amendments to the Land Reform Amendment Bill on reducing the ceiling of land. The ceiling

must be set in accordance with the recommendations given by the Badal Commission," Madhav Kumar Nepal, UML general secretary and leader of the opposition, told reporters.

Deuba has already announced that he would distribute citizenship certificates before implementing the land-reform program. He has urged national political parties to support his effort to pave the way for the distribution of citizenship by amending the law and, if necessary, the constitution.

"The government will not implement the land-reform program without resolving the issue of citizenship in Terai region," Deuba said in an address to the House of Representatives this week. "The government will amend the citizenship



Farmland : Will the ceiling raise productivity?

act and, if necessary, the constitution with support from all political parties to solve the citizenship issue once and for all."

These fast-paced political moves have triggered a sense of panic among the common people. Nobody is certain what may happen next. "One of the objectives of the populist moves of the UML, NSP, RPP and the Nepali Congress is to inject uncertainty in the mind of common people and create social tension in Terai," said a political analyst. "Their intention seems to be to evict the people of the hills who migrated to the Terai after the land reform program initiated by King Mahendra in the 1960s."

The demand by the RPP and the NSP for a white paper and the call by the main opposition party for lowering the land ceiling in the Terai may be part of the same agenda, according to some analysts. "The government should issue a white paper on how many hectares of forest land has been distributed in the Terai and how many hectares of land taken from landlords has been distributed after the land-reform program of 1965," said MP Rajendra Mahato, spokesman of the NSP. "Until the government announce ceilings on all forms of property, we will not allow parliament to run."

The communist factions, which blocked the entire winter session of parliament, are making a demand that would not be acceptable to a large segment of the population. UML general secretary Nepal, who is busy portraying himself as an ardent nationalist, fails to understand that his demand for further reduction in the land ceiling would spark social tension in the Terai. Whatever the arguments the major political parties are putting forward to justify themselves, their actions will yield the same disastrous results: economic chaos, political destabilization and social tensions.

As the country is facing an unprecedented level of uncertainty and lawlessness, political leaders, knowingly and unknowingly, are playing games that would further jolt society. ■

EARTHQUAKE

Advance Shocks

A new study warns that the seismic strain building below the Himalayan region could release soon, triggering a major quake

By SANJAYA DHAKAL

In these times of political tremors, the recent issue of Science journal has triggered another jolt by predicting a major earthquake in the Himalayas — encompassing the region including Nepal, India, Pakistan, Bangladesh and Bhutan that is home to one sixth of the global population.

The study, conducted by American geologist Roger Bilham and his colleagues, has predicted that a tremor above 8 Richter scale would hit this region “soon” — meaning anytime between now and next 50 years.

The study states that the seismic strain/energy accumulating inside the Himalayas, thanks to the “push” by the Indian plate against the Tibetan plate northward, has only one way to get released — through earthquake. The Indian plate is said to be pushing itself inside the Tibetan plate at the rate of 2 cm per year, causing 5 to 6 big earthquakes every 200 to 300 years.

“Bilham’s study only re-confirms what we have been saying,” said Amod Dixit, renowned geologist and chief of National Society for Earthquake Technology-Nepal (NSET-Nepal). “Earthquake is our fate but we cannot predict the exact time of its occurrence.”

Some 50 million people living in this part of the region could be affected by the quake, according to the study. “We cannot deny the scientific basis on which this prediction has been made. But the time cannot be pinpointed,” said Madhav Raj Pandey, chief of the Seismological Measurement Center. The center has 21 survey offices to measure quakes across the country. Since 1994, it has been keeping a catalogue of all tremors above 2 Richter scale.

“In my view, the possibility of major quakes above 8 Richter hitting the western

part of the country is greater. As Kathmandu was affected by the major quake of 1934, I think for the next 300 to 400 years tremors of such magnitude may not occur,” said Pandey.

It has been established that it is not the quake but the falling structures that kill people. The danger for Kathmandu and other urban centers in the country lies in the haphazardly constructed buildings. A recent report by Japan International Cooperation Agency (JICA) has estimated that if the



Buildings in Kathmandu : How safe?

quake of 1934 was to recur in Kathmandu, 50 percent of the buildings would be affected. Likewise, nearly 12 percent of the population would be physically affected.

According to Dixit, who has closely studied the aftermath of Gujarat earthquake in January this year, which took 20,000 lives and destroyed thousands of buildings, a quake of a similar intensity could bring similar, if not greater, destruction in Kathmandu.

“More than 100 high-rise buildings collapsed in Ahmedabad city alone during the Gujarat quake. Even the new ones were destroyed for the simple reason that there were improprieties in their construction as

well as design details. For example, there were no seismic considerations enforced in their construction and at places there were errors in detailing. Sometimes the angles of bends of horizontal confinement were wrong or the stirrups were unevenly placed or the quality of concrete was not good. The damage was largely because of negligence.”

He says the situation in Nepal is similar to that in Gujarat. “Not only non-engineered houses but also engineered ones are death-traps. Thanks to the lack in detailing, even many frame structure houses are seismically unsafe.”

Dixit prescribes “strict enforcement” of the existing building code to prevent poor construction. “What we have (building code) is a fantastic one. We do not need stricter codes but stricter implementation,” he said.

Apart from the new constructions, which can be checked, the old buildings

pose a greater threat. “There is a technology by which the old buildings can be retrofitted to become seismically resistant. In fact, China did it with positive results after the 1975 quake. Though it involves huge investment, the government can encourage private individuals to do so and even do it in critical facilities like hospitals, water supply systems etc,” Dixit said.

The only solution, according to Dixit, would be to “mainstream disaster management in development process.” As they say, prevention is better than cure, the integration of disaster reduction system in development process would go a long way in allaying the present situation. ■

NEPALESE ARTWORK Flying Everywhere

Experts express serious concern over the theft of the finest pieces of Nepalese cultural heritage. Can they do anything to stop the flow?

By KESHAB POUDEL

Many valuable statues of gods and goddess and fine pieces of artworks have disappeared from the temples of Kathmandu valley. Such artefacts go missing every day, in some cases even without anybody noticing. Whose responsibility is it to preserve Nepal's cultural heritage?

If this situation continues, the temples of the valley will be shorn of their centuries-old gods and goddesses. Despite administrative vigilance, it is virtually impossible to combat the traffic without the support from community members. Because of poor documentation and record keeping, it is difficult for police and officials even to find out what they have to save.

The good news is that Nepal is getting back some of these missing idols. The country recently got a 14th century image of the Sun God, Surya, which was stolen in 1981. It was returned to Nepal with the cooperation of the Los Angeles Country Museum, California, United States. Likewise, a 12th century image of Shiva and Parvati stolen from Dhulikhel in 1982 was returned by the German authorities from the Museum of Indian Art in Berlin last year.

Experts say Nepal must find a solution that goes beyond the return of missing statues. Unless trafficking is discouraged globally, it would be impossible to preserve our heritage. "The existing acts are not adequate although they empower authorities to curb the illicit traffic," said Sukra Sagar Shrestha, chief archaeological officer of Department of Archaeology. According to the Archaeological Protection Act, offenders can get a maximum punishment of 10 years' imprisonment.

As Nepal's tourism industry depends heavily on ancient statues and temples, their disappearance would have a lasting effect. According to a study, more than 70 percent of tourists visit Nepal to see historical and ancient places. This statistic reveals how

vulnerable Nepalese tourism sector is to idol snatchers. "If we are unable to protect and preserve our artefacts and statues, our tourism industry will suffer badly," says Pradeep Raj Pandey, chief executive officer of Nepal Tourism Board.

Centuries-old artworks are also under threat from absence of regular maintenance. The resources of the Department of Archaeology are insufficient to protect and preserve the temples. The department lacks research and documentation of all the temples and statues in the valley. In many cases, statues and valuable artefacts are recorded only after they are recovered by police.

"I read with dismay the regular reports in the national press describing the disappearance of yet another statue or carving from one of Nepal's monuments. Such reports are not merely a sad reflection on modern times, or on a society that is losing its respect for the things its forefathers treasured," says Dr. Yoshiaki Kitamura, United Nations Educational, Scientific and Cultural Organization (UNESCO) Representative in Nepal.



Stolen idols : Cultural theft

Toran of Patan Durbar Square, the 5th century standing Buddha of Deopatan, an image of Chaturmurti near a village in Sankhu, and a 6th century Buddha idol of Patan are among the thousands of missing statues from the ancient cities of Kathmandu valley. Despite growing awareness in the community about the need to preserve the country's heritage, missing statues continue make news almost every day.

"Nepal's tourism will be the first victim if illicit traffic in cultural property continues," says Subash Nirola, director of tourism product and resource development at the Nepal Tourism Board.

The government remains unable to track what has gone missing. Former chancellor of Royal Nepal Academy Lain Singh Bangdel has published a book that has hundreds of photographs of missing statues and artefacts.

Although police regularly arrest suspects along with statues and artefacts, they have hardly made a dent in the illicit traffic. The theft of statues and carvings from streets and historic buildings of Nepal is not a new problem. Over the decades, many of the stolen pieces of art have ended up in the international market where collectors pay high prices.

"The government will support any move to preserve and protect ancient statues. We are also working to develop a mechanism to search for missing Nepalese statues and arts in different parts of the world," says Barun Prasad Shrestha, secretary at the Ministry of Culture, Tourism and Civil Aviation.

