

Opinion: Dr. Ananda Bahadur Thapa

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The National Newsmagazine

SPOTLIGHT

Jan 12-18, 2007

Monarchy

In

Constituent Assembly

**Interim Constitution : Dictatorship
of Eight Parties**
Economy : Hanging In There

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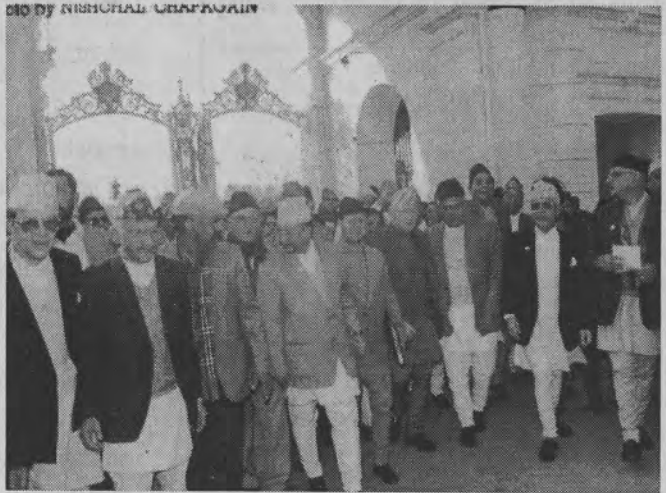
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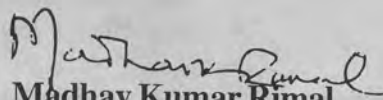
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The interim constitution, after all, is being thrust on the people of Nepal. The overwhelming millions of poor simple Nepalis do seem to be totally unaware about the nature of the constitution and the intentions of the drafters. The constitution, even though interim, does not reflect the aspirations of the Nepali people as it is neither tolerant nor liberal, the two most salient features of a democratic constitution. The obduracy of the Seven Party Alliance government not to accommodate the justified criticisms and decide to enforce it, could be nothing less than a clear manifestation of brutal arrogance generated by the most conspicuous absence of any opposition. It looks quite mysterious that the CPN (Maoists) too have happily agreed to join the arrogant club. This shows how impatient they are to join the government. The public agitation last year, better known as *Jan Andolan II*, has contributed to reestablish the discarded, dishonored and discredited politicians. The CPN (Maoists) had played a greater and more important role in that uprising but offered the plum to be eaten by the SPA. The SPA government started wreaking vengeance on their opponents and behaved like dictators as no one dared voice any opposition. They flouted all the democratic principles of separation of power and made the executive not only supreme but even autocratic. Had they done it in the interest of the country or the people, it could have been acceptable. But, it smacked of revenge and self-interest. Moreover, their pliant and weak-kneed behavior and policies have not only mortgaged our national honor but even endangered our very sovereignty. That our politicians have turned into dictators or subservient to their alien mentors don't surprise us as they are totally devoid of patriotism and all moral scruples, that the CPN (Maoist) too have become their accomplices is quite understandable as they are losing their patience to get into the government but to find the votaries of democracy around the world supporting the undemocratic behavior of our corrupt politicians has shaken our faith in their democratic protestations. It has also given rise to the misgivings whether these philanthropic donors are really trying to help the poor millions or safeguarding their own interest by supporting corrupt regimes. As far we are concerned, we are still pinning our faith in the overwhelming millions of poor Nepalis and our security forces, who will definitely wake up at the appropriate time to defend the country.


Madhav Kumar Rimal
Chief Editor & Publisher



Phase of Reconstruction

It is about time the country embarked on the path towards reconstruction of the destroyed infrastructures (Reconstruction Challenges, SPOTLIGHT January 5). Since the peace has been restored, no time should be wasted any more in starting reconstruction efforts. The budget of this fiscal year itself should have concentrated on this aspect. Anyway, better late than never. The authorities must start planning and putting the plans into operation to rebuild the infrastructures.

*Suraj Kafle
Tinkune*

Numerous Problems

Before starting the job of reconstruction, it is important that the government took stock of the destruction that was done in the last twelve years (Reconstruction Challenges, SPOTLIGHT January 5). The government must make a full assessment of the damages incurred. I am not aware of any government effort towards the assessment of the damage. After the assessment is completed, the government can then make plans for rebuilding, reconstructing or upgrading those infrastructures. Based on the plan, the government should appeal to the donors for assistance.

*Kiran Bista
Hattigaunda*

Damages of Different Types

In course of the violent conflict all kinds of infrastructures and buildings were destroyed (Reconstruction Challenges, SPOTLIGHT January 5). In a mindless fashion, then Maoist rebels exploded bombs to destroy hundreds of VDC buildings. These structures will now have to be rebuilt. Such a sheer waste of resources and time and effort in a country, which is already so poor. Likewise, bridges were also destroyed that have disconnected communities. Telephone towers and electricity power houses were bombed. It is so easy and quick to destroy anything but when it comes to rebuilding, money, manpower and planning will be required. It would be appropriate and justified to mobilize

the thousands of Maoist fighters in the task of rebuilding these infrastructures. That would also teach them about the importance of infrastructures.

*Lilanath Sharma
Battisputali*

Build New Nepal

When reconstructing the damaged infrastructures, it is important not merely to limit in their rebuilding (Reconstruction Challenges, SPOTLIGHT January 5). Given the needs of the time, the infrastructures should be upgraded also. When rebuilding VDC buildings, they should now be developed into modern administrative units equipped with all necessary facilities. Likewise, when rebuilding bridges, concrete bridges should replace the older ones. The operation of reconstruction is not only a challenge but also an opportunity to build new Nepal.

*Hitbir Lama
Gaushala*

Human Cost

Although there is a lot of talk about reconstruction of damaged physical structures, there are very few people who are talking about the need to reconstruct the damaged psychology of the people (Reconstruction Challenges, SPOTLIGHT January 5). Due to the violent conflict, people have been killed, maimed and displaced. The human cost of this conflict is far greater than any material cost. It is, therefore, more

important to assess the human cost and work to heal psychological and mental trauma faced by thousands of people. The emotional reconstruction should, therefore, be the top priority.

*Dinesh Limbu
Jawalakhel*

Raise Awareness

When launching the operation of reconstruction it is equally necessary to raise awareness about the importance of the infrastructures for the development and modernization of the country (Reconstruction Challenges, SPOTLIGHT January 5). People must be made aware that the infrastructure belongs to them and are there for their service. If that can be done, then in future nobody will dare destroy infrastructures in the name of any kind of war or insurgency.

*Hemanta Satyal
Sallaghari*

Ominous Episode

The Nepalgunj riots (A Chilling Episode, SPOTLIGHT January 5) has come as a grim reminder to all Nepalese about the vulnerability of their social harmony. How easily and how quickly this harmony can be strained and exploited by the nefarious elements for their dark aims. Every one of Nepalese must remain alert during this transitional period to protect the national integrity of this country. Otherwise, whatever they have gained in the name of democracy can vaporize in few moments.

*Madan Shrestha
Jamal*

Unsung Hero

The interview of Dr. Ganesh Bahadur Singh (SPOTLIGHT January 5) was quite good. It showed that there are people like Dr. Singh who have given up the luxuries of urban life to serve the poor and needy people. He appears to be an Albert Schweitzer of Nepal. Because of the unsung heroes like him, this country is still so beautiful and its people are still called friendly and dedicated. And it is because of people like him that Nepal still can hope to have a bright future.

*Kalpana Mainali
Kopundole*

SC Judges To Submit 13-Point Amendment Proposals

The full court meeting of the judges of the Supreme Court (SC), on Sunday (January 7), decided to submit 13-point amendment proposals on the interim constitution. The proposal is expected to be submitted to the Prime Minister on Monday. The judges have, however, decided to leave it to the politicians to accept their proposals or not. "We have unanimously endorsed the 13-point recommendation to the government seeking amendment in the interim constitution," said judge Min Bahadur Rayamajhi. The judges have opposed the idea of letting the Prime Minister appoint Chief Justice and have suggested that the Constitutional Council headed by the PM should be authorized to pick the CJ. "Some of the judges including CJ Dilip Kumar Poudel and judges Kedar Prasad Giri and Tahir Ali Ansari, had disagreed over recommending amendments in the interim constitution claiming that it would be useless to make recommendations, which would not be accepted by politicians. But, we think it is our duty to express our concern over the independence of judiciary," another judge said. CJ Poudel will separately meet the PM and the Maoist leadership to hand over the meeting's decisions, soon. The judges have suggested change in the composition of the constitutional council while appointing CJ only and have proposed committee comprising the PM, the CJ, the Speaker, the Law Minister and a SC judge assigned by the outgoing CJ to form the JC. Disagreeing with the provision of the CH taking oath of the office in the parliament, they have proposed that the CJ will take oath of office before all the SC judges, who will, in turn, take oath from the CJ. Judge Anup Raj Sharma said the judges are mindful to respect the spirit of Jana Andolan II and make the judiciary accountable to it. The judges have sought entitling the CJ as Chief Justice of Nepal

instead of Chief Justice of Supreme Court. The judges have also expressed disagreement over the provision of impeaching judges on the ground of physical and mental incapacities and sought inclusion of impeachment grounds as mentioned in the 1990 Constitution. The judges have also opposed the idea of submitting the SC annual report to the Prime Minister allowing its discussion in the Parliament. They want the present provision of just making public the SC report maintained.

