

SPOTLIGHT

July 11-17, 2008

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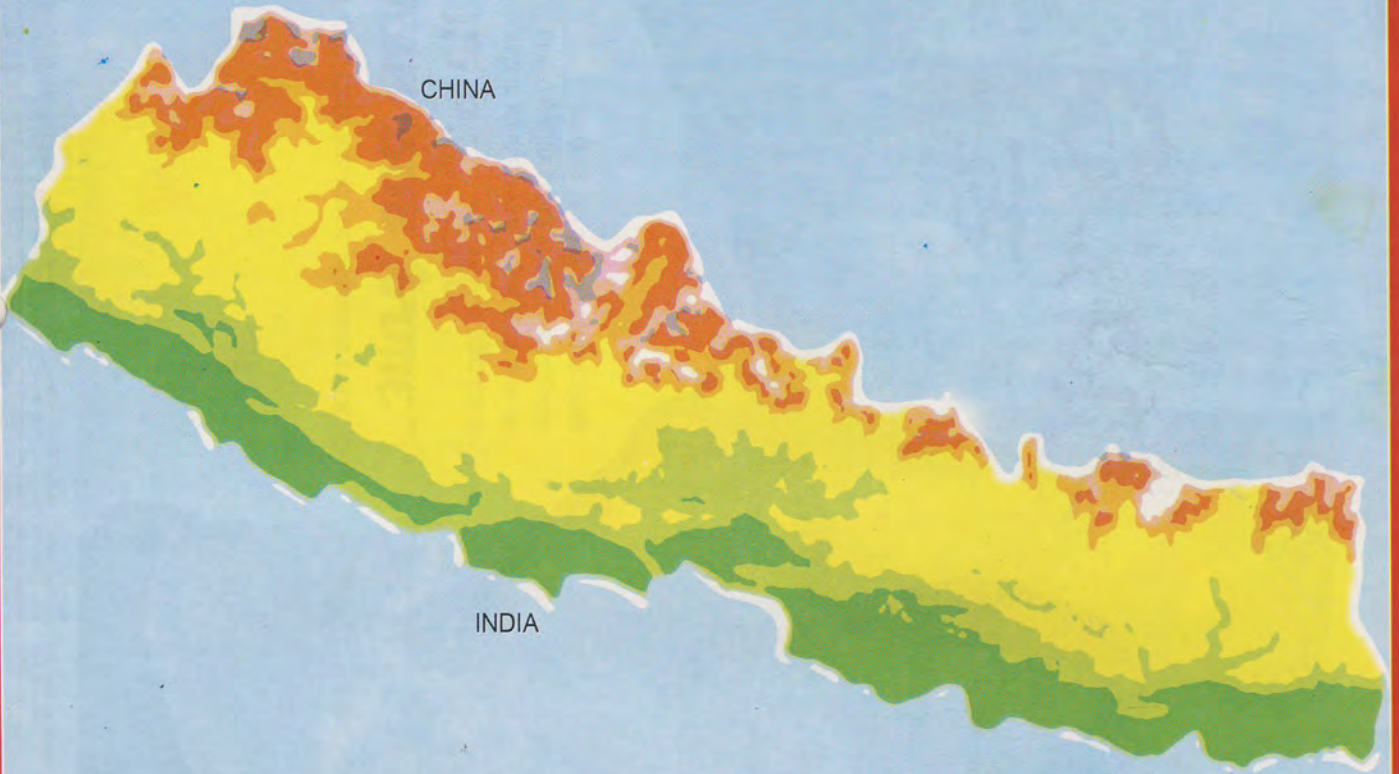
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Decentralized Slogans

Under Centralized Leadership

INSIDE

Budget: Victim Of Politics

Oil Supply: Paralyzed by Price Spike

अब... रु. १ मै बचत खाता



नेपाल इन्भेस्टमेण्ट बैंक बढी भन्दा बढी नागरिकहरूमा बैंकिङ्ग सेवाको पहिलो अनुभव एवं बानी बस्न सकोस भन्नाका लागि सगौरव प्रस्तुत गर्दछ... **मात्र रु.१ मा "आफ्नै बचत खाता"** सम्पूर्ण अन्तराष्ट्रिय स्तरको सेवा सुविधा सहित ।