A symposium was held recently to discuss ways of encouraging greater steps to prevent thefts and ensuring stricter action to recover artworks through the official channels once they have left the country. The meeting, a joint initiative of the Ministry of Culture, Tourism and Civil Aviation's Department of Archaeology and UNESCO/Kathmandu, was supported by Nepal Tourism Board.

As Nepal is a country of 330 millions gods and goddesses, no one knows how many statues and artefacts there are in various parts of Kathmandu valley. One can see temples and idols in every nook and corner. In recent years, the number of temples without their idols has been increasing.

UNESCO has taken the lead in developing legal instruments and conventions to address the problem of illicit trafficking of



Recovered idol : Home, at last

cultural property. Its network of contacts and access to diplomatic channels has assisted in the recovery of stolen property.

"The country has to take immediate steps to preserve Nepal's heritage," says Keshav Raj Jha, executive director of Nepal International Center. Peter Laws, cultural heritage specialist at UNESCO's Kathmandu office, presented a paper on the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the UNIDROIT 1995 Convention on Stolen or Illegally Exported Cultural Objects.

Before 1970, there was no restriction on the export and imports of cultural property. With the initiative of UNESCO in 1970, the Convention on the Means of Prohibition and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was passed. This was the first global legal instrument for the protection of cultural heritage from theft and pillaging. Ratified by 91 states, the 1970 convention concerns the protection of property designated by the state parties as important for their archaeology, prehistory, history, literature, art or science.

Despite resolutions and legal instruments, the problem of trafficking remains serious. According to Interpol, only a five to ten percent of all stolen cultural property is ever recovered. That figure alone provides a clear picture of the cultural treasures Nepal has lost over the decades. ■

TOURISM

Anxiety Abroad

The series of blows hitting the industry troubles a Britain-based organization promoting tourism in Nepal

By SANJAYA DHAKAL

"The series of sad events that occurred in Nepal one after another has badly hurt the tourism sector," said Raja R. Giri, founder secretary general of Friends of Britain and Nepal-Nepal Tourism Organization (FBNNTO). The organization is based in Britain and has been active in promoting tourism in Nepal.

"Starting with the plane hijack, subsequent incidents like the Hrithik Roshan episode, hotel strikes, the unimaginable royal massacre, the Maoist insurgency and now the suspension of European flights by the RNAC and the consequent negative publicity in the media have hit the industry," said Giri, who is currently in Kathmandu to "say few things about the current situation".

"It is really tragic that such things are happening at regular intervals in the country. But we have to move on and we have to save the industry," he said. "Otherwise, we will begin to feel ashamed of even saying that we are Nepalese."

Giri, who left for Britain in 1994 to study computers, later thought he could serve his motherland better by getting an education in tourism, a sector that he believes has vast potentials. "I found Nepal even smaller looking from there. I decided I must do something and hence started meeting people and later founded FBNNTO," said Giri, who is currently studying Masters in Travel and Tourism Management at University of Portsmouth.

During the Visit Nepal Year 1998, Giri worked as coordinator under the Royal Nepalese Embassy in London for the whole British market. Later, with the help of Nepalese students and other well wishers, he founded FBNNTO. "In fact, I was encouraged by the late King Birendra

who exhorted me to give institutional framework to what I had been doing during his visit to London once," said Giri.

The FBNNTO has been organizing seminars, talk programs, familiarization trips and other promotional events ever since. A year ago, it opened the first Nepalese tourism information center outside Nepal in London.

It has also been maintaining close relations with the Nepal Tourism Board "though we have not yet received finan-



Giri : Concerned

cial help from them. Till now we are managing from the funds provided by students but that is not going to make us sustainable," said Giri, hoping the authorities would recognize and help FBNNTO in its efforts. The organization also publishes a travel journal called "Kingdom in the Himalayas".

The organization is also planning to hold a mega-event called Nepal in Britain during the festival of Tihar (in November) this year. "We will be inviting some artistes from here and we are also planning to broadcast the event live by NTV and Radio Nepal." ■

THE GODAVARI TALKS

Where

Will It

Lead To?

The first ever talks between the government and Maoist rebels concluded in Lalitpur in a cordial atmosphere. But as the rebels continue to raise their agenda beyond the jurisdiction of the country's constitution could a lasting peace be found? It will all depend on who are there behind the Maoists and what they really want?

By BHAGIRATH YOGI

Frantic movements were going on right from early morning in and around the Godavari Village Resort in Lalitpur district, 12 km northeast of Kathmandu, last Thursday (August 30). Senior ministers and other members of the negotiating team arrived at

the luxurious resort at 8:30. After knowing that the Maoist delegates for talks had not arrived by then, they decided to utilize the time to chalk out an outline for the talks over cups of steaming tea or coffee.

At around the same time, Prime Minister Sher Bahadur Deuba was receiving congratulations from the Maoist leader, Comrade Prachanda, on assuming office a month back and inviting the rebels for

talks, through his emissary Krishna Bahadur Mahara. At his erstwhile contact office at New Baneswore, which he used as a dissident leader, Deuba welcomed the three-member Maoist negotiating team and assured them that the government was really sincere toward finding a negotiated settlement to the 66-month-old insurgency that has already claimed more than 1,800 lives.



Maoist leader : In the spotlight

Back at the prime minister's official residence at Baluwatar, ruling Nepali Congress leaders were busy discussing a ceiling for the proposed land reforms program. When asked about the outcome of the talks that was taking place around the same time a few kms away, NC general secretary Sushil Koirala said, "First, let's know about their agenda. The party will give its opinion only after discussing the issue."

As soon as the Maoist negotiating team, including Agni Sapkota and Top Bahadur Rayamajhi, arrived at Kailash building of the resort at 9:20 a. m., the team of government negotiators led by Minister for Physical Planning and Works Chiranjivi Wagle greeted them. After introduction and a few words by one of the two facilitators, human rights activist Padma Ratna Tuladhar, they sat for formal talks at Kailash Bhavan (See: Box).

A joint statement issued at the end of the meeting said both the sides had agreed to continue the dialogue with a view to "resolve all the problems in a peaceful way." They also agreed to hold second round of talks within two weeks. Though the date and venue for the next round of talks are yet to be decided, the Maoist party has already proposed to hold second and third round of talks in its stronghold in mid-western district of Rolpa and

Kathmandu on September 10 and September 25 respectively.

"The talks were held in a very cordial manner," said Wagle. "I am optimistic that the talks will be able to find a peaceful solution."

The Maoist leaders, too, were equally upbeat. Addressing a huge rally in the mid-western town of Nepalgunj later the same day, Mahara said his party had put forward the proposal of forming of an interim government, formulating a new constitution and making Nepal a 'republic' as demands during the talks.

"The government did not put forward its side," Mahara said. He warned that the Maoist party could resume offensive activities if the government cheated them in the course of talks. "A new way out could be found as per the people's expectations if the 'old regime' did not hatch conspiracies," he added.

Though the first round of talks did not formally enter into the Maoist agenda, it was more symbolic in nature. "Now people's hopes for peace are soaring," said Madan Mani Dixit, an academic and writer. "The civil society must pressurize both the sides to find a peaceful settlement however long it might take."

Even after a week, people are finding it hard to believe that the rebels have finally agreed to sit for peace talks with

the government against which they had unilaterally raised arms only six years back. More so, at a time when they were registering military victories one after another against the demoralized and ill-equipped police force in different parts of the country.

"Nowhere in the world, the revolutionary Maoist rebels have sit for talks with the government in such an easy way," said Tuladhar. "It is a very positive development that Nepali revolutionary communists have agreed to come to the table of talks."

But people in the government as well as in the opposition are still skeptical about the Maoists' real intention. Many believe that the Maoist leadership is utilizing the month-old truce to avoid a direct confrontation with the Royal Nepalese Army and re-group and re-arrange its movement. The party has been organizing huge mass meetings and has proposed one in the capital on September 21, raising 'donations' forcibly and launching publicity campaigns. The party has been able to move its guerrillas and arms from one place to another as part of its bigger strategy during this period, sources said.

For the Maoist strategists, the present situation may be the best to divert the attention of the government and prepare for the final assault. "The Maoists believe that the time has come for them to enter into the phase of 'strategic stalemate' from 'strategic defense.' The phases of 'strategic balance,' 'strategic offense' and victory have to be extremely fast and speedy one. For this the party has to make special preparations for in terms of political, military, organizational, technical and information sectors," Pushkar Gautam, a former Maoist commander who renounce the movement and an analyst, wrote in Himal Khabarpatrika (September 1-15). "The peaceful environment provided by the 'cease fire' will be an appropriate period for the Maoists to make such preparations."

Officials, too, believe that the Maoists might try to use the new found freedom to strengthen their military might. The official negotiation team had requested the Maoists to withdraw their proposed mass meeting in the capital saying that it could

be provoked by some unscrupulous elements. Maoist leader, Mahara, however, said the meeting would be a peaceful one. "Why should the government worry when an underground party is holding an open mass meeting?" he asked.

Security agencies refuse to buy Mahara's argument. They suspect that the Kathmandu meeting might be used by the underground party as a test to their strategy of combining the 'long-term people's war' into the 'armed mass uprising.' Not only the officials, even the communist opposition have started warning people against the attempts to lead the country toward 'regression.' "Attempts are going on to snatch away people's rights established by the people's movement in 1990," said UML general secretary Madhav Kumar Nepal, referring indirectly to the Maoist movement.