The Himalayan Times daily reports Parties Raise Objections To Judges' Recommendations

The parties and the Maoists have raised objection to the move made by the judges of the Supreme Court to submit amendment proposals on the interim constitution. Home Minister Krishna Sitaula has expressed surprise over the move. "It is the function of the political parties and the parliament to finalize and promulgate the interim constitution. If there are some weaknesses, it is again the duty of parties and the parliament to change them. I am surprised to hear that the SC judges have called for amending the document, which has not yet been made public," Sitaula said. Nepali Congress general secretary Ram Chandra Poudel charged the SC of failing to embrace the reality by making such recommendations. Jhal Nath Khanal, standing committee member of the UML, said that although giving recommendations on flaws was natural, the institutional move made by the SC judges was objectionable and seemed political. Dr. Baburam Bhattarai, Maoist leader, said the recommendations were of political type. He said this move justified his party's stand till the last minute that all SC judges must be reappointed. "There (in the SC) is a gathering of reactionaries since the time of Rana period. And now, those reactionaries trying to be active," he accused. *Kantipur daily reports*

JTMM (Singh) Ready For Talks Under UN Mediation

Janatantrik Terai Mukti Morcha (JTMM), an armed outfit led by Jwala Singh, which is active in parts of Terai, has said it is ready for UN-brokered dialogue with the government. Issuing a statement Saturday (January 6), Jwala Singh said the JTMM was ready to sit for talks under UN monitoring — and if the government comes positively towards its demands. Singh, who formed his own armed group after parting ways with the JTMM led by Jai Krishna Goit, also set nine demands including recognition of Terai as an autonomous province, appointment of Terai-origin people in all government offices in Terai region, delimitation of election constituencies based on population ratio, return of land and properties captured by the Maoists and a census in Terai led by Terai people.

He also demanded that the revenue collected in Terai region be used entirely in Terai and Rs 1.5 million compensation be provided to each of the families of those "killed by the state" in Terai. Singh's statement came a few days after Prime Minister Girija Prasad Koirala said at a program in Biratnagar that the government was ready for talks with the JTMM. The JTMM, which had split from the CPN (Maoist) few years earlier, is involved in individual killings, abduction and extortion in Siraha, Saptari and surrounding districts. *nepalnews.com reports*

Delay In Interim Constitution Could Affect Polls: CEC

The Chief Election Commissioner (CEC) Dr. Bhoj Raj Pokharel has said that any inordinate delay in the promulgation of the interim constitution could affect the holding of Constituent Assembly elections on time. According to Dr. Pokharel, CA elections cannot be held on time if there is any more delay in promulgating the interim constitution. "More there is delay in its promulgation,

more there will be delay and complications in formulating necessary legal mechanisms," Dr. Pokharel said at a press conference on Friday (January 5). The CEC also informed that the Election Commission (EC) will proceed with the task of collecting and updating the voters' list from January 23. He said over 22,000 employees will be deployed throughout the country between January 23 and February 6 for the purpose. However, the task of collecting and updating the voters' list in mountainous regions would be held a few weeks later. The employees would soon be trained before they are deployed. Likewise, in Terai region, the voters' list will be further updated once the task of distributing citizenship is completed by mid-March. The whole task of collecting and updating the voters' list is expected to be completed by mid-April. The EC plans to complete other tasks by mid-June to be able to hold the actual polls by then. *Compiled from reports*

Indo-Nepal Transmission Line To Be Built

Nepal Electricity Authority (NEA) and Indian private sector are joining hands to build cross-border transmission line – an important infrastructure in exchanging of power. For the first time, 220 kv transmission lines are being built in four places across the border on a purely commercial basis. An MoU to this effect was signed on Friday (January 5). Arjun Kumar Karki, executive director of NEA, and DK Mittal, managing director, of Indian Infrastructure Leasing and Financial Services (IL&FS) signed the MoU. Karki claims that transmission line in two places will be completed within two years. "After the construction of these transmission lines, the existing load shedding will end and a ground will be prepared for foreign investment in Nepal," Karki said. The four proposed transmission lines include Butwal-Gorakhpur (Uttar Pradesh); Dhalkebar-Mujaffarpur (Bihar); Duhabi-Purnia (Bihar); and Anarmani-Siliguri (West Bengal). Of them, the Butwal-Gorakhpur and Duhabi-Purnia will be constructed on priority basis. Forty-five days after

the signing of MoU, the NEA and IL&FS will set up a separate joint venture company, which will mobilize investment, construct, operate and maintain the transmission lines. Likewise, a company each will be set up in Nepal and India. In a Nepali company, NEA will have 50 percent share, Indian company will have 26 percent share and the rest will be owned by Nepali banks and financial institutions. A similar company in India will coordinate with Power Grid Corporation of India. *Kantipur daily reports*

Prachanda Asks Cadres To Allow Police Post Restoration

Following warning by the Prime Minister that Maoist move to thwart police post restoration could affect the holding of the Constituent Assembly (CA) elections, Maoist chairman Prachanda, on Wednesday (January 3), issued special directives to his cadres asking them to allow the restoration of police posts and return of VDC secretaries. He has also condemned moves to portray Maoists as being against CA polls by raising the issue of police post restoration. Prachanda has asked his cadres to allow immediate restoration of police posts in Terai. In case of hilly areas, he has said the restoration should occur as per understanding. He, however, has warned that this decision could lose its justification if interim constitution is not promulgated on time and interim parliament is formed. He has also said that the responsibility of the consequences should be shouldered by the government. Meanwhile, Home Minister Krishna Sitaula has said that the restoration of police posts would be completed by mid-January. According to Nepal Police of its total 1981 police posts, 1271 had been displaced due to conflict. Till now only 341 of them could be restored. *Leading dailies report*

Middle Marsyangdi Works To Resume

After both the government and the Maoists agreed to extend their

cooperation to its construction guaranteeing full security and cooperation, the German-based consultants of the Middle-Marsyangdi hydropower project have given the green signal to resume its stalled works. The Fischner JV – international consultant of the project – withdrew its suspension order on Friday (January 5) paving way for the resumption of the project construction works, which were stalled a week ago. All the eight contractors of the project had withdrawn their works citing threats by the pro-Maoist workers who reportedly compelled them to recognize their trade union by using intimidating and threatening tactics. Soon after they suspended the works, the Maoist spokesperson Krishna Bahadur Mahara wrote a letter stating that his party does not have any policy of threatening or using force against contractors or workers of the project. Similarly, the Home Ministry also issued a statement saying it would provide full security to the project workers. Subsequently, the meeting held among the Nepal Electricity Officials, consultants and contractors on Thursday had decided to resume the project works. The decision was approved by the headquarters of the consultants, which is based in Germany, on Friday. Following this approval, the contractors have decided to resume works from Friday itself. The 72 MW Middle Marsyangdi project is being financed by German government. Its completion has already been delayed by three years and its costs, too, have doubled due to the delay. *Leading dailies report*

Cold Wave Continues To Lash Terai

The cold wave that has lashed Terai region for the last one week has claimed lives of around 18 persons in different districts. In Rautahat, three more persons died on Tuesday (January 2) due to cold. Similarly, people have died in Bara, Dhanusha and Siraha districts also. Because of dense fog, people have stopped venturing out of their homes. Flights have been disrupted as the visibility has dipped down. *Kantipur daily reports* ■



Speaker Subas Nemwang inaugurating National Marwari Conference
Gorkhapatra

THIS YEAR'S SCHOOL LEAVING CERTIFICATE (SLC) examination will start from April 4, according to the Office of the Controller of Examinations (OCE). The annual school passing out examination will be conducted from April 4 till April 12. The exam has been scheduled to start from 7:30 am in the morning. This year, the government will be holding SLC in a new format as it has decided to include the syllabus only of class ten. In the previous years, SLC used to cover syllabi of both class 9 and 10.

THE NEPAL ELECTRICITY AUTHORITY (NEA) has increased the number of hours of load shedding from the existing two and a half hours a week to eight hours from Sunday (January 7). Beginning Sunday, every household will face three days of load shedding every week. Twice, the load shedding will be imposed in the evening hours from 5 pm till 7:30 pm. Once a week, the load shedding will be imposed in the morning hours from 5 am till 8 am. This was informed by Sher Singh Bhat, director of load distribution center of the NEA. Outside the valley, the evening load shedding hours has been fixed as between 6 pm till 8:30 pm and morning hours has been fixed as between 6 am till 9 am.

FREED KAMAIYAS WHO HAD BEEN STAGING demonstrations in the capital for the past few days have called off their strike after the government agreed to immediately take steps to provide land to 14,000 freed Kamaiyas. They will also be provided with Rs 10,000 (to build house) and 35 cubic feet of wood. The meeting between the government officials and freed Kamaiyas facilitated by the parliamentary Natural Resource Management, on Thursday (January 4), reached this agreement.

AS THE HOUSE OF REPRESENTATIVES, on Wednesday (January 3), passed the Third Amendment of

Nepal Drinking Water Act, the decks are now clear to allow the distribution of drinking water in the Kathmandu Valley to private sector. The bill was passed by majority of the parliament. Some MPs belonging to People's Front Nepal (KC) and Nepal Workers and Peasants Party (NWPP) opposed it saying that consumers would be hurt by rising cost. As per the bill, a separate Drinking Water Board will be formed to take over the responsibility of distributing water in the valley from Nepal Water Supply Corporation (NWSC). A foreign company will be handed over the management of the board under contract.

DUBUR NEPAL HAS CLOSED DOWN its Corporate Social Responsibility (CSR) project that was running greenhouse nursery in Banepa claiming that it was facing threats by the Maoists. At a press conference organized on Wednesday (January 3), chief executive officer of the company Udayan Ganguly said, "Owing to recent threats, unreasonable demands and disruptive activities of Maoists, Dabur Nepal has decided to shut down the operations at the greenhouse." According to the company, Maoists came to the nursery in Banepa on December 21 and misbehaved with the women workers. The company had invested Rs 100 million in the project that employed 60-80 women. The company has said that it has informed Nepal government and Indian embassy about the Maoist threat. The company is one of the biggest multinational working in Nepal with the annual transactions over Rs 3 billion. It pays annual revenue of Rs 250 million to the government.

THE HOME MINISTRY HAS ASKED the protestors not to organize their programs in the area of Singhdurbar and Baluwatar. Announcing that these are prohibited zones, the Ministry has urged protestors to stay away from them. The Ministry's appeal has come after the police made a series of arrests and resorted to lathicharge to control the crowd of protesters in these two areas.

FRUSTRATED BY INCESSANT DEMANDS raised by the local people, the Melamchi Drinking Water Development Committee has decided to stop all works. The committee has said that the people were raising demands that are not related with the project. Since last ten days, the local people had obstructed the activities of Melamchi project putting forth various demands like electrification of the villages, jobs for everyone, building of educational and health facilities and compensation to local people whose houses have been damaged. Melamchi project has been running very slowly due to frequent obstructions. The project is currently estimated to complete by 2012. It aims to deliver 170 million liters of water everyday. It is being constructed with the financial assistance of donors like Asian Development Bank (ADB). ■

“Our party will lead another revolt if the interim constitution is not promulgated and interim parliament is not formed before mid-January.”