Analysts say both the government and Maoists may be considering talks as a matter of tactic only. "By forwarding demands like formation of interim government, a new constitution and institutional development of the republic, which the government can't fulfill, the Maoists seem to be preparing ground for ultimate talks with the King," said former UML lawmaker Shanker Pokhrel. "Both the Maoists and monarchists want now to nullify the utility of changes that resulted



Maoist leader Mahara (in the middle) returning after talks: Feeling the pulse of the government

as a culmination of the 1990 movement through a referendum on the issue of either republican state or constituent assembly. Both of them believe that they can have a greater role in this way."

According to Pokhrel, the Maoists want a face-to-face dialogue with the force that enjoys power (that is, army). So far, they have been able to check deployment of the army against them. But the way they are opening assaults in all fronts, the

monarchists will find it difficult for long to stand in favor of the Maoists and withhold the mobilization of the army.

Agreed Gautam, "It's likely that a sharp division might emerge within that party on the issue of those who favor the talks and those who don't. For the last five years, the Maoists have expanded their force by using 'talks' as a shield. Now it will be pretty difficult for them to return to the forest at a time when the talks are actually going to be held. If they withdraw from talks, they are likely to lose not only the moral support but also even the neutrality of the people."

Those watching recent developments around the region insist that given the geo-strategic importance of Nepal, an armed resurrection could not go for a long, as it would hurt the security interests of her neighbors.

In 1950, Indian Prime Minister Jawaharlal Nehru brokered a political compromise between then Rana rulers and King Tribhuvan. Known as the Delhi agreement, he forced Nepali Congress that was leading a popular movement to overthrow the Rana regime from the Indian territory—to accept the pact, records late B. P. Koirala in his *Atmabrittanta*. After late King Mahendra overthrew the democratic polity and introduced the so-called partyless Panchayat



People in the street: Red welcome

system, Nepali Congress twice attempted to wage an armed movement from the Indian territory to overthrow the Panchayat regime. The attempts failed both the times. "You can't be victorious in an armed struggle unless you have a false border," recalls NC leader K. P. Bhattarai

in his 'Atma Katha.'

The ultra-left Marxist-Leninists and radical Nepal Janabadi Morcha (NJM) also raised arms against the Panchayat regime. While the King with the help of military crushed the Jhapa movement, inspired by the Naxalite movement in

India, the armed movement launched by the NJM disappeared in a mysterious way in the late eighties.

Compared to 1950, India has made tremendous progress both economically and militarily. Ambitious to play a greater role in the global arena, India wants to

FIRST ROUND OF TALKS

Comrades Without Notebooks

By sitting for talks, the Maoists have gained unprecedented publicity and recognition while the government is still adopting the policy of wait and see

By BHAGIRATH YOGI

Though they were fighting to end the bourgeoisie parliamentary polity in the country for the last six years, it was a pleasant surprise to see many known faces in the beautifully decorated room of the Godavari resort. A former United People's Front MP, comrade Krishna Bahadur Mahara, had an opportunity to see former Speaker Daman Nath Dhungana, who was one of the two facilitators, after several years. He had also rubbed his shoulders with the chief government negotiator, Chiranjivi Wagle, during the short-lived parliament in the early nineties. His comrades, Agni Sapkota and Top Bahadur Rayamajhi, too, had contested parliamentary elections but had failed to make their way to Singha Durbar.

A day after receiving heroic welcome in Kirtipur adjoining Kathmandu, Mahara and Rayamajhi arrived at the venue for talks on Thursday morning on a jeep with plate no. Ba 3 Cha 4850. Sapkota arrived at the resort and left the venue earlier than his comrades on the jeep with plate no. Ba 2 Cha 839.

The main session of the dialogue concluded between the government and Maoist team without the help of facilitators. During the discussions, Mahara briefed about his party's demands and said the government should release all the Maoist cadres and supporters from the jail, disclose whereabouts of those missing and withdraw fake charges against their cadres. The government side insisted

that the Maoists stop use of all kinds of force, show of arms, extortion and like during the period of talks. Both the sides were quite

cordial during their presentation. So much so that Mahara had even asked with the government team if he could use the term 'old regime' to refer to the government.

With the mass meetings organized in Nepalgunj and Janakpur the same day, the Maoist negotiators seemed in hurry. They did not have even a notebook to take note of major points discussed during the dialogue. They promised to present formal agenda for talks on behalf of their party in the next round of talks. During the talks, Mahara took the lead and was assisted by his comrades. Interestingly, they were keen to take Mr. Tuladhar into confidence about the crucial issues raised in the negotiations.

The five-member government team included Ministers Mahesh Acharya and Bijay Gachhadar and central committee members Narahari Acharya and Chakra P. Bastola. Most of the members of the government team were informed about their inclusion in the team only previous night. Neither there were any video recording of the talks for the posterity nor were any modern logistics available to support the negotiating team. When the talks ended, Narahari Acharya drafted a joint press statement, which was signed by Wagle and

Mahara from the government and Maoist sides respectively. The statement

was later faxed to media from the Prime Minister's Office.

"There have been occasions when human rights organizations have argued for hours while issuing a joint statement. But there did not arise any problem in drafting the statement after the talks," recalled Tuladhar. Both the sides agreed to avoid Maoist demands for interim government and a republican state in the statement. "Throughout the talks, we never felt that we were talking with the people who were launching the armed struggle," recalled another member from the government team.

A former school teacher, Mahara represents the western region while Rayamajhi and Sapkota represented the central and eastern regional units of the underground party. Mahara invited his government counterparts for talks in Rolpa, the undeclared capital of the rebels. The government negotiators said they would inform about the venue and date for the next round of talks later.

By sitting for talks, the Maoists have gained unprecedented publicity and recognition as a political force from the government. The government, on its part, is still adopting the policy of wait and see. Even after a week, the government team was yet to sit for preparing for the next round of talks. As Premier Deuba held all the cards close to his chest, even the members of the government team did not know how they would be presenting the government side with the rebels during the next round of talks.

The prospects of talks have brought high accolades for both the government and the insurgent group. While the government wants to bring the rebels into political mainstream and persuade them to give up arms, the rebels haven't disclosed their real intentions. But, both the sides know very well that the real and decisive battle is still far ahead for them.

maintain its supremacy in the region, say analysts. India has become quite sensitive regarding its security interests in Nepal especially among the allegations that the Pakistani intelligence agency, the ISI, is using Nepali soil against India.

So, why does India continue to host the Nepalese insurgent group in its highly sensitive 'chicken neck' region has baffled many? After traveling to Siliguri area bordering Nepal, India and Bangladesh to meet the top Maoist leadership including Comrade Prachanda last fortnight, UML general secretary Madhav Nepal found himself more confused than ever regarding the origin and motive of the Maoist insurgency.

Addressing a meeting of intellectuals at his party's central office at Balkhu

territory and the frequency of high-level Indian dignitaries visiting Nepal has also gone up," he said. Referring to India's forced military intervention in Sri Lanka in the eighties, Nepal said both the royal palace and Nepali Congress could be assisting India in its 'grand design.' The palace may have 'backed up' the Maoists with a view to end the multi-party polity in the country whereas Nepali Congress, too, may have been assisting Maoists to finish off the UML, he added.

While many see major parts of Mr. Nepal's remarks close to reality, others believe that the remarks may have been prompted looking at the danger the entry of Maoists in the mainstream politics posed to the main opposition party. With its armed guerrillas and radical slogan, the

analyst, in the book "Domestic Conflict and Crisis of Governability in Nepal." "The strength of the Maoist insurgency is much related with the relative weakness of the government."

As the government approached the negotiating table last week, it had very few options to offer to the rebels. "There can be no compromise on the issue of constitutional monarchy," said premier Deuba, even before the talks started. The rebels, on their part, insisted that they couldn't be satisfied unless all of their demands including the institutional development of republic are fulfilled.

So, where is the common ground? "Despite such differences, the fact that both the sides have agreed to come to the table of negotiations shows that some sort of agreement has already taken place at the highest political level," said an analyst. "Some amendment in the present constitution and greater political space to the Maoists could be one such solution."

Will the rebels be satisfied? Those watching latest developments argue that nothing is impossible in the present day Nepalese polity. The CPN (UML) blocked the parliamentary proceedings demanding resignation of Prime Minister GP Koirala for nearly two months this year. As soon as Koirala chose to resign, the parliament not only functioned smoothly, ordinances like Armed Police Force and Local Development (Amendment) were passed smoothly. The Maoist rebels accepted the call by premier Deuba to hold truce within half an hour and are still abiding by it. Premier Deuba announced the program of 'revolutionary' land reforms in the parliament even ignoring the party's manifesto. To win over the terai-based Nepal Sadbhavana Party, he announced early this week that the land reforms would be implemented only after the issue of citizenship is resolved.

"The recent developments in Nepali politics, including the talks between the government and Maoists, is nothing but the stage-managed show. Those who have identified the real actors already know the outcome of such drama," said the analyst.

Will the latest drama result into a lasting peace — or will that only remain a wishful thinking? Only time will tell. ■



People seeing off the talk team : High expectations

Sunday, Nepal blamed that India, the royal palace and even the ruling Nepali Congress to fulfill their own vested interests were using the

Maoists. The main opposition leader suspected that India might be providing certain 'back up' to the Maoist insurgency with a view to keep Nepal under its 'security umbrella.'

"There is enough room for suspicion since Indian TV channels are showing Indian military marching within the Nepali

Maoists could brush aside the UML in national politics and emerge as the single largest 'communist' force in the country.

The emergence of the Maoists as a major political force through the use of sheer violence has become a living reality in the present day Nepali polity. "The Maoist insurgency is neither a cause of relative deprivation prevalent in Nepali society nor the consequence of the public disapproval of the democratic system," writes Prof. Dhruva Kumar, a strategic

'The Available Infrastructure Should Be Used Optimally'

—RAMESH NATH JOSHI

RAMESH NATH JOSHI is the general manager at the Janak Educational Materials Center (JEMC), the government-owned institution responsible for publishing textbooks and other educational materials for the country. Joshi spoke to NJAYA DHAKAL about the challenges and prospects of the organization. Excerpts:

How is the JEMC helping the country?

After it was established in 2013 B.S. JEMC has been engaged in publishing textbooks in the country. However, our role is not limited to publishing books. Our vision and our mission are interlinked with our nationalism. Take for instance, the series of Nepali textbooks like "Mahendra Mala" which have helped the people learn the Nepali language. Besides, we provide textbooks at a uniform price all over the country. Our books cost less than half of similar books published by others.

In previous years, there used to be complaints that JEMC delivered books very late. What do you say?

Indeed, there was this problem of late delivery until few years ago. However, for the last two years, I have taken this as a challenge and focused our efforts in resolving this problem. As a result, last year we could reach books on time in 95 percent of places. This year this has reached 100 percent. That is why you will not find news reports about late delivery of books these days. In fact, we have chalked out a strategy. We first despatch books to rural areas followed by hilly region and urban areas. So, there would be no more complaints of late delivery. We send the books way before the academic session starts.

How is the infrastructure at the JEMC?

Ours is the largest government-owned infrastructure for printing. We

print 16 million books every year. Around 900 people are employed here. There is no institution like JEMC anywhere else which has been single-handedly printing the textbooks of a country. The infrastructure at JEMC is a national treasure. In fact, our infrastructure can be better utilized. If the government wants to, it can make JEMC an umbrella body for printing in the country. Though printing educational materials is our first priority, we can also print other things. We have the technology and manpower for doing that. This will help stop the outflow of around six billion rupees to foreign countries, especially India, for printing. The government alone provides one billion to two billion rupees worth of printing job every year. As we have the infrastructure, we can handle these printing jobs inside the country itself. At present, JEMC pays three million to four million rupees in taxes and around 15 million rupees in VAT to the government. Very few government-owned institutions are running so successfully. In this context, I would like to add that although there are voices for privatization, the authorities and everyone concerned should take note of what happened to the privatized institutions. In the name of privatization, there is an effort to destroy strong institutions.

The private sector is also engaged in printing textbooks, especially for boarding schools. Why can't the JEMC tap that market?

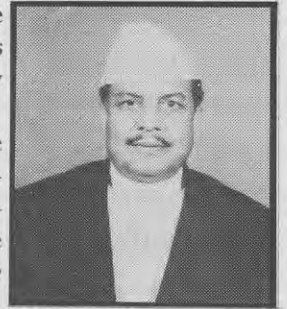
We have a big market share of textbooks. Our annual turnover is around 400 million rupees, whereas that of the private sector is around 30 million to 40 million rupees. If we are given the authority, we can definitely print quality textbooks for the boarding schools, too. Moreover, I can tell you, the price of our books would be far less. This year, we have taken steps to print English translations also.

What are the new steps being taken by the JEMC?

This is the age of Information Technology. We have to take this new development, too, in our stride. Just recently, we managed to launch our website (janakedu.com). If we are authorized, we are planning to have all our books posted on the Internet so that anybody can download them from anywhere else for a certain charge. The Nepali diaspora is distributed all over the world. Nepalese families living overseas can download Nepali books for their young ones, who might otherwise be totally cut off from Nepalese culture. In fact, we have plans to utilize the Internet in such a way that even our regional offices would be able to download necessary books.

What are the market potentials for the printing sector?

Apart from the domestic market, which is also expanding, there are potentials across our national frontiers, too. Printing not only requires high technology but is also a labor-intensive sector. Here, the workers have to blacken their hands in their job. That is why in developed countries, the attraction of workers toward this sector is decreasing. The labor cost, too, is very high there. We can divert the printing jobs of magazines like Newsweek, Time, travel journals, calendars etc here if we really concentrate on uplifting this sector. It will definitely be quite less costly for publishers to print in Nepal than, say, in Singapore or Thailand. Anybody will be interested to print from here if we offer lower costs. The potentials are tremendous, but there is no vision. ■



'There Is No Fault In The Institutions Envisaged By The Constitution'

— MUKUNDA REGMI

In his study at his residence in Sorakhutte, senior advocate MUKUNDA REGMI, who was a member of Constitution Drafting Recommendation Commission, is busy transcribing recordings of discussions that took place while the constitution was being drafted. Regmi plans to bring out a book telling the inside story of how the constitution was drawn up. He spoke to KESHAB POUDEL on the challenges faced by the constitution and other issues. Excerpts:

When most of your colleagues on the constitution-drafting panel are demanding amendments to or abrogation of the constitution, what inspires you to fight this lonely battle in favor of the basic law?

I am fighting a lonely battle to save the constitution because this is a well-written democratic document. The present constitution has been formulated keeping in the mind national requirements. It enshrines the principles of constitutional monarchy, parliamentary multiparty democracy, fundamental rights, rule of law as unquestionable elements. It also includes social justice, adult franchise and an independent and strong judiciary. The constitution also has a mechanism to strengthen parliamentary government, ensure rule of law and hold free and fair elections. Moreover, this constitution is necessary to bring stability to the country.

Do you believe the constitution has been able to address the country's problems?

I firmly believe that this constitution can bring prosperity and happiness to the people. That's why I am defending the constitution. Fortunately, I was one of the members of the Constitutional Draft Recommendation Commission. We recommended the draft after extensive debate and discussions. I believe in my convictions. Once I express my commitments with conviction, I never speak against them. I don't want to go in for populism. If I prefer to use bitter words, it is because I speak on the basis of my convictions. I don't have any hesitation to apologize and correct my stand, if there is something wrong with it.

As you say, the constitution has envisaged various institutions to run the state and to overcome the country's challenges. Why are political leaders, intellectuals and even those who drafted the constitution demanding amendments and even a new constitution?

My conclusion is that there is no fault in the institutions envisaged by the constitution. The problems lie in the individual actors who are running the

institutions. The constitution is made for the country, not for individuals. When actors leading institutions ignore their commitment to the country and fundamental characters of the constitution like constitutional monarchy, multiparty democracy, fundamental rights and impartial judiciary, it certainly invites some disillusionment. Interestingly, I have not seen disillusionment in the common people. It is people like ourselves who enjoy all kinds of privileges who are demanding the abrogation of or amendments to the present constitution. It is unfortunate that politicians and intellectuals seek to abrogate or amend the constitution to fulfil their petty interests. I have not seen party leaders working with a vision of the national interest. They are confined to the interest of a small faction. A national perspective is required to implement the constitution. If we change the constitution on the basis of the likes and dislikes of a few individuals, we cannot keep any constitution.

When a group waging an armed struggle is pressing for the abrogation of the constitution, how hopeful are you of its survival?

Prime Minister Sher Bahadur Deuba, with backing from all major political parties, has made clear that he will not compromise with the basic features of the constitution like constitutional monarchy, parliamentary democracy, independent judiciary and fundamental rights. The commitment expressed by the prime minister proves that he will not abrogate the constitution.

Why should the armed insurgents heed the prime minister when they maintain the upper hand?

The people who are pressing for the abrogation of the constitution can form a government if they participate in the political process through peaceful means. The constitution does not bar any political party from contesting elections. Maoists could also contest the elections under their ideology provided they lay down their guns. If negotiations restore peace in society, the constitution can give plenty of ways out. Even other communist parties, which believe in Marxist, Leninist and Maoist ideology, are contesting elections. The main opposition CPN-UML believes not in multiparty democracy but in people's multiparty democracy. The UML, which also waged a violent struggle at one time, has established itself as the main opposition party. The existing constitution has not barred any political party, including the Maoists, from participating in peaceful elections. I have not seen any example in history where any monarch has declared a republic and any prime minister has given up his chair to a revolutionary leader

"I am fighting a lonely battle to save the constitution because this is a well-written democratic document. The present constitution has been formulated keeping in the mind national requirements. It enshrines the principles of constitutional monarchy."

through negotiations.

Most of your colleagues and party leaders, who once claimed that the constitution was written by drops of blood, today hesitate to defend it. Why?

Their hesitation may reflect their double standard or unstable convictions. It may be because they are opportunistic in their style and ideas. Sometimes I feel very strange when I play recordings of the discussions that went into the process of making the constitution. One member who has now demanded a constituent assembly to write a new constitution spent most of his time debating and discussing every article of the constitution. I don't understand why people shift their stand so quickly. It is our moral obligation to defend the constitution.

Have you contacted your former colleagues on constitution-drafting panel to discuss this issue?