Prachanda, Maoist chairman, talking to reporters in Charikot.

“There (in the Supreme Court) is a gathering of reactionaries from the time of Rana rule. And now, some reactionaries are trying to become active.”

Dr. Baburam Bhattarai, senior Maoist leader, reacting to the recommendations made by full court meeting of the Supreme Court to amend the draft interim statute to honor the independence of judiciary, in Kantipur.

“We have made the recommendations. Up to the political leaders to accept it or not.”

Anup Raj Sharma, a judge at the Supreme Court, talking to reporters.

“I am surprised that the judges have tried to recommend change in the constitution that has been drafted with understanding among eight parties. It is for the politicians to write a constitution not others.”

Home Minister Krishna Sitaula, reacting to the recommendations for amendment made by the judges of the Supreme Court.



“They (politicians) only remember us when they need us. Otherwise, look how they have disregarded our demands for some justified changes in the interim constitution.”

Shambhu Thapa, outgoing president of Nepal Bar Association.

“Just by becoming bigger in size, one does not become intelligent. If that were so, elephants would be the wisest animal.”

Narayan Man Bijukchhe, president of Nepal Workers and Peasants Party (NWPP), claiming that the foolishness of four big parties is

responsible for the weaknesses in the interim constitution.

“The interim constitution may not be complete. But it is the most progressive one this country ever had.”

Dinanath Sharma, senior leader of the Maoists, at a talk program.

“One has to go to Terai and understand the grievances of the people there before administering any solution to their problems.”

Mahantha Thakur, Minister for Agriculture and Cooperatives, at a talk program.

TRANSITION

PROMOTED: Manohar Prasad Bhattarai and Kishan Raj Pandey, joint secretaries of the Parliament Secretariat, to the position of secretaries. Mr. Bhattarai and Mr. Pandey have been working as joint secretary in the Secretariat for a long time.

APPROVED: Dolakh Bahadur Gurung, Secretary at the Election Commission, and Dr. Ayodhi Prasad Yadav, assistant professor at a campus in Saptari, as two Election Commissioners (EC), by the Parliamentary Special Hearing

Committee. They were recently nominated for the positions by the Constitutional Council.

ASSIGNED: Various leaders of Maoists have been assigned different responsibilities by the party chairman Prachanda. As per the decision, Prachanda will look after the fronts of students and health workers; Mohan Baidya aka Kiran will look after the cultural front; Dr. Baburam Bhattarai will look after the fronts of workers and intellectuals; Krishna Bahadur Mahara will look after the fronts of teachers and employees; and Dinanath Sharma will look after fronts of farmers, Dalits, as

well as Election Commission, human rights and UNICEF cells. Likewise, Dev Gurung will look after issues of women, industry, commerce, ethnic and regional, NGOs and INGOs, UNDP and development projects; Barsha Man Pun aka Ananta will look after sports and Ram Karki will look after Bhutanese refugee issues.

PASSED: Rules on Voters List, by the Election Commission, to facilitate the collection of voters' list.

LEFT: Dr. Mangal Siddhi Manandhar, Education Minister, for London, to take part in a conference of Education Ministers.

GATHERINGS TO MARK DISASTER PREVENTION DAY AND KOSI RIVER

By Dr. AB Thapa

At this time of the year we hear about the gatherings to mark the disaster prevention day. Such gatherings have become almost a ritual. Unfortunately it is never tried in those gatherings to create awareness about the risk of the future Kosi floods to life and property of innumerable people in Nepal. The Kosi was known as the "River of Sorrow" in the past. It is explained hereinafter what causes the horrific Kosi disaster which, however, could easily be prevented if our intellectuals and civil society took up this issue in great earnest. Similarly, various gatherings to mark the disaster prevention day could also be help to make people aware of the great danger of the impending Kosi floods.

Past Sufferings of People

All the elderly people living in the Saptari district not far away from the Kosi river would not have much difficulty to recall that some 60 years ago the channel of the Kosi river flowing across the Sunsari district from north to south was gradually shifting laterally from east to the west. The river was already quite close to Hanumannagar. It is reported that by that time the Kosi. River debouching into the Terai plain at Chatra and joining the Ganges River near Kursella in India had already laid waste about 500 square miles of lands in Nepal alone. People living in the eastern part of the Saptari district were panic stricken. They were leaving their ancestral homes in thousands to find shelter at safe places far away from their villages carrying with them whatever few things they could take with them. The headquarter of the Saptari district at Hanumannagar was swiftly moved to Rajbiraj which was at a safe distance away from the Kosi River. Fortunately the shifting of the Kosi River course to the west was held in check by the embankments built on either side of the river. Now all those who are involved in the Kosi River study are saying that the embankments built to protect the life and property of millions in India and Nepal might have already outlived their usefulness. What is going to happen the next?

Sediment Flow and Inland Deltas

Thirty million years ago the sea bottom that was to become the Himalayas began to be pushed up, and this movement is still in progress. The Himalayas continue to rise and so do their peaks including Mount Everest. It is said that were it not for the strong erosion that simultaneously wears down the entire Himalayan region, the Mount Everest summit

would now be nearly 20,000 meters above the sea level. So the Kosi, rising in the Himalayas and emptying into the plain at Chatra after traversing the mountain region, brings with her every year an enormous quantity of sediments estimated at 120 million cubic meters along with 52 billion cubic meters of water. The annual volume of Kosi sediment is about 5 times greater than that of Sutlej at Bhakra, and two times greater than that of Nile at Aswan.

Various studies done on Kosi so far come to one common conclusion - the Kosi carries enormous load of sediments that it is unable to transport far beyond. The river, therefore, deposits huge quantity of sediments. In this process building up an inland delta, the river shifted over 120 km from east to west during the period from 1736 to 1954.

Lateral Movements of the Kosi

The problem of Kosi floods has drawn the attention since the late 18th century. Major Rennel had surveyed the oldest course of Kosi in 1779. Mr. James Furguson made further investigation in 1863. After that many prominent experts have been involved in Kosi study.

According to Mr. Furguson there were two earlier alignment. They were "Oldest Kosi", which flowed eastward across the present Ganges, and eventually joined the Brahmaputra; and the "Old Kosi" which flowed just west of Purnea and joined the Ganges opposite Rajmahal.

As a result of observations of about 25 years Mr. Shilling Feld described in 1893 the oscillation of the Kosi river as under: (1) The bed of the Kosi oscillates over a vast tract of the country from the Brahmaputra to near the mouth of the Gandak, the oscillation being repeated at long intervals of time. (2) The westward movement in such oscillations is slow and is in a series of steps each of which is attended with damage to property of temporary nature. (3) The eastward movement of the oscillation will probably be in one great swing accompanied with great loss of life and property.

Sir Claude C Inglis

In 1941, Sir Claude Inglis, Director, Water Research Station, Poona identified the problem of Kosi as being due to an excess charge of the sand that Kosi waters carry.

In 1956, Sir Inglis cautioned that any action that leads to flood level just downstream of the gorge being raised would

reduce the attraction of the right bank at that point which may well lead to the Kosi being captured by the left bank and the development of an easterly river course possibly on an alignment approximately with the 1731 course.

Leopold and Maddock

Considering the Kosi behaviour, Leopold and Maddock stated (1954) that a braided stream (like the Kosi) will tend to shift laterally at a rate dependent on the rate of accumulation of materials being deposited. As one course becomes higher than possible adjacent paths, the river would shift.

Dr. A.N. Khosla's Opinion

The Government of Bihar presented to the Central Government a proposal to build embankments to control Kosi floods immediately after the Second World War. Dr.Khosla, then Chairman of Central Water Commission, gave his opinion that for Kosi flood control, a

comprehensive survey including the study of high dam should be made. Based on his idea the study of Kosi high dam was initiated in 1946.

Dr. K.L. Rao

The outline of the present Kosi embankments with a barrage at Bharda (near Hanumannagar) was drawn up by Dr. K.L. Rao, who later on became the State Minister for Irrigation and Power in the Central Government of India. He has explained that the embankments would provide relief only for a limited period. Finally storage dam would be needed.

Prof Gole CV Dr.Chitale M.

In 1966 a study of the delta cone of the Kosi river made by Prof Gole CV Dr. Chitale M. appeared in the "Proceedings of the American Society of Civil Engineers". The study explains that the delta building of Kosi was still incomplete. The authors have cautioned that the existing measures (embankments) may be short lived and for effective control of the river, it would be necessary to adopt soil conservation measures and to construct storage reservoirs.

Embankments Would Soon Be Ineffective

The Kosi shifted, as described in the preceding paragraph, from east to west over 120 km in the last 200 years. Fortunately, embankments built a few decades ago temporarily helped to check the lateral shifting of the Kosi. It is quite clear that soon the embankments would be ineffective. All past and present studies and the very recent observations help us to conclude that the Kosi, slowly turning into a hanging river, is now on the verge of shifting to the east far away from its present course. Thus, peoples of Nepal and India are heading for a natural disaster of an unprecedented scale that would result in loss of life and property of millions.

The Flood Losses

South-eastern Nepal, North-East Bihar and North Bengal, as explained earlier, might again be reeling from the Kosi floods. The eastern and southern boundaries of such

flood affected areas could extend up to Mahananda and the Ganges respectively. India's railway and roadway linkages with the north-east states could also be severed. In a similar type China's Yellow river flooding in 1938 the number of persons killed alone was about half a million. It was the last big flood damage. After this, big storage dams were built to control the Yellow river floods. The river has been

The Government of Bihar presented to the Central Government a proposal to build embankments to control Kosi floods immediately after the Second World War. Dr.Khosla, then Chairman of Central Water Commission, gave his opinion that for Kosi flood control, a comprehensive survey including the study of high dam should be made. Based on his idea the study of Kosi high dam was initiated in 1946.

completely regulated. The Yellow river dams have helped save, as of now, about 50 billion US Dollars.