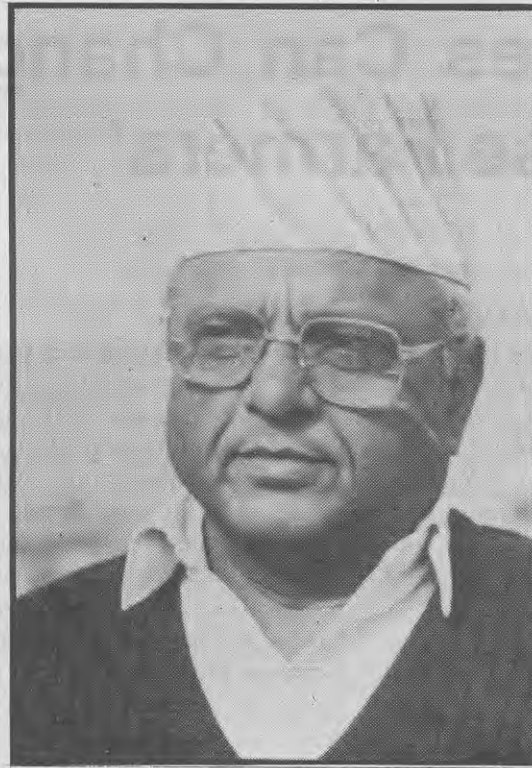
Among the nine members, Nirmal Lama is dead. Another member, who held the highest position in the bureaucracy, is very inactive. One member is very sick. Two others are now in the opposition bench and announced their critical support to the constitution just days after its promulgation. The chairman of the panel and former chief justice, Bishwanath Upadhyaya time and again defends the constitution. I have recorded the debates and discussions that took place in the process of drafting the constitution. When I read statements of these members today, I find difficult to reconcile them with the views they expressed a decade ago.

Constitutional bodies like the executive, judiciary and legislature have not been playing a role conducive to democracy. How do you look at it?

The opposition is stalling parliament and the executive has failed to provide effective leadership. I have heard complaints about the judiciary. Frankly speaking, institutions are not functioning as per the rules of the game. People even complain that court decisions are inspired by the popular mood. Unless we change the mentality of the people, we cannot see perfect functioning of the constitution. Whatever the constitution we promulgate, we are, after all, the people who are supposed to implement it. So, it needs time to gain maturity. We don't read and don't go for hard work. The level of education is also relatively low. In all the areas, I have seen lapses. The transformation of society will take a long time. It is evolutionary process. I don't think changing the constitution will bring immediate relief.

Congress leaders who struggled hard to restore freedom and to install accountable government are themselves demanding sweeping authority to turn unaccountable institutions like the Commission of Investigation Abuse of Authority into despotic organisations. Is this the ignorance of Congress members or are they being misguided?

Regardless of who holds power, there is a tendency among leaders to be another Jung Bahadur. Nobody cares about democratic principles and individual freedom. The constitution has given separate authority to the judiciary to take internal actions on its own regarding



“The constitution does not bar any political party from contesting elections. Maoists could also contest the elections under their ideology provided they lay down their guns.”

corruption. The authority has given keeping in mind the need to make the judiciary impartial and independent. We placed the CIAA as an ombudsman. This is part of ignorance among MPs about the constitution. It is very unfortunate. If such parliament passes such a bill, it will be against the constitution. The constitution should be interpreted in keeping with the changing needs of society.

How long did you take to draft the constitution?

We drafted the constitution within three months after visiting all 75 districts of the country to collect the opinions of the people. The composition of our team was complex, as there are people from different parties and power centers. The debate and discussions were extensive. We were given three months to come up with a draft. Our communist colleagues worked hard to bring the constitution. The credit for completing the job within three months goes to Chairman Upadhyaya. Some of our colleagues also visited different parts of the world.

As a member of the Nepali Congress, how do you see the role of leaders of your party?

We still have two septuagenarian leaders who have played an important role during the process of drawing up the new constitution. Before the restoration of democracy, I found them extraordinary. Now they have disillusioned me. I have found them like common people. They haven't proved capable of running the country.

What are you doing these days?

Apart from going to court, I am working on books. One book will be related to the debates and discussions surrounding the drafting of the constitution. I have already transcribed more than 500 pages. Another book will be on constitutional monarchy, an institution Nepal needs. ■

'Fisheries Can Change The Fate Of Nepalese Farmers'

— KRISHNA GOPAL RAJBANSHI

KRISHNA GOPAL RAJBANSHI, an aquaculturist, is one of the prominent experts working in the field of fisheries. After a long service as a government employee, Rajbanshi worked as a technical expert with the United Nations' Food and Agriculture Organization. Even after retirement, Rajbanshi continues to offer his expertise to Nepalese as well as other farmers in South Asia. A member of the Royal Nepal Academy of Science and Technology, Rajbanshi holds the view that fisheries can change the fate of Nepal's farmers. Rajbanshi spoke to KESHAB POUDEL and AKSHAY SHARMA at his residence on various issues of fisheries and the wider agricultural potential of Nepal. Excerpts:

While big countries are providing hefty subsidies to farmers to produce cereal crops, Nepal lacks the resources to do so. How can Nepalese farmers survive in this competitive environment?

The market is going to be unfavorable to Nepalese farmers who rely on traditional crops. Before such a situation arrives, the government must develop a long-term strategy to rescue farmers. If the government is not taking the issue seriously, Nepalese farmers will face an unprecedented situation in the future. We have to do something about this. As an aquaculturist, I cannot explain specific issues. However, aquaculture is an inseparable part of agriculture, so I can perceive some inevitable crises looming on the horizon. If imported agricultural products are available at relatively low prices in Nepal, no one would buy expensive Nepalese products. Farmers might have to leave their land barren. If a farmer does not get sufficient rate of return, his very survival

will under threat.

What does Nepal need to do?

When agriculture becomes unsustainable because of the heavy influx of cheap foreign products, a large number of Nepalese farmers will be unemployed. If so many people become jobless, the situation will be dangerous. Nepal is a small country but it has certain geographical and market advantages. Sandwiched between two Asian giants, Nepalese products have big markets across the northern and southern borders. If we can supply agricultural prod-



ucts in keeping with their demands, Nepalese farmer can expect great economic benefits. Fish can be one of such product, especially in view of the huge demand in India. Nepal's domestic market is small, but the country has great potential for export. We need proper planning in order to produce more products.

What are the key challenges?

We need to have a clear-cut policy. Like many other products, Nepalese fish

is available in bordering Indian markets. Nepalese fish can become cheaper. Nepal exports a small amount of fish to India. If we expand production and request India to open their market formally, Nepalese farmers will get many benefits. Fisheries can offer jobs to the large number of unemployed Nepalese. From harvesting to marketing, the sector would require a large pool of workers. We can create jobs in the Terai by expanding fisheries there. We need net and basket for packaging and ice-factory for storage. Farmers can expand their protein intake, improving the nutritional status of a large segment of society. Increased income and improved nutritional status would help alleviate poverty. With proper development, fisheries can change the fate of Nepalese farmers.

What is the status of manpower?

We have adequate manpower. We cannot build manpower overnight. We cannot manufacture manpower. The government has to develop a long-term perspective plan accordance with the government policies. We have to decide what our strategy is and make long-term plans accordingly. Our position is not bad, but we cannot remain where we were. New challenges are coming up every year. The Indian government is granting subsidies for cereal products. What will happen if it starts giving subsidies to other products? We have to prepare our manpower to meet the challenges in the future. Our manpower is not bad.

Does Nepal have geographical advantages in fisheries?

Nepal has clear geographical advantages. Nepal is a small country with hardly 60-km width, but one can find different climatic conditions. We can breed fish in Parwanipur in the winter and in Trishuli in the summer. The facilities continue to

expand and we still need further expansion. We have fish breeding centers in Parwanipur, Hetauda and Trishuli. When the temperature rises at Parwanipur, we can start the breeding at Hetauda. In Trishuli, we have more advantages, where the water conforms to a tropical climate. If we maintain the flow of water in the pond, the temperature is cold. The water of Trishuli river cannot go above 20 degrees. This is the advantage of geographical position. We can also exploit the geographical advantages in vegetable and fruit production. We grow all kinds of crop in all seasons. We have tremendous geographical advantages. What is required is an ability to exploit it for the benefit of the country.

What types of fish can Nepal produce?

We can produce seven varieties of fish in Nepal. Ebacalio Rohita, Katala, Syrinaus Mirgahana are indigenous fish. The demand for Raghu, Katla and Mirgal are high in India. If we encourage farmers to work in keeping with demand, they would get greater benefits. Heavier the fish the farmers produce, the more money they can get. We must exploit the opportunities available across the southern border. If we want to survive, we must develop appropriate plans immediately.

Ten years ago, Nepal used to provide technical support in fisheries to Bangladesh, Bhutan and Pakistan. What is the situation today?

Fisheries in Nepal are a very new phenomenon. The father of Nepalese fisheries acquired knowledge from Barackpur Training Institute in India. When we sent our people for training, India was already in a better position. Although we started late, we got certain advantages. India started from the very beginning and had to pass through various phases. However, we were able to learn from advanced technologies from the beginning. Nepal has many experts trained in the United States, Japan, India and Thailand. As a small country, we cannot provide financial aid, but we can offer technical support. We have provided technical expertise to Bhutan, Bangladesh and Paki-

stan, Laos and Papua New Guinea. Nepalese fishery experts are now giving technical support to Thailand to grow trout. Nepal is also in a position to provide technical support in other fields of agriculture. The government must develop a long-term policy. We have developed our own technologies. What we need is professional and institutional support.

What is the status of commercial fish farming today?


There is a big belt in the Terai where farmers are involved in fisheries. There are many ponds in the terai since farmers know the technique of artificial breeding. This is the reason why a large number of small fish are available in the country. We taught the technology of artificial breeding. Even illiterate farmers know the technique. Since the prices of cereal products are declining and cash crops are no longer profitable, a large number of farmers are digging ponds. Farmers are no longer attracted to jute production. Because it is labor intensive, the cost of production becomes higher. Fishery is not labor-intensive farming. Digging ponds requires labor, but after that, there is greater efficiency. If the current trend continues, more and more paddy fields will turn into fishponds in the Terai. Farmers are also aware that they can no longer survive by depending on traditional cereal and cash crop.

How sustainable will fisheries be after Nepal joins the World Trade Organization?

Nepal is a small

country between two big markets in its north and south. We must produce keeping an eye on the demand in our neighboring countries. We must go for export of foodstuffs. Nepal can also supply trout, which can be harvested in cold water. With its Himalayan rivers, Nepal can harvest trout for export. In the last few years, Nepal has already started the production of trout. After continual efforts, prices have come down from Rs. 600 per kilogram to Rs. 250. We can sell trout to five-star hotels in the country. If we develop a system of continued supply of trout, a large number of farmers could benefit. If a farmer make profits, others will follow him. In this way, we can have a snowballing effect. I am not a trade expert, but I do not see adequate preparations. As soon as Nepal joins the WTO, we may have to face a flood of foreign goods. We have to develop our strategy before products flood us from other countries. ■

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DP/mdb/010712

BOOK

Power Potency

A book on the experiences of a small hydropower plant shows the way to providing cheaper energy to rural and remote parts of the country

By KESHAB POUDEL

Endowed with abundant water resources, Nepal has a huge potential to generate electricity. But only a small segment of water is being used to produce electricity, which is among the most expensive in the world. The history of hydropower development in Nepal is a century old, the first 100 kW station being established near Kathmandu during the Rana regime. The pace of development after that has been slow. Barely 15 percent of the population has access to electricity. Those who do face frequent outages.

Although Nepal has taken some steps to construct power plants, electricity is still a scarce commodity. Most of the consumers live in urban areas; only four percent of the rural population has access to electricity.

At a time when policymakers and government agencies are trying to expand electricity supply through various schemes, Eco-Himal has come out with a timely book based on its experiences in the Thame small hydropower project. According to the introductory overview written by Bikash Pandey, director of Repson Nepal, Winrock International, small hydropower projects have an important role to play in providing electricity services to rural Nepalese mountain communities. Each year 30,000 new families are linked to the national electricity grid by the Nepal Electricity Authority, the government-owned national utility. Most of these households are in the vicinity of urban centers or along highways. However, this rate of electrification is insufficient to even supply the increase in population, which is in the range of 80,000 households each year. This means that there are more people in the country with-

out electricity at the end of the each year than at the beginning.

Accelerating the electrification process in a country like Nepal is not easy task, as it requires a huge investment and extensive technological expertise. The expansion of the electricity grid in the mountain terrain is another challenging job. However, the Thame project shows a way of providing reliable electricity in the remote mountain areas with small investment. Located within the Sagarmatha National Park in the Mount Everest region, which forms the northern part of the Solu-Khumbu district in eastern Nepal, the 620kW Thame project is the first of its kind built with the cooperation of the Austrian government.

Although Nepal has taken some steps to construct power plants, electricity is still a scarce commodity. Most of the consumers live in urban areas; only four percent of the rural population has access to electricity.

*Energy from the Top of the World
Small Hydropower Plant
Thame-Namche Bazaar
Edited By Dieter Rachbauer
Published by Eco Himal, Hofhaymer Alee
Pages: 60*

Eco-Himal, an Austrian-based non-government organization, took over full responsibility of the technical and financial management of the power plant, including the final phase of the construction and the training of a local Sherpa team.

In his article "Small Hydropower Plant Thame-Namche Bazar", Dieter Rachbauer discusses the cost, benefits and technical aspects of the project. The book, among other things, also deals with historical accounts, including the challenges faced during construction, technical features of the project, social-economic factors and commentary from Khumbu. The article explains the challenges of the project. Thame's experiences have shown that small hydropower project is the best way of providing energy in rural Nepal. ■

Motion Picture Awards

Tulasi Ghimire's "Darpan Chhaya" swept most of the awards at the 4th Motion Picture Awards organized by Nepal Film Association (NFA). "Darpan Chhaya" not only bagged the best film award but its director Ghimire and actor Dilip Rayamajhi also bagged best award in the respective category.

Actor Uttam Pradhan also bagged the best male debut from the same film. Bipana Thapa won the best actress award "Muskan". Comedian Gopal Raj Mainali celebrated double joy this year as he and his daughter Sajja Mainali won the best comedian and best female debut award for "Nau Danda Pari". Devika Pradhan and Ram Krishna Dhakal bagged best female and male singer award for "Maiti" and "Ashirwad" respectively. Pawan Mainali won the best villain award for "Pinjada" and Sachin Singh was noted as the best music director. Renowned director Yadav Kharel was awarded with the "Mahendra Sadhana Samman" for lifetime achievement. Senior film personalities including Madan Krishna Shrestha, Hari Bansha Acharya, Bhuwan KC, Shambhujee Baskota, Prakash Shrestha, Bharat Shakya, Mithila Sharma, Basanta Shrestha, Krishna Malla and Mohan Sharraf were given special awards in recognition of their contributions to the sector. ■



TRANSITION

LEFT: A 20-member team led by **Dr. Shambhu Ram Simkhada**, Nepal's Permanent Representative at the Human Rights Commission, UN, Geneva, for Durban, South Africa, to take part in the International Conference Against Racism.

Khum Bahadur Khadka, Home and Local Development

Minister, for India, for medical treatment.

A 49-member delegation of Buddhist representatives led by Upper House member and vice-president of Dharmodaya Sabha **Laxmi Das Manandhar**, for China, on a two-week visit.

ARRIVED: A seven-member team led by Deputy Commander of People's Liberation Army of the People's Republic

of China, on a six-day goodwill visit to Nepal.

RE-STARTED: Regular flights to Bangalore from Kathmandu, by the Royal Nepal Airlines Corporation, from September 2, after a brief suspension.

VANDALIZED: The office of Human Rights and Peace Society in Kalikasthan, by unidentified people, on August 28.

FORMED: Nepal Independent

Communication, a non-governmental media organization, under the chairmanship of **Radheshyam Bista**, former head of National News Agency.

AWARDED: Nepal Federation for Business and Professional Women, with the first prize, for its program on women and children, in the Asia-Pacific Regional Conference held in Bangkok, Thailand recently, by the International Federation of Business and Professional Women. ■

Reforming Banks And Financial Institutions

By RAJENDRA K. KHETAN

There has been a significant rise in the number of banks and financial institutions in Nepal thanks to the process of economic liberalization that started a decade ago. The financial position of banks and financial institutions appears to be positive. Even then, other industries and businesses seem to be declining. Such a situation is certainly not good for the national economy when judged from the national perspective. Today's economy reflects tomorrow's condition of the banking and financial sectors. In Nepal, industrialists and businessmen are failing to make investments due to lack of resources. On the other hand, there is an excess of liquidity in the market, and banks are failing to make investments. Reducing and removing this imbalance are a major challenge.



Due to excessive liquidity, the banks have been considerably reducing their deposit interest rates over the past two or three years. However, there has been no corresponding reduction in the rates of interest to be paid by industrialists and businessmen on loans. As a result, the process of saving remains discouraged, while investments in productive fields are failing to increase to the expected level.

While talking about banks and financial institutions, it must be said that we remain deprived of the opportunity of using various financial instruments. Bank loans are based not on projects but on collateral. Besides, bank loans are based on the concerned bank's view about the firm/company's proprietor/director. In a country where a liberal market-oriented economy is said to be in force, it is certainly unfortunate that the supply of loans is based not on the merits or demerits of the concerned project or scheme but on the concerned individual's credibility. We have also not yet been able to gain expertise in banking transactions other than loans. Even now, it takes two to three days to transfer money from one bank to another within the same city. Collections to be made from within the country also take weeks. Even in the present-day age of information technology, many transactions have to be carried out in cash. Most of the times, cheques bounce. As a result, businessmen hesitate to conduct transactions through cheques.

It is being reported that in the financial sector, the private sector banks are earning much profit, while our big and old banks are facing a critical situation. These big and old banks have spread their branches to various parts of the country, and are providing services to small and medium customers. We have felt that the deteriorating conditions of these banks are obstructing the process of expanding the banking services to small towns for the past several years. There has been no noteworthy improvement in the situation even when the issue of the deteriorating condition of these banks is being discussed.

It has been admitted by almost everybody that our financial sector lacks appropriate regulations. Even though the Nepal Rastra Bank says that its functions of monitoring, evaluating, scrutinizing and controlling banks will be discharged more effectively, the various scandals occurring from time to time and the critical condition of the old banks make it clear that this is not happening.