In Conclusion

The Kosi known as the river of sorrow had shifted from east to west over 120 km in the last 200 years. In the past about 10,000 sq. km. of lands had been laid waste as a result of the sand deposit. In course of shifting, many towns and villages were wiped out, and heavy losses of property, cattle, and human life were inflicted. Fortunately the embankments built few decades ago temporarily helped to check the lateral shifting of the Kosi. Very soon the embankments would be ineffective to control the Kosi floods. Such a grave situation must concern our intellectuals and civil society.

(Dr. Thapa writes on water resources)

ARMS MANAGEMENT

Quickening Pace

Eight party leaders have decided to start the actual arms management by January 15

By SANJAYA DHAKAL

As per their agreement to promulgate the interim constitution along with beginning the process of monitoring of arms management by January 15, efforts are being made to set up the management facilities.

The initial batch of 13 UN monitors has already arrived and they are preparing to work from Kathmandu and Nepalgunj in two teams.

Likewise, following the selection and recruitment of ex-Gurkhas in the Interim Task Force (ITF), they are now being trained by UN officials and NA and Maoist commanders. They could be hitting the ground by the end of this week.

The 13 UN monitors who arrived last week, have been given short training and will soon be starting operating in two teams. According to Ian Martin, Personal Representative of the UN Secretary General, the 35 monitors will be available for deployment from January 15 – the day when the interim constitution will be promulgated.

Addressing a press conference in the capital on Friday (January 5) before he headed for New York, Martin said the 111 members of the Interim Task Force (ITF) consisting of ex-Gurkha soldiers will also start their job of maintaining 24 hour presence at weapons storage sites till full UN team takes over their job.

“My military adviser will be advising the commander of the ITF on the planning, organization, training and equipment of the ITF,” said Martin, adding, “Subject to the logistical arrangements being made by the government, we expect the ITF to deploy to the seven main cantonment sites late next week, so they and the UN arms monitors will work in cooperation from

the outset, under the coordination of JMCC.”

Martin had also informed that the weapons storage containers are now in



A site of Maoist cantonment: Beginning of monitoring activities

place at six of the sites, while the one for the Rolpa site remains to be transported there.

Furthermore, the process of registering the weapons and combatants could also begin from January 15. “Registration teams provided by UNDP are on stand-by to begin registration by 15 January, initially of weapons and later of combatants,” he said.

He informed that the report of the Secretary General based on the recommendations of the Technical Assessment Mission, has been finalized. At the press conference He said that he expects the Security Council to consider Nepal on January 11. “But the agenda of the SC is always subject to last minute changes,” he added.

Martin left for New York on Friday with the mission of updating the progress of Nepal peace process to the member

states of the Security Council and to help in finalization of planning and budgeting. Martin also expressed his confidence that the support given by former Secretary General Kofi Annan to the Nepal peace process will be continued by the new SG Ban Ki Moon.

Martin also informed that Dr. Fida Nasrullah, a Lebanese citizen, has been appointed as UN Chief Electoral Adviser, to help in the Constituent Assembly elections.

Meanwhile, as per the agreement between the government and the Maoists, the Nepali Army (NA) is

preparing to store its weapons at Chhauni barracks in Kathmandu.

According to NA spokesperson Brigadier General Ananta Thebe, the NA will store its weapons in containers at the Chhauni barracks. “Once the Maoist combatants store their weapons, we will store the equal quantity of weapons in Chhauni,” Thebe said.

He added, however, that the containers to store NA weapons have not yet been made available to them.

The weapons of the Maoists are going to be stored in containers in seven cantonments across the country. The NA, however, will store its weapons in a single location. As per the agreement between the government and the Maoists, the NA will have to store equal quantity of weapons and subject them to UN monitoring. ■

MESSAGE OF UNCOVERED STATUE

Unity Is Strength

Prithvi Narayan Shah's, whose statue was recently uncovered, message for national unity is more relevant now than ever before

By KESHAB POUDEL

"This will not be my little painfully acquired Kingdom but a garden of every sort of people. But if every one is alert, this will be a true Hindustan of the four jats, greater and lesser, with thirty-six classes. Let there be no injustice in our country," says Prithvi Narayan Shah in his *Dibya Upadesh*.

As the country has been passing through a very critical time for its existence, his messages are more relevant and important than now than ever before. He stressed the need for alertness all the time to protect and preserve this small Himalayan Kingdom.

But, there are only a few people who buy his idea these days. His views were objectionable all the time whether it was during the period of active monarchy or the period of complete Loktantra. Although the first government formed after Loktantrick Andolan has officially cancelled national unity day which is supposed to be observed on 11 January 2007, his portrait reminds Nepali people about the importance of Nepali nationalism.

During the Panchayat period, his statues were well protected and new statues were erected but his views were suppressed as if they were objectionable. Even Royal Palace did not permit the republication of book on Prithvi Narayan Shah for quite a long time.

In the new Loktantrick Nepal, the statue as well as his views seems to be objectionable though King Prithvi Narayan Shah has historical importance in Nepal as he represents the symbol of national unity.

Unfortunately, it took more than six months to uncover the red cloths from the face of Prithvi Narayan Shah's statue which was destroyed by some miscreants. Following the popular uprising and restoration of House of Representatives, a group of miscreants,



Uncovered statue: An idea never dies

reportedly cadres of Maoists, had partially damaged the statue.

Although the statue of Prithvi Narayan Shah, who unified Nepal giving it the present-day modern shape, has done nothing against popular uprising, his powerful views seem to be objectionable to some who are against strong and unified Nepal.

By just vandalizing the statue of the nation-builder like Prithvi Narayan Shah, one cannot change his contribution to the history. In the history of modern Nepal, Prithvi Narayan Shah has a legendary role not as a mere conqueror but as one who had higher objectives and ideals to promote by unifying small and weak regimes.

"The emergence of Prithvi Narayan, as a strong monarch in the prevailing chaos and uncertainty at the time of the breakdown of tribal era, was a major factor in the growth of Nepali nationalism. It was the Gorkhali conquest that gave this country unity and strong central government. "Prithvi Narayan Shah is the hero to whose prowess the Nepalese nation owes its existence. By his valiant deeds, Prithvi Narayan transformed Gorkhali nationalism into Nepali nationalism and made it immensely more potent and

factive," writes historian late Rishikesh Shaha in his book *Heroes and Builders of Nepal*. "Prithvi Narayan was a great administrator as he was a warrior."

The statue of King Prithvi Narayan Shah, the builder of modern Nepal, in front of main secretariat building in Singha Durbar, has always reminded importance of Nepal's national unity as well as his administrative skills.

He has not only been a symbol of monarchy but a visionary whose sermons have reminded eternal influence to make this country a partnership of all the people despite differences.

From domestic to foreign policy, Prithvi Narayan Shah has propounded many far sighted views. "This country is like a gourd between two rocks," herein he shows his fundamental appreciation of the fact that a small nation such as Nepal, lying as it does between two great and relatively powerful nations, has a very delicate position

to maintain.

"The position of Nepal was, of course, rendered delicate, not by mere juxtaposition with such powerful neighbors. It was the complex problem of trade from the north and the south, joined to the problems of divergent sphere of influence and the expansion of the East-India company," writes historian L.F. Stiller, S.J. "At a given time in history, under given circumstances, Prithvi Narayan Shah did rise above his fellowmen. Not all that he did was perfect. Some of the acts he placed were clearly wrong and appeared so even to him. But when the accusations against Prithvi Narayan Shah and his failures are placed together in side of scale and weighed against his achievements, the scale will show clearly that he was a great man."

"If the citizens are wealthy, the country will be strong.... The King's storehouse is his people... Do not leave your ancient religion.... Let there be no injustice in our country."

These sayings of King Prithvi Narayan Shah will be forever etched in the Nepali psyche despite the current tumultuous phase. ■

MONARCHY

Issue

For

Constituent Assembly

For the first time in the last two thousand years, Nepal's institution of monarchy, which has seen many ups and downs and different forms and dynasties, has been put into elections. Although the concept of republicanism in Nepal is highly elitist and extreme in its results, silent majority, who are familiar with monarchical system as they have long practiced under it, are given a choice now in forthcoming elections for Constituent Assembly to choose between constitutional monarchy and republican. As the institution is so old, the monarchical opinion has wide support base. Vast majority of people know where they stand. But it is now time for centrists and moderate parties like Nepali Congress - which has a long history of championing monarchy from constitutional to ceremonial - to decide whether to compete with a dozen or so communists and other urban extremists elite for republican model or remain as a centrist party championing monarchical opinion with wide base

By KESHAB POUDEL

If prime minister Girija Prasad Koirala is to be believed, the election for Constituent Assembly is going to be held in agreed date in the month of June. This election is going to be completely different than past - as previous elections were program and personality-based and those elections were fought on party planks for the parliament to form the government.

In the past, issues of economic development, social agenda, foreign policy and national development were placed before the people to decide. In forthcoming elections for Constituent Assembly, the main issue is going to be whether the country will have constitution

on model of constitutional monarchy - which Nepal already had in practice - or the country will have constitution on republican platform. Other sundry issues including autonomy based on ethnicity, linguistic and regionalism, federalism or unitary forms of government will also be dealt with by the CA. Anyway, monarchy or republican seems to be its major agenda.

"The opinion of the country has been polarized between two models of governance and the constitution. That means the people have choices on both the sides. It is unimaginable that the total number of voters will choose to cast their votes on the only one side. The concept

of republicanism is highly elitist and extreme in its results. Whereas the monarchical democracy is not unfamiliar to the people as they have practiced the governance under it. Thus, it is anybody's guess that a vast majority of the people understands this pattern of governance and, therefore, it does not require much intelligence to grasp the system of constitutional monarchy," said a political analyst.

Nepal has always lived in peace and harmony with element of continuity and monarchy remains as the institution of continuity in all political change. If democracy moves along with monarchy, its sailing will be easier without any turmoil.

History of Monarchy

For the people of Nepal, monarchy is not a new form of governance as they have had centuries-old practices. "Nepal has history extending over a period of more than two thousand years. In her long history, dynasties have risen and fallen and different tribes have become dominant at different times. The Lichchhavi, the Thakuri, the Malla and last but not least, the Shah dynasties have played their parts," writes late Rishikesh Shaha in his book *Heroes and Builders of Nepal*. "But it was the Gorkhali conquest during the last quarter of the eighteenth century that gave the entire territory comprising present-day Nepal a single name and strong central government."

As Nepal has a long history of monarchy and the governance under it, people have habit of obedience towards the monarchical institution despite change in its variances and groups. "The people, thus, have a habit of respect and obedience to the monarchical institution, despite variance in the personal behavior and style of different Kings," said the political analyst.

Among Shah Kings, every individual King had their own personal style of functioning. Prithivi Narayan Shah, who unified Nepal, had a unique character in terms of quality of leadership. Rana Bahadur Shah and Surendra Bikram Shah had different characters and behaviors. King Tribhuvan and King Birendra pursued pluralistic idea whereas King Mahendra pursued party-less system. New King Gyanendra centralized the power preaching for multi-party democracy.

"Even if a particular King acted eccentrically or unwisely, people in Nepal, like any monarchical tradition, have tolerated the institution and maintained the monarchical tradition," said the analyst. "Instead of overthrowing monarchy for some of its weaknesses, the people discovered



Then PM Deuba administers oath of office to his ministers in the King's presence: Monarchists have turned republicans now

File photo

constitutional ways and means to keep it under a democratic discipline."

Not only in Nepal has the monarchy shown that it is an adaptable institution. Even in western industrialized democratic countries, monarchy shows its adaptability. "Out of ten best democracies in the world, even now have constitutional monarchies such as United Kingdom, Japan, Denmark, Belgium, Norway, Sweden, Luxembourg, Spain and the Netherlands and some countries like Canada, New Zealand and Australia have still maintained linkage with monarchy despite a continental difference of vast distance," said the political analyst.

"As an adaptable institution, monarchy in Nepal has been a source of change, as well as the mainstay of continuity and tradition. As the most ancient political institution, it has passed through various stages of political development; it has been as relevant in modern times as it had been in ancient and medieval periods. Though non-elective, it has always commanded allegiance and obedience of the common people for different reasons- not necessarily by coercion," writes Ganesh Raj Sharma in his article *Monarchy and the Democratic Development in Contemporary Nepal* in the journal of

Center for Nepal and Asian Studies Tribhuvan University in 1989.

Legendary leader B.P. Koirala has also rightly said monarchy is the best form than presidential because it does not have to contest the popular elections. "I think an elected government finds easy, if the King is good. If King actually performs within constitution, there will be no easier head of the state than him," said B.P. Koirala in his recently published book *Raja, Rastriyata Ra Rajniti*. "There were many dictators who came through the elections. Even Hitler came through elections. Thus, there should be head of state but he must not be aligned with any political party but only responsible to protect the constitution. King can perform this role more easily than by an elected president."

Monarchy Against Totalitarians

Other scholars like George Orwell, too, had his strong opinion on monarchy. In his political commentary published in *Partisan Review* published in January 1944 Orwell writes, "The function of King in promoting stability and acting as a sort of keystone in non-democratic society is, of course, obvious. But, he also has, or can have, the function of acting

as an escape-valve for dangerous emotions. A French journalist said to me once that the monarchy was one of the things that have saved Britain from Fascism. What he meant was that modern people can't, apparently, get along without drums, flags and loyalty parades, and that is better that they should tie their leader-worship onto some figure who has no real power. In dictatorship the power and the glory belong to the same person. In England the real power belongs to unprepossessing men in bowler hats: the creature who rides in a gilded coach behind soldiers in steel breastplates is really waxwork."

According to Orwell, it is at any rate possible that while this division of function exists, a Hitler or a Stalin cannot come to power. "On the whole the European countries which have most successfully avoided fascism have been constitutional monarchies. The conditions seemingly are that the royal family shall be long-established and taken for granted, shall understand its own position and shall not produce strong character with political ambitions."

Despite all powerful opinion in favor of the monarchy in the country and its adaptability with change, communists and extremists along with some centrist see it as a main obstacle. For communist leaders like CPN-Maoists, CPN-UML general secretary Madhav Kumar Nepal, monarchy is the main hurdle to establish totalitarian one party system of proletariat.

"After the promulgation of interim constitution, the era of republican will upsurge," said CPN-Maoist leader Prachanda. "Some regressive and feudal elements within seven party alliance are still conspiring by prolonging the announcement of interim constitution. Once the monarchy is wiped out, then the way for People's republic will open."

Communist leaders are honest enough to speak the truth about their own

PHOTO BY NISHCHAL CHAPAGAIN



RPP and UML leaders ganging up against NC PM Koirala: Strange bedfellows in the past

File photo

hidden strategy but nobody understands the rationale behind leaders of liberal democratic parties like Nepali Congress who are also speaking against the institution that will guarantee their own interest. Either Nepali Congress leaders know the communist leaders who are championing the cause of communism are fake and they need not fear them or their arguments merely sing of foolishness.

"Our alliance with Nepali Congress and other seven parties is strategic - to defeat strong force by joining with other smaller forces. Monarchy is the last hurdle to establish the communist state in Nepal. Once monarchy is wiped out, we will take care of other weaker forces," Prachanda has said publicly.

This view is shared by leaders of all other communist factions and there is unanimity among them about monarchy. In fact, the popular opinion base of monarchy is much powerful and stronger than the just five decade long modern and liberal democratic ideals. Communists hate both of them. CPN-Maoists started their People's War in 1996 by attacking the elected parliamentary government and their fist

bullet was against the multi-party democratic parliament. Maoists attacked the institution of monarchy just after they forcefully derailed the multi party parliamentary democracy.

Congress With Liberal Voice

At a time when some Nepali Congress leaders are pressuring congress leadership to declare it as a republican party, other leaders are stressing the need to follow centrist stand taken by the party in last five decades including on the issues of monarch.

"The history of political change in Nepal is always based on reconciliation as the change has been neither completely revolutionary nor completely evolutionary. We have some revolutionary character and evolutionary character - it is mix of both. So far as Nepali Congress is concerned, as a centrist party, Nepali Congress has always been in middle. Our party's general convention made a decision to end autocratic monarchy," said Gavinda Raj Joshi, former home minister and

central committee member of Nepali Congress.

"Although country is debating over republican and monarchial issues now, Nepali Congress has not made a new decision. Our party has not deviated from our previous stand as we want to accommodate all political forces prevailing in the country," said Govinda Raj Joshi, former home minister and central committee member

Pressure for Republican

Communists are vibrant forces in the race of republican. From mobilizing students and trade unions and other communist leaders and some members of civil society, they have been staging street demonstrations demanding to promulgate the new interim constitution – which is said to establish eight-party dictatorship curtailing the right of independent judiciary.

"Republican is not a communist



UML and RPP leaders in a memorial service: Remembering the late monarch King Birendra

File photo

of Nepali Congress.

"As a liberal democratic party, every individual member can uphold his/her views but it is the party's general convention which will have final authority to change the party's stand. Our party's general convention made a decision to end autocratic monarchy. It is a fact that no single political force is decisive in Nepal. Every matter of national importance can be settled through the consensus among all political forces in the country even after the formation of Constituent Assembly," Joshi added.

ideology. Our party must lead the political process through republican politics to defeat the communists," said Nepali Congress central committee member Narahari Acharya. "All republicans including communists have to come together."

Whatever the kind of pressure is building, there is still a large number of opinions sympathetic to monarchy. Even in a recent opinion poll by Kantipur Television, which is known for its stand regarding republic, revealed that 60 percent of its respondents preferred the King as a head of the state against prime minister.

Despite such support, the streets of urban areas are full of anti-monarchial demonstrations and pro-republic arguments. What is missing is a strong political force to champion the opinion of such wide base.

"What appears in the everyday street protest and demonstration is mainly confined to the urban areas that too of sectoral character," said the analyst. "The real mass of the people – which is known as a silent majority – may have a different verdict. If they are permitted to exercise their ballots through free and impartial procedures of the elections, people may give their own verdict," said the analyst.

Champions of Monarchy

Although there is a strong and powerful opinion in favor of monarchy throughout the country, most of the centrist democratic parties are influenced by the street agitations by extremist communists.

Among the number of political parties, organizations of communists are largest in number competing for mainly city-centered extreme opinions. According to present political set up, there are two largest communist parties – CPN-UML and Nepal Communist Party Maoists and there are other eight factions and groups.

Two other fronts consist of seven communist parties and one small communist party confined to Bhaktapur District of the valley. Under United People's Front, there are Unity Center, Nepal Communist Party Masal and United People's Front (Subedi). Under the United Left Front (ULF), there are five parties including the recent break away group of CPN-ML. Other parties under the ULF are Nepal Communist Party (United), Nepal Communist Party (Marxist) and Nepal Communist Party Marxist, Leninist and Maoists and CPN-ML and CPN-ML (breakaway).

The wide base of monarchy, even if rejected in elections of constitutional assembly, will be there as an influential bloc. One cannot completely wipe out monarchical opinion from the country.

Strangely, no major parties even Nepali Congress, which has a history of backing constitutional monarchy and Rastriya Prajatantra Party and Rastriya Jansakti Party, both groomed under monarchical leadership, have not shown any courage to speak to represent the monarchical opinion.

Although it is small and comparatively new, RPP-Nepal which is led by Rabindra Nath Sharma, is championing the opinion of constitutional monarchy facing threats of CPN-Maoist, Communists and republican cadres of Nepali Congress. "Our party stands for constitutional monarchy. Nepal needs institution of monarchy not in absolute form but as ceremonial, symbolic or constitutional form," said president of RPP-Nepal Rabindra Nath Sharma

Now it is up to political parties to find out their own mass base and ventilate the opinion of that category of general people through their political means.

Whatever communists and extreme elites say about the republicanism, it is still urban phenomenon. "We cannot imagine the country without King," said Dhan Bahadur Air of Dipayal of Doti District. "We don't know how the Ganatantra will be." From east to west, overwhelming majority of people still see there is no alternative to monarchy.

Monarchy Vs Republican

As has been the trend in the past, the communism does not have broader appeal in the mind of people in rural areas. As all communists have similar stand for republican model, support for this model may not be easy and spontaneous because of its involvement with the outmoded communist ideology.