Several of the laws regulating this sector have become quite old. It is clear that they are failing to reflect the present-day needs and fundamental reforms and changes are needed. We believe that the private sector should also be consulted while framing legislation. Regrettably, we could not participate in the process of framing new laws and amending old ones initiated by the Nepal Rastra Bank.

Monetary policy is not announced periodically in Nepal even now. If that policy is to be finalized at specific times and for specific periods, we businessmen will be free from uncertainties. We believe that such a process should be started soon. Our Foreign Exchange Act remains unchanged although many changes have been introduced in our foreign exchange policy. As a result, questions are being asked about the types of transactions that are to be considered legal or illegal. Timely reforms should, therefore, be introduced. It is also time to ponder seriously over the type of homework needed to provide full convertibility to the Nepali currency.

Banks need to recover loans supplied by the Likewise, enterprises, which cannot be re-operated, need to be closed down. However, an opportunity should be provided to all such enterprises as can regain good health through efforts for revival. Nepali entrepreneurs are still relying on loans supplied by their savings banks or on loans available in the market. The process of supplying capital through merchant banks, venture funds, stock markets, mutual funds and insurance companies like in the developed countries has not yet developed here. We, therefore, believe that the Nepal Rastra Bank has to take initiatives for the development of this sector.

Several commercial banks are confining themselves to the urban areas citing reasons of possible losses and insecurity in the rural areas. As a result, entrepreneurs in the rural areas are facing difficulties in conducting banking transactions. Since the issue has been raised by several district and town level chambers of commerce and industry, the Nepal Rastra Banks needs to pay attention to this.

The Nepal Industrial Development Corporation and the Agriculture Development Bank are two institutions playing an important role in the flow of credit. However, there has been no expected level of reforms in their working styles. It is necessary to modernize these institutions. The Nepal Rastra Bank needs to take initiatives soon to ahead the already delayed process of effecting reforms in the two banks of the country. The budget has mentioned that the Nepal Rastra Bank will reinvest in sick industries. The entire mechanism thereof should be made public. A bill relating to realization of bank loans has recently been tabled at the current session of parliament. The provisions relating to penalties contained in that bill provide for detention and arrests. We believe that no situation necessitating such provisions has yet emerged, and that such provisions will be impractical. For the past few days, depositors are reported to have withdrawn considerable amounts from their accounts. If this trend continues, this will have a negative impact on the entire economy. Accordingly, whatever is to be done in this connection has to be done in time. A consortium of new and industrial banks should be established. The Nepal Rastra Bank should take initiatives to provide techno-financial support to the private sector. There is a need for taking the private sector into confidence while signing agreements and understandings between institutions such as the World Bank, Asian Development Bank and the International Monetary Fund and the government, the Ministry of Finance, the National Planning Commission and the Nepal Rastra Bank. ■

(The article is based on a presentation by the author at a meeting at NRB late last month. Mr. Khetan is second vice president at the Federation of Nepalese Chambers of Commerce and Industry.)

Now In Town

BOOK

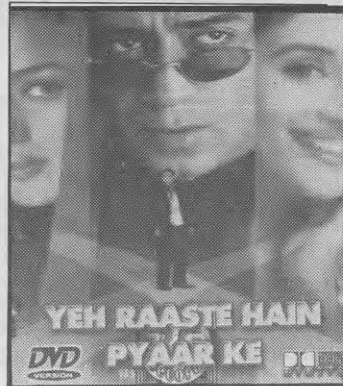
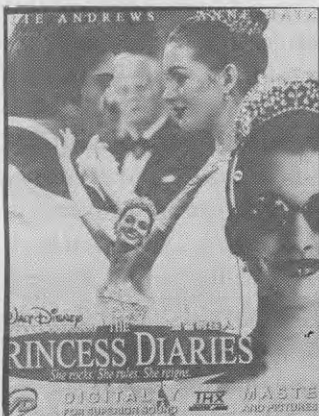
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Video (English)

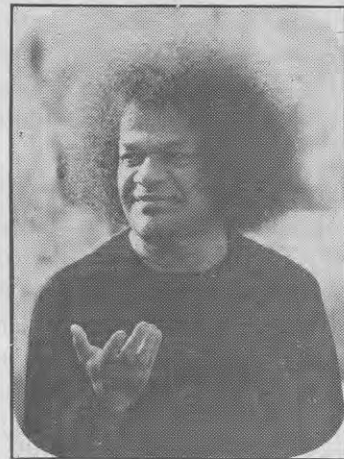
- Rush Hour 2
- The Princess Diaries
- Planet of the Apes
- Jurassic Park III
- America's Sweethearts
- Legally Blonde
- Original Sin
- The Score
- Cats & Dogs
- Spy Kids



Hindi

- Dil Chahta Hai
- Pyaar Ishq Aur Mohabbat
- Hum Ho Gaye Aap Ke
- Yeh Raaste Hai Pyaar Ke
- Lagaan
- Gadar
- Yaadein
- Paagalpan
- Pyaar Tune Kya Kiya
- Ek Rishtaa

(Source : Super Star Video, New Road)



“I am always guarding you and guiding you, march on: have no fear”

- SATHYA SAI BABA

Nepali Poetry: The Point Is Silence

By YUYUTSU R.D. SHARMA

It is this silence that shall take Nepali literature to the heights it is craving to attain. A great glorious silence. The quiet rhythm of this great Himalayan kingdom has yet to find a fitting expression. It is not just a savage silence whose stabbing vitality the people of the Himal and Terai since times immemorial have been aspiring to explore. It's not just first shaman's tom-tom, the flash of the nose-ring that sent a thrill in the heart of a folklorists. It's also not just the rhyme that the earlier poets tried to master, seeing close reflection of the silence in the eyes of their innocent little poems.

The silence has been heard loud and clear in the turbulent poems of Gopal Prasad Rimal. To some extent, we can feel the throb of this silence in Muna Madan where the hero Madan, like the poet himself struggling to master it, meets a tragic end. Madhav Ghimire in Malati Mangale fumbling to explore the same silence somehow gets dislodged due to extraneous factors resulting from a muddled vision and lack of commitment to the power of silence. In other words, Nepal's Paterson or even Song of Myself has yet to be written.

I have often been misunderstood as an opponent of metre. But my point is — metre here is just a handicap. Rimal understood it long ago. Bhupi Sherchan conquered it in his outrageous poems. Today most poets exposed to or in a position to understand Western or Latin, Afro-American literature have shed metre have come to write in a form which is democratic, open-ended and accessible to a vast majority. Because metre, as such, is not the point. The point is silence.

Silence. An artistic evolution of the pyramids of this

silence, its colorful spectrum, its bluest ranges and the ongoing process of muddling the purity of this silence has gradually evolved to be the bedrock of Nepali poetry. Wole Soyinka's Death and the King's Horseman could tell us what to do with our shamans, rhyme, the folklore and obsolete Sanskrit metre.

Like the great vacuum of the 1960s, Nepali literature today has again come to a standstill. Despite decades of struggle it has not achieved the heights it's supposed to have attained. Of course, cynics can have a good laugh. Narcissists and hacks reveling in cheap metre can dream of a Nobel or Booker Prize. Illiterate obscurantists can reign in the leading governmental posts, ruining major platforms that can be used to promote Nepali literature through regular dialogues and readings. Proud peacocks or senseless frogs from the English or Nepali Departments of the University can continue to sing songs of decadence, remaining utterly hostile to literature that is genuine, non-academic or polyphonic. But I genuinely feel there is a great creative commotion here, with major 'modernists' and illiterate obscurantists of the 1960s silent, some of them having written just one or two poems in a decade. Every time they open their mouths, we know the poems they will recite or can imagine the kinds of poem that will come out. The decade following the 1990 democratic upsurge has bought us back to confront the same silence with an urgency that was never felt before.

But, as I said, there is a great creative commotion here. We have poets like

Krishna
Bhakta
Shrestha
and
Shailendra
Sakar writing tirelessly for over more than four decades.



Shrestha

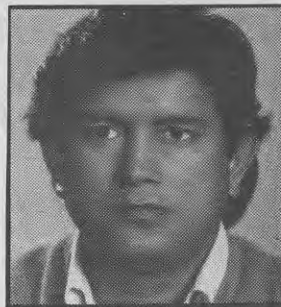
Shrestha struggling with his fears, his dream, visions, and vulgar silence of death that he is trying to conquer in his artistically chiseled, highly concentrated dark poems.

And Sakar writing fresher works, travelling extensively, amalgamating his experiences with his life lived in the remote Himalayan mountains. Outrageous, outspoken, open to influences, exerting to change the 'content' of Nepali poetry to capture the fast changing scenario as the great silence gets muddled due to sense-



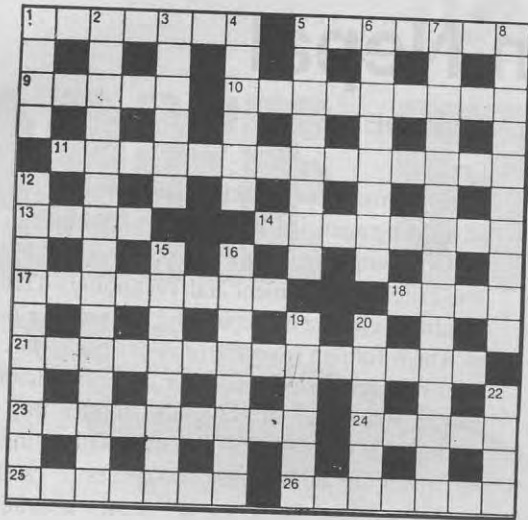
Sakar

less globalization, making the citizens of this 'tiny' nation 'watch Star TV sitting on a buffalo's back'. Then there are younger poets working on the fresher versions of the rich complexity of this silence; the interplay of clouds and dried up riverbeds, of brooks that flow in the Himalayan skies, and virgin, untouched galaxies for the first time experiencing the lethal taste of smoke and chaos unheard before. Shrawan Mukarang, Promod Snehi, Rasa, Shyam Rimal, Tanka Uprety, Khadka Sen Oli, Ramesh Chitz, Hangyug Agyat, Rajan Mukarang, Pashupati Neopane and many more. From their confrontation with fresher contexts of this silence would one day emerge a new horizon of creativity that the whole world is waiting to watch. ■



Yuyutsu R.D.