Late King Birendra with then UML PM late Adhikary : Scene from the past

File photo

"Monarchy too is outmoded but it has been able to transform itself from traditional to modern constitutional monarchy as illustrated above. Nepal's monarchy has also been surviving because it has resilience to transform in accordance with the time and situation. The institution of monarchy does not have rigidity," said the analyst.

Nepal has seen two major political changes in terms of transformation of power through the popular uprising of Janandolan I and Janandolan II, the monarchy, though was humiliated; still survives as an institution of continuity.

"The communist ideology, unfortunately, has not transformed itself into a multi-party plural democracy. Not in a single developed democracy, communism has been chosen by the people to rule themselves. Communism has nowhere been democratized successfully while trying to do so, that it has been overthrown by the popular mandate. Present Russia is a glaring example of it. Taking all these factors into consideration, one can have a reasonable prediction about the republican model which they have decided to follow," said the analyst.

Even in Nepal, though all communists have been preaching for

multi-party competitive democracy but in practice they have been doing the opposite - not allowing their competitors to contest the elections.

A great upheaval has recently shaken up society up to its foundation. Political force of moderation like Nepali Congress is yet to realize where lays its genuine interest. "Even if we have dispute with monarchy, we should not work to overthrow the monarchy. We have to clearly draw the line where we have dispute with monarchy and where we have commonality and responsibility to protect it," said B.P. Koirala.

"Nepal does not have a politician of that height and depth of late B.P. Koirala who had a firm opinion - stating that the monarchy could not be matter of an issue in the elections. But that concept was violated under the leadership of his own brother Girija Prasad Koirala who led the situation to put the monarchy as a matter of choice in the elections," said the analyst.

The division of the opinions on the question of monarchy is undesirable but now it has come as a fait accompli due to short sighted and unwise leadership. Now it is up to the people to put the matter of monarchy into right perspective and maintain its continuity with adequate democratic change. ■

NRB REPORT

Hanging In There

Despite the restoration of peace, the economy has not been able to take-off

By SANJAYA DHAKAL

Despite the incessant talks of building new Nepal, the economy of the country has not been given adequate concerns in the past eight months.

This is evident in the average performance of the economy shown in the latest report of economic situation released by the central bank.

In its report about the first four months of the current fiscal year, the

could have triggered this decline.

The imports, on the other hand, have increased by 9.9 percent compared to its growth by 21.1 percent in the corresponding period previous year. Of the total foreign trade volume, India continues to occupy over 60 percent share. Total imports from India had increased by 33.8 percent a year ago but in the review period it only increased by 8.8 percent.



Vegetable Market: Inflation under control?

Nepal Rastra Bank (NRB) has indicated that the foreign trade volume has been discouraging. The exports have decreased by 0.1 percent. Last year, during the same period, exports had grown by 14.5 percent. Last year, total exports to India had grown by 29.4 percent but during the review period, it decreased by 1.1 percent. The central bank states that the continued imposition of 4 percent Special Additional Duty by India on some Nepali export products

The Balance of Payment surplus stands at Rs 80 million. The BoP surplus had stood at Rs 4.35 billion a year ago during same period. However, due to widening trade deficit, the BoP surplus has decreased.

The consumer inflation stands at 7.1 percent – down from 8.5 percent the same period previous year.

The revenue collection has grown by 20.3 percent to reach Rs 21.52 billion – compared to revenue growth of 6.9

percent in the same period previous year. The NRB report states that the expansion of consumption fueled by increasing remittance income, the adjustments in custom duties have worked to increase the revenue collection.

The total foreign grants increased by 97.9 percent to reach Rs 3.31 billion – compared to decrease of 43.4 percent last year. Likewise, the foreign loans have decreased by 22.8 percent in the review period – compared to the increase of 18.5 percent previous year.

Due to increasing revenue collection and favorable situation of foreign grants, the budget surplus stands at Rs 1.76 billion during the review period – compared with the budget deficit of Rs 3.18 previous year.

The remittance inflow grew by 17 percent in the review period to reach Rs 31.67 billion. The total foreign exchange reserve has declined by 0.4 percent to reach Rs 164.45 billion. This decrease is seen due to small appreciation of Nepali currency vis-à-vis US dollar, officials claim. This volume of foreign exchange reserve can sustain goods import of 10.6 months and goods and service import of 8.7 months.

Meanwhile, in terms of readymade garment exports, the year 2006 turned out to be another disappointing year. Over two dozen garment industries shut down after the exports to the United States – largest export market – continued to decline. A large number of workers were laid off. According to the Garment Association of Nepal (GAN), in 2006 garments worth US\$ 47.7 million were exported to the US compared to the exports worth US\$ 50.7 million in 2005. This year the exports came down by 6 percent. In 2005, the exports had come down by 41 percent.

Notwithstanding the brouhaha over the tourism prospects, the data revealed by the Nepal Tourism Board (NTB) shows that tourist arrival increased marginally by 2.3 percent in the year 2006. The incidents of bandh, strike, extortion and workers' agitation continue to make the tourism sector uncertain. ■

INTERIM CONSTITUTION

Dictatorship of Eight Parties?

The interim constitution is definite to pave the way for the dictatorship of eight parties denying the basic rights of citizens to share power

By KESHAB POUDEL

Despite the glaring lacunae in the draft of interim constitution, the leaders of eight political parties have agreed to promulgate it on January 15 undermining the concerns expressed by lawyers, judges and other members of civil society and ethnic groups.

A summit meeting of top leaders of eight political parties on January 8, 2007 at prime minister's residence in Baluwatar unanimously fixed the date for announcement of new constitution.

According to the agreement, the draft will be presented in the House of Representatives on January 15 and it will be promulgated after brief discussion. The same day interim parliament will be formed and it will endorse the interim constitution.

"After the promulgation of this interim constitution, I as a citizen of this country cannot be a member of parliament, if I don't belong to the SPA+Maoists alliance party. As I cannot be the member of parliament, I cannot be in government too. They have gracefully provided me an opportunity to cast my vote for the elections of the members of Constituent Assembly," said a political analyst.

Seven parties plus Maoist have changed the popular word democracy to Loktantra and by that they say they are going to build a new Nepal. As morning shows the day, on the auspices of eight party alliance, one can easily guess how the elections for the Constituent Assembly would be held and what would be the results coming out of it.

Objectionable Parts

There are many objectionable things in it. Most unprincipled and unwise article is related to the eligibility of a citizen to share power. A person who does not belong to any of the eight parties

will have no right to be the member of parliament as well as in the government.

"Most objectionable part in the present draft is that people have been deprived to be the members of parliament as well as to be in the government if they don't belong to any of the eight party alliance constituents," said the analyst. "The previous

constitution of 1990 had made the common people sovereign with power as well as dignity too. The present draft has created two categories of citizens - one who belong to eight parties alliance to make laws to govern and rest of the population are supposed to put them into power by casting their votes and abiding by their laws and pay taxes."

Former prime minister Surya Bahadur Thapa, who was popularly elected for several times in parliament, now will not have a seat in the parliament in case eight parties find his role is 'against Loktantric Andolan.' "Compared to that, the present constitution of 1990 gives opportunity to every Nepali to be the member of parliament as well as run the government without any discretion of the political



Supreme Court: Concerned about independence of judiciary

faith and alliance," said the analyst.

Similarly, Pashupati Sumsher Rana's RPP, too, will have similar fate though they have nationwide party organizations and had opposed the Royal take over. Thapa and Rana will have to prove their faith and commitment in front of eight party leaders who under the constitution can decide qualification and disqualification of their membership. On the ground of holding different views, several other such members who had not committed any crime or offence would also be denied entry to the new parliament.

"In this new version of democracy and in the map of new Nepal, persons will be deprived from their due positions mainly because of their views and not due to any omission or commission," said analyst. "At par with the one idea state, a blue print has been laid down which would prevail over the future shape of constitution after the restricted and guided process of Constituent Assembly."

According to analysts, in this new Nepal, leader of one-man party Narayan Man Bijukchhe Rohit, who has always been criticizing his alliance parties alleging that they are being instrumental to diminish Nepal's position to Sikkim and Bhutan, will be in power. But not the party with national presence like Surya Bahadur Thapa's Jansakti and Pashupati Sumsher Rana's RPP.

Eight Parties' Monopoly

The article 38 of the interim statute states that prime minister will be chosen under the political understanding of eight political parties. The article explicitly says eight parties will include Nepali Congress, CPN-UML, Nepali Congress (Democratic), United People's Front, Nepal Sadvabana Party (Anandidevi), Nepal Workers and Peasant Party, United Left Front and CPN-Maoist.

Monopolizing power further, the article 45 says there will be 330 members in the interim parliament including 209 members of previous

parliament, 73 nominated by Nepal Communist Party - Maoists and 48 other nominated under various bases.

Under the article 45 (2), leaders of eight parties can bar any member by terming them to have been affiliated with the group of anti People's Movement. These clauses restrict other political parties' to take part in the political process.

Under the party registration, the eight parties secured privileges putting certain conditions including the requirement of 10,000 signatures of voters to register new political parties. Finally, they have to express their faith in the letter and spirit of the constitution, which is again defined by eight parties.

In the eight party alliance, majority of them have no stake of their ideology because they don't hold a faith in multiparty plural democracy but how the two splinters of Nepali Congress as democratic parties are going to explain to the people as well as build up their image in the history by surrendering to

"The Constitution is Full of Ambivalent Provisions"

- Kusum Shrestha

Senior advocate and constitutional lawyer KUSUM SHRESTHA spoke on the draft of interim constitution terming it as an unnecessary document. Excerpts of his comments:

Is there any rationality to bring interim constitution?

I didn't find any rationality for a new interim constitution. The constitution is full of ambivalent provisions as prime minister has been made supreme power and the King has been given space without any assignment.

At a time when politicians and some legal experts are pressuring the need for interim constitution, why do you say there is no rationality?

Because there is neither catalytic change nor there are shift of paradigms. There has not been any change in basic norms. We are wedded to multi-party democratic systems under the

parliamentary forms of government in the past. Where is the shift of paradigm when all the basic elements are the same?

Then why do they require it?

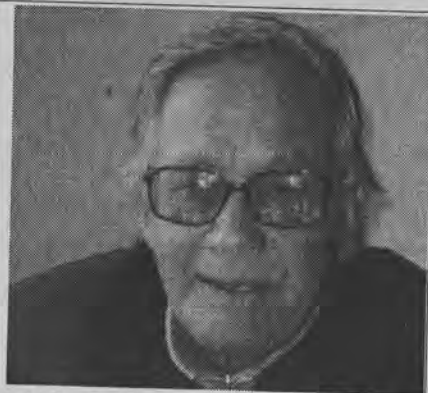
It is just for an ego boost.

Where do you see ambivalences?

We adopted parliamentary system by making our prime minister wedded to power with presidential form. We have organs of government but without any definite checks and balances.

What is your opinion on the draft of interim constitution?

Basically, the interim constitution is based on utopia or to inject euphoria. For example, the issues of fundamental rights. The interim constitution has enshrined all enforceable rights from the current constitution with certain correction in terminology and changes in numbering. But the interim constitution added magnificent provisions in the fundamental rights



which could not be implemented and enforceable in view of lack of resources for instance the women's right to reproductive rights, social insurance etc.

How powerful is the prime minister then?

Seemingly, prime minister has been made supreme power but in actuality, he is but a cipher as exhibited in the appointment of ambassador - which was nominated under the recommendation by foreign minister as a proper channel and approved by the cabinet. Even in such a formal act, there was strong hue and cry, strikes and destructions by Maoists and other constituents of SPA.

a totalitarian model of governance remains to be seen.

Anger Over Judges

Even before the agreement of the leaders of eight parties, on January 7, Supreme Court judged had made certain unanimous suggestions demanding to make the judiciary more independent. However, demanding the independence of judiciary seems to be a crime in the eyes of eight party alliance.

Though the suggestion for independent judiciary is not for the judges and courts, it is for the protection of rights of citizens, but parties condemned this professional move as a political ploy.

"Judges cannot make decision on the issue of amendment of constitution. Their decision is politically motivated," said CPN-UML leader Jhlnath Khanal, who even disclosed a week ago that many clauses were added in the draft without their consent. In recent reactions, political parties are looking at the interim constitution as a political document.

"The constitution is not only a political document or peace agreement of eight political parties but it is a principle law of the land of 25 million Nepali people," said advocate Kumar Regmi.

The judges have not only expressed their disagreement over the draft, they have also proposed practical and reasonable alternatives. For instance, they have proposed that judges should be appointed by judicial council till the position of head of the state is clear, the oath of office should be administered by that constitutional body instead of the prime minister and executive head, the judicial council should have more members from the judges and so on.

"There must be check and balance among executive, judiciary and legislature organs of the state. Democracy cannot function properly if one of these organs is made more powerful. We have to follow this. I think prime minister Girija Prasad Koirala has rightly objected against concentrating power on prime minister," said Nepali Congress leader Govinda Raj Joshi.

Against the Dissenting Opinion

The remarks and reactions of communist and liberal democratic leaders are clear as they are against citizen's right to dissent - opening a new way for absolutism of eight parties in Nepal.

"Judges are not made to write the constitution and they are not the persons who can say what kind of constitutional system the country requires. It is for the politicians to decide," said Home Minister Krishna Prasad Sitaula. "The constitution will promulgate as per wishes of eight parties not as per wishes of judges," thundered Sitaula who even overrode prime minister Girija Prasad Koirala's views on certain reservations on constitution.

After observing reactions from various quarters, judges of Supreme Court have been forced to speak their conscience regarding the independence of judiciary and higher values of constitutionalism after serious deliberations among them. "At a time when the leaders of government have been threatening and issuing warnings to all including the judges for their safety of tenure, the judges of supreme court have risked their jobs and security to uphold the ideals which Nepal's judiciary has been building up brick by brick since the great change of 1951," said the political analyst.

When reactions of members of liberal democratic parties like home minister Sitaula is such, one does not have to say anything about the opinion of followers of dictatorship of proletariat like CPN-Maoist and CPN-UML leaders.

"Judiciary still has the hangover of feudalism Ranis. Our demand of reappointment of judges has been justified following the decision of Supreme Court," said CPN-Maoist leader Dr. Baburam Bhattarai commenting on the decision of Supreme Court. "Such judges must be removed who oppose the document prepared by eight parties."

Other lawyers argue that the independent judiciary is prerequisite for



Khanal: Gagging the judiciary

democracy. "Independent judiciary is one of the pre-requisites of any democratic system of the world. We want to see independent and competent judiciary not a committed judiciary," said advocate Kumar Regmi. "Judges have not demanded that they want increase of salary or their individual facilities but they want to incorporate the fundamental of the independent judiciary in the interim constitution."

Orwellian Description

"An Orwellian description has appropriately been adopted here declaring all are equals but some are more than equals. Ruling class of eight party alliance has emerged under a leadership of octogenarian democrat Girija Prasad Koirala who had ignored all values and ideals popularized by his own august brother, B.P. Koirala," said a political analyst.

Although Nepali Congress is claiming as a party of B.P. Koirala, they have sacrificed all his ideals for personal gains. "B.P. Koirala is a brand name for the respectable image in the people. But his ideas are difficult to be followed with the same idealism and integrity. Since the demise of B.P. Koirala, all the time Nepali Congress leaders are assuming their followers and common people that they fully adhere to his ideas but people fail to see that in practice," said the analyst. "The present alliance of Nepali Congress was unholy and therefore unethical. It is a great tragedy of a great legacy that they are going to declare a constitution which creates two categories of citizens one who can be in power due to their political alliances and another who cannot be." ■

Shree Om Bakreshwor Mahadev

Lord Hails You All

Nearby the Manakamana temple, there is a shrine of Lord Mahadev

BY DIL BAHADUR BASNET

“Shall we visit Manakamana?” asked my intimate colleague Bishwo Mani Upreti, a resident of Kuleshwor on the New Year’s Eve. I replied, “I have an assignment for a feature article to be mailed by Friday. So, I can’t.” He convinced me, “There is Bakreshwor shrine, just half an hour of walking ahead of Manakamana temple, which could be a good topic for your undertaking.” His idea helped me in brainstorming, and we had a trip to Manakamana early morning of the New Year 2007.

We reached Manakamana around 10:00 am but we could worship Goddess Bhagawati at 11:30 am due to the long queue of devotees. Since our ultimate destination was Bakreshwor shrine, we didn’t waste a single moment.

Shree Om Bakreshwor: Mahadev shrine lies at Manakamana VDC-1 of Gorkha, and about 1500 meters above the sea level. Stones of Shree Ganesh, Brahma, Vishnu, Shiva, Parvati, Drayani, Bramrayani, Saraswati, Bageshwori, Panchabhairav, Bajrabhairav, Uttarayani, Bindabasini, Gadoor, Nagnageni are at the shrine. There are four hills with Chhimkeswori temple above Aanbukhaireni (Tanahun) in the south-west, Ichchhakamana temple above Kuringhat (Chitwan) in the south-east, and Manakamana temple in the south of Bakreshwor.

“Wherever the organs of Satyadevi dropped, there emerged Shiva Linga. Accordingly, as the tongue of Satyadevi happened to drop here,

Bageshwori along with Mahadev emerged here. It can be heard distinctly even in sacred hymns of *swasthani*. Hence, it is called Bakreshwor Mahadev,” informed a 61-year old priest Fadendra Bahadur Lamichhane Chhetri.

He is of the view that he belongs to the seventh generation of priests paying homage to Bakreshwor. He further said that people who cannot speak or those who stammer can be cured once they visit the shrine. There is also a faith that the desires are fulfilled if any promise made to offer something to shrine is duly carried out.

In case of unprecedented happenings (e.g., casualties, mourning, sickness), Lila Bahadur Aryal Chhetri undertakes all the responsibilities.

By the time, the priest Lamichhane was relating about the history, backwardness and potentiality of shrine, Nawaraj Lamichhane, one among the two pilgrims from Cheres, nearby Kurintar, came to the holy place. He opined, “I’ve come with a conviction to fulfill my dreams following my worship.”

The priest Lamichhane said that from five to fifty-five pilgrims would normally call on the shrine everyday. Saturdays and all the seasons except the Rainy one have proved to be proper time for many God/Goddess followers to drop in on the shrine. Moreover, pious people swarm throughout *swasthani brata*. Fair is organized on the occasion of *Teej* and *Shiva Ratri*. Students, teachers and people from all walks of life have also started

thronging to the site to celebrate picnic. Unfortunately, there are also moments no one looks up the shrine!

“The *Guthi* had been taking care of all the management before the restoration of democracy in 1990,” the priest Lamichhane bemoaned, “Currently, I have been bearing all expenses incurred in reverence for the last several years.”

“Though we approached Chiranjibi Wagle, MP with a request for the renovation of *guthi* and development of shrine, we have received no reply till date,” complained the priest Lamichhane.

There was a collection of Rs 475,866 from Din Bandhu, a son of late pundit Narayan Prasad Pokhrel, who held a weeklong Bhagwat. Similarly, the contribution of Rs 333,333 by a Kathmandu-based organization named Tettiskoti Debdarshan Jamat. It is learnt that the total amount shall be invested for the construction of Bakreshwor temple.

The shrine owns around three ‘ropanis’ of land, covered by useful trees like Rudraksha, Lali Gurans, Chilaune, Rubber, and flowers like Chameli, Gulaf, Samundra, Bahramase, Wakali, Sano Jai, Thulo Jai among many varieties. There is a huge Kabro tree, with two huge branches already broken, at the western corner of the Bakreshwor. Its new shoots are used for making pickle.

There is a Ganesh temple at the Bakreshwor premises built five years ago. Nearby, there is a Bageshwori cave, and fifteen minutes further there is a cave of late Siddha Lakhana Thapa (the first priest of Manakamana temple).

Shree Om Bakreshwor: Mahadev is there to hail you all visiting to Manakamana temple for your well-being. ■

(Basnet is an internee)

Will Post-Conflict Swasthani Mela Entice Pilgrims at Shalinadi?

By DIL BAHADUR BASNET

When asked, "How did you come alone to watch *swasthani mela* at Shalinadi," Shyam Pudasaini from Nawalpur of Henapaye-11 in Makwanpur replied, "Since kins have turned foes, others remain dear. They all whom we notice from here are friends!" His philosophical response encouraged me to delve further into the matter of finding out whether there was a possibility of huge mass turning up at the religious fair following the end of conflict.