CROSSWORD



ACROSS

1. Beg for crust of bread with cheese spread (7)
5. Fall asleep and dribble away (4,3)
9. First capital gains tax in Berkshire? (5)
10. Laid up in bunk, free study may follow (9)
11. Inelegant try in cooking, in amusing fashion (14)
13. Bit of company at home (4)
14. Big healthy chap brings back theatre organs (8)
17. Leaves scattered around, North Carolina, in parts surrounded by foreign territory (8)
18. Celebrated return of the wildebeest (4)
21. Like Lady Macbeth in swirling Columbian mists? (14)
23. Ensemble playing for money before a party (5,4)
24. Boredom, a big of a rotten nuisance (5)
25. Finish lame in final stages of match (7)
26. Pity Engineers taking on Signals? (7)

DOWN

1. Drop a bunch of keys (4)
2. CO2? (6,2,7)
3. One of two (one in three is incorrect) (6)
4. Bath is changing traditions (6)
5. Lawyer twice sits, unusually, for artists (8)
6. First love railing, sadly (8)
7. Senior in prolonged ease, possibly (3,3,9)
8. Long for favor in the masquerade (5,5)
12. See bails scattered around cricket club? That's handy (10)
15. Feeling of unease 'ere, we hear, in SE Asia federation (8)
16. New member admits a name for thin skin (8)
19. One is powerless when girdle goes flying (6)
20. One is powerless when girdle goes flying (6)
22. A lot of money for a large building (4)

SOLUTION

Across: 1. Beseech 5. Drop off 9. Ascot 10. Bedridden 11. Entertainingly 13. Coin 14. Strapper 17. Enclaves 18. Gnus 21. Somnambulist 23. Brass band 24. Ennui 25. Endgame 26. Remorse
Down: 1. Bead 2. Second-in-command 3. Either 4. Habits 5. Dadaists 6. Original 7. Old age pensioner 8. Fancy dress 12. Accessible 15. Malaysia 16. Membrane 19. Glider 20. Esteem 22. Pile

BRIDGE

NORTH 5-10

♠ 9 7
♥ 6 3
♦ A K 10 9 8 7
♣ A 7 4

WEST

♠ 3
♥ K 10 8 7 4 2
♦ 6 4
♣ J 9 8 3

EAST

♠ 10 5 4 2
♥ Q 9
♦ Q 5 3 2
♣ Q 5 2

SOUTH

♠ A K Q J 8 6
♥ A J 5
♦ J
♣ K 10 6

Vulnerable: North-South
Dealer: South

The bidding:

| South | West | North | East |
|-------|----------|-------|------|
| 1 ♠ | Pass | 2 ♦ | Pass |
| 3 ♠* | Pass | 4 ♣ | Pass |
| 4 ♥ | Pass | 5 ♦ | Pass |
| 6 ♣ | Pass | 6 ♦ | Pass |
| 6 ♠ | All pass | | |

*Establishes trump suit

Opening lead: Heart seven

'There is always a best way of doing everything, if it be to boil on egg.'

—EMERSON

South embarked on a good plan to score his 12th winner, but it wasn't best if foul distribution got in the way. However, he did miss an ironclad way to score the slam.

West led a heart to East's queen, and South paused to count his winners. He could win six trumps, four top winners in the minors and the heart ace. This came to 11 tricks, and the easiest way to a 12th was a heart ruff.

Going after the heart ruff, South ducked the first heart and won the continuation. After he cashed his trump ace, he ruffed his last heart with dummy's trump nine. Unluckily, East was able to overruff, and the slam went one down.

South's plan offered good chances. Beating it took a 6-2 heart break with the trump 10 in East's hand. Nevertheless, a more prudent line of play would have cinched the slam.

To succeed, South wins his heart ace and draws trumps. He leads his diamond jack to dummy's ace and discards a heart on dummy's diamond king.

When he leads dummy's diamond 10, he discards his last heart if East doesn't cover. If it loses, South claims 12 winners. If East covers the diamond 10, South ruffs and returns to dummy in clubs to claim a well-earned slam and overtrick.

FM Radio And Broadcasting Laws In Nepal

By YUBA RAJ PANDEY

The media is one of the sectors that have seen rapid growth after the promulgation of the Constitution of the Kingdom of Nepal in 1990. There was not a single broadsheet daily newspaper published from the private sector before 1990. Within 12 years, such newspapers have come to dominate more than 50 percent of the market. The circulation of broadsheet daily newspapers is estimated to have increased to about 300,000 copies a day.

The progress of the electronic media is all the more remarkable. Private investment in the electronic media is a new phenomenon. The government has allowed Nepal Television to sell its time to private channels. The number of licenses issued to cable operators has reached 194. Fifteen companies have received license to provide Internet and e-mail services. Similarly 25 organizations have received licenses to operate FM radio stations and 16 of them have started operations. Channel Nepal has begun satellite transmissions from Bangkok, becoming the first Nepali TV channel to do so. Nepal Television has also started satellite broadcasts. The first year of the third millennium has carried Nepal into the age of satellite television.

FM radio has become very popular in cities, especially in Kathmandu valley and surrounding areas. Nepal entered the era of FM radio only towards the end of the second millennium. Community radio has established its importance outside Kathmandu valley, in such places as Madanpokhara (Palpa) and Manigram-Butwal (Rupandehi). FM radio stations, including community radio, are not permitted to operate their own news programs. They transmit Radio Nepal's news programs. However, FM radio stations have started reading stories from broadsheet newspapers, thus operating their news programs in an indirect way. Many people in the capital have become used to starting their day after listening to news reports on FM stations.

Certain FM stations like Radio Sagarmatha are broadcasting a variety of informative and interactive programs related to communication, industry and commerce, education and politics. The fact that most people prefer to tune into FM stations rather than the government-run station for their news perhaps speaks of the success FM radio has attained.

The National Broadcasting Act 2049 and National Broadcasting Regulations 2052 provide the legal framework for the regulation of broadcasting in Nepal. Broadcasting without license is prohibited by Article 4 of the National Broadcasting Act. Article 13 of the act has the provision to allow national broadcasting agencies to provide time to foreign broadcasting agencies or communication media.

According to Article 3 of the Industrial Business Act 2049 and the notice of His Majesty's Government issued according to Article 14 of the act, publication, production and broadcasting of television programs, establishment of radio stations and broad-

casting, production of advertisement materials and the work of advertising agencies, photography, cinema or motion picture and press, among other things, are categorized as service industries. The Foreign Investment and Technology Transfer Act 2049 has identified cinema in Nepali and national languages as a business in which foreign investment is not permitted. However, the act does not recognize broadcasting and publication as an industry. But as Article 13 of National Broadcasting Act speaks about selling time to foreign media and broadcasting agencies and does not speak about allowing foreigners to establish broadcasting agencies, it can also be argued that the act allows foreigners only to purchase time from national broadcasting agencies and not to directly establish their own broadcasting agencies within the country. However, the act is yet to be interpreted as such.

As private investment in broadcasting is a new thing in Nepal, many rules and policies related to the sector need to be interpreted. One such issue is related to the right of private FM stations to broadcast news. Recently, the Supreme Court issued some policy directives to the government in the course of a case filed against the government. Article 12 (2) (1) of the constitution allows the imposition of reasonable restrictions on any act that may undermine the sovereignty and integrity of the kingdom, or which may jeopardize the harmonious relations subsisting among various castes, tribes or communities, or on any act of rendition, defamation, contempt of court or incitement to an office; or any act which may be contrary to decent public behavior or morality. However, the National Broadcasting Act does not appear to be very specific in setting principles that must be obeyed by private broadcasters, including FM radio.

Similarly, provisions related to the process of licensing private radio and television channels also not sufficiently specific, leaving adequate room to the discretion of decision-makers. As a result, applications may be rejected or accepted, not on logical grounds, merely according to the wishes and preferences of decision-makers. Some applicants may receive licenses quickly whereas others might have to wait even years. Therefore, the country needs to improve its broadcasting policies to remove uncertainties and ambiguities experienced both by investors and the government.

Such improvements must simplify the licensing procedure by listing specific criteria, leaving little scope for arbitrariness on the part of decision-makers. Similarly, the broadcasting agencies should be given the right to broadcast their own news. But they must follow clear and specific guidelines and the government must be empowered to punish broadcasters that violate them. Furthermore, these guidelines must define limits for both the government and the broadcasters. ■

Pandey writes on media issues



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