It was on the 5th January, the third day of the fair that commenced from the full moon. *Bratalus* (*devotees who engage in special fasting*) were already congregated at the specified spots between holy Shalinadi and sacred Pipal tree. There were children, adults, old people, pundits and priests to pay reverence to the idols of Ganesh, Krishna, Mahadev, Ram, Sita, Hanuman, Satyanarayan, Badrinarayan, Nagnageni, Harihar, Goma, Nawaraj, Chandrawati and Her two carriers at both sides of Salinadi.

Interestingly, Anil Shrestha, a grade VII student of Shree Bhagyodaya Higher Secondary School, Sankhu Bus Park was expecting sanctimonious visitors at the pair of footsteps of Chandrawati. He said, "One's wishes are fulfilled once it is worshipped." He also explained that he got through the sixth grade with good marks.

To quote an elderly priest Krishna Prasad Bhandari from Gaurighat of Pashupati, "There were many visitors on the full moon day and they stayed till late evening. More visitors are likely to come after the new moon."

"We were terrified of firing between the Maoists and security personnel last year. We feel safe this year," related a young priest Rajan Tiwari, Patalekheta-4, Kavre. He added, "The divine beings are put in with different identities every year and likely to increase, as marked by pious people."

Meanwhile, a few priests flocked at the idol of Chandrawati with ecstasy to express that pilgrims were dashing from every nook and corner of the country

from Taplejung, Birgunj and India too, and a number of shops and hotels have emerged. On the other hand, they complained that they were displaced by Shree Janak Janaki Siddhartha Dharma Karma Sewa Sangh (SJSDKSS) from their usual site so that they would manage themselves with the rented space of local landlords, which they had never faced till last year.

"Having felt secured this time, we have hired a mini hotel. Till now, it's not profitable but I am quite optimistic," states Manu Maya Shrestha, Thimi-7, Bhaktapur.

"This year, there are about 270



Salinadhi : Festive Mode

bratalus, compared to 230 a year back. Deity-followers have also drastically risen," informed Laxmi Prasad Giri, Chairperson, SJSDKSS.

According to his estimates, around Rs 22 lakhs would be further incurred (in case copper is not donated) for the copper-made roof of Ashtamatika Shree Swasthani Matako Mandir which is being constructed. The total cost of the temple construction has been estimated at Rs One crore. In the meantime, he could not help appreciating the philanthropic contributions rendered by local people and devotees.

The temple is in dire need of 2000 kilograms of copper, and hence the

SJSDKSS is looking for at least one kilo of copper from the contributors. Since its (temple construction) 85 percent is completed, there remains only 15 percent of work due including the settlement of roof and decoration.

The temple deserves attention of our government to provide every aid possible in connection with the indispensable facilities (e.g. a rest-house with security, a motorway with parking, a rest room) for *bratalus*, saintly people and tourists/travellers, as observed by him.

He also criticized the government of being indifferent to such a popular temple and religious site, where around 50,000 people assemble every year. "May the government take away the land from the local people by pleasing them with apt compensation," he wished.

As everybody had more or less the same view about the significant growth of devotees and shrine, there is yet

reverse opinion from a priest Jagat Prasad Subedi, Goldhab VDC-4, Jhapa. He remarked, "After the reinstatement of peace, over 60 percent of people have already gone back to their respective home towns. So, only those limited people with spiritual heart, jobless people, and wanderers might visit the *swasthani mela*. But the inevitable circumstances (e.g. strikes, processions with slogans) are sure to distract them."

seems there will be drop of around 60 percent in the number of visitors, compared to previous years."

Whatever different views were poured by the visitors at the shrine depending on the prevalent scenario, pilgrims will definitely increase from the percentage point of view irrespective of the return of out-of-Kathmandu valley-dwellers to their respective home towns at this juncture. Owing to the fact that the Nepali peace lovers are devoted to Gods and Goddesses, nothing will prevent them from attending the pilgrimage site at Sankhu Bajrayogini, Shalinadi. ■

(Basnet is an internee)

RHINO POACHING

Unabated Killing

As poachers claim another rhino in Chitwan, authorities scramble to prevent further poaching

By SANJAYA DHAKAL

Last week, another rhinoceros unicornis was found killed by poachers in a community forest near Chitwan national park.

The poachers made away with the horn and hooves of the rhino, which was discovered lying dead in Uday community forest, which interestingly was located between the main cantonment and satellite camp of Maoists Shaktikhor VDC of Chitwan district.

With this, the total number of rhino which have been killed in last six months have reached 12. Alarming, news reports have also said that 84 out of 87 rhinos that were translocated to Bardiya National Park have been killed. Five years ago there were 84 rhinos in the national park. However, recent survey failed to locate even a single rhino.

As conservationists and parliamentarians began to air their severe concerns, the authorities have started to make tentative efforts to curb the menace.

The government spokesperson recently informed that the government is working to ensure that no more inmates serving their sentences on crimes related with rhino poaching will be set free.

"The crimes related with rhino poaching will now be considered as grave offense and the Prison Rules will also be amended to ensure that none of the offenders can escape justice," Dilendra Prasad Badu, Minister of State for Information and Communication and Forest and Soil Conservation said.

Badu added that separate squads of security forces will be deployed to arrest the growing incidents of rhino poaching. On Sunday (January 7), parliamentarians also raised concern about the incidents

of rhino killing. Reports say that some of the poachers who had earlier been set free from jails by the government on various occasions might have been involved in these crimes.

Early this week, the parliamentary committee on natural resources had invited Badu to clarify about the rising incidents of rhino poaching. Several MPs including Pradip Nepal accused that members of the cabinet, too, could be involved in allowing the poaching of rhinos.

In Chitwan, following the discovery of the killed rhino, the People's Liberation Army soldiers and forest guards have joined hands to curb rhino poaching in the Udayapur Community Forest near the third division of PLA in Chitwan district, a PLA spokesperson told media.

The PLA and forest security personnel have started conducting joint patrols. "The Maoist army and forest security personnel are on patrol to protect rhinos in the forest near the cantonment," spokesperson for the PLA third division, Abiral, said.

Students, youths and community members in Chitwan took out a rally demanding adequate security to the one-horned rhino – the prime attraction for the tourists.

According to latest census, there are only around 372 rhinos left in Chitwan National Park. ■

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Source : *Himalayan Book Bagbazar, Kathmandu, Ph:4242085*

Interim Constitution: After-thoughts

BY YUBARAJ GHIMIRE

It took almost a fortnight for Prime Minister G.P. Koirala to realise that he would be no less than an absolute dictator once the interim constitution finalised by the seven parties belonging to the ruling coalition and the Maoists came into force. From a willing 'dictator' then, he has tried to appear as a reluctant 'dictator' now. "I am not too happy with the amount of power the PM will be exercising under the interim constitution", he said recently.

There was no way Koirala could have ignored the criticism of the finalised draft. Hundreds of thousands of people descended on the streets during the 19 days that shook Nepal in April. And the international community had extended its prompt approval to the fall of the royal regime. The finalised draft has come as a setback to both. The Communist Party of Nepal-United Marxist Leninist (CPN-UML) has accused the Koirala coterie of foul play - that the agreed draft was tampered with to make Koirala the people's dictator.

Not only will he be acting both as head of state and head of government, but there will also be a committed legislature and committed judiciary under the provisions of the interim constitution. And the only circumstance that could remove the prime minister is either his resignation or death.

But will Koirala's late realisation of the dangers of this situation be of any use?

The Communist party of Nepal-Maoists, which is almost dictating the current politics in Nepal, does not see anything wrong with the interim constitution. For Maoists, it's clearly an ideological victory as they believe in executive supremacy, not separation of powers. Then, given Koirala's age and state of health, Maoist supremo, Prachanda, will be a strong claimant for the post in the interim phase.

No one knows when the interim

phase is going to begin, but it does not look very far away. The promulgation of the constitution will herald that phase. (It will be followed by the inclusion of the Maoists in the interim government headed by Koirala with the existing seven parties continuing in it.) As per the agreement, once the interim constitution comes into effect, the House of Representatives will be dissolved, and a new House with all the existing parliamentarians plus the Maoists nominated by the party leadership will become members of the 330-member interim Parliament.

For Maoists, it's clearly an ideological victory as they believe in executive supremacy, not separation of powers. Then, given Koirala's age and state of health, Maoist supremo, Prachanda, will be a strong claimant for the post in the interim phase.

But the interim constitution, in clear violation of the right to equality, asserts that those who did not join the April uprising will not be eligible for membership of the interim Parliament. This has become a major bone of contention in the legal community as the monopoly of eight parties in the interim Parliament goes against the letter and spirit of the right to equality. The Nepal Bar Association has asked the eight parties to review and amend the constitution, but it is doubtful that the parties will agree. But strangely, this has almost become a non-issue as far as the civil society and human rights groups are concerned. In fact, prominent human

rights leader, Padmaratna Tuladhar, has gone to the extent of threatening that no other political parties other than the eight which supported the April uprising will be allowed to hold political activities. And the government with all its security agencies - army, civil police and the Armed Police Force - have failed to give protection to non-ruling parties.

Moreover, the police and APF, with handpicked leadership and arbitrary sidelining of several senior officials, are acting more like pocket organisations of the home minister than representatives of the authority of the state. With the government's decision to keep the Nepal Army away from elections, will the police and APF contribute in the conduct of free and fair elections scheduled in June? The Maoists still insist that while

they are ready to deposit their arms in the designated cantonment under UN supervision, they will retain the keys.

Sadly, there has been no visible change of behaviour on the part of the Maoist cadres at the district and regional level as extortion, illegal detention and torture continue despite the leadership's plea to all not to doubt the sincerity behind the latest political journey towards a competitive democracy.

But Maoists' continued access to arms, along with demoralised and partisan security agencies of the state, and especially an interim government headed by an 'absolute prime minister' with a committed interim Parliament and committed judiciary - all indicate that for Nepal, the promised destination of peace, democracy and prosperity is still far away.

(The article appeared in the Indian Express. The author can be reached at yubaraj@hotmail.com)

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