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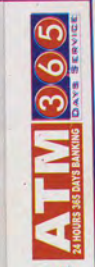
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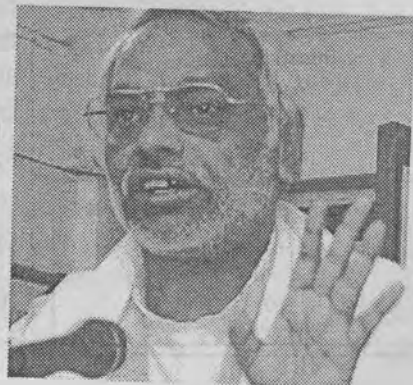


COVER STORY: Slogan Of Decentralization
 Political leaders are harping the slogan of federalism without analyzing its socio-economic and political feasibility and even as they practice centralized power structure within their own parties
 Page 12



BUDGET 2008: The government is preparing to bring in advance expenditure bill as it is unable to present the full-fledged budget in the absence of head of state
 Page 11

FACE TO FACE;
 Rajendra Mahato
 President of Nepal
 Sadbhavana Party
 (NSP), Mahato,
 emphasizes the
 need to recognize
 Madhesis' con-
 cerns to break the
 current deadlock



SPOTLIGHT

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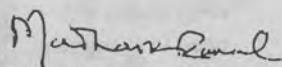
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An unavoidable necessity made me leave the country at the most critical period of her history. Being juggled by most unscrupulous politicians, worse than Lendhup Dorjis, being bamboozled by the giant neighbor in the south-hypocritical to the tip of its nails-whose envoys are particularly briefed by their bosses to dominate the tiny powerless hosts by shamelessly transgressing their diplomatic parameter, and whose, so called, good friends gleefully enjoy the spectacles of their helplessness, poor Nepal is at the cross road of disintegration and survival. In this context, the few expatriate Nepalese believe that the demand of a few Madishe leaders of making "One Madesh One Pradesh" should not be acceptable to any patriotic Nepali. It is not just an invitation to really disintegrate the country but it will definitely invite a civil war and Nepal will be pushed back to the pre-Prithivi Narayan Shah era. But the sustaining dependability of the friendship of the northern neighbor, the growing awareness of reality in the teeming masses, the undying love and affection of millions expatriate Nepalis and Gurkha Veterans and the unshakeable loyalty of the Nepali army in the defense of their dear motherland have always stood as strong bulwarks against all impious motives against the vulnerable Himalayan nation. "Politicians, as a lot, (may be with a small exception) are scoundrels"—Samuel Johnson. Even in this great land of promises and endless opportunities politicians fall victims to sheer human weaknesses and start behaving in questionable behavior. They even go to the extreme of disparaging their founding fathers and gutting their constitution. Indeed, it may not be possible to assess the situation correctly in such a short time. So the assessments are based on what I have seen in the surface – a slick of oil. It might take some more time to probe what's deep inside. But the things that are clear as the day are the miseries of common man caused by unthinkable hike in prices of consumer goods, especially the gas and looming recession. Majority of the people this scribe talked to point their finger at the Bush administration – the failed foreign policy and the unnecessary invasion of Iraq. There are others who still believe that the administration could, and still can, arrest the upward trend of the gas price. They directly hold President Bush responsible for their difficulties and the ignominies the nation is facing today. If the oil cartel were denied the official umbrella, the gas prices would not have soared so high but brought under manageable control and over all situation too would not have deteriorated. The beleaguered Americans are breathlessly waiting for the regime change which seems inevitable. Can the Nepali people also bring about a regime change like their American sisters and brothers?

Madhav K. Rimal in the U.S.


Madhav K. Rimal
Chief Editor & Publisher



Youth Power

Youths are power and strength of any country. However, Nepalese government has failed to utilize these forces for the sake of country's overall economic development. The present experiences have already shown how vulnerable they are. From general strikes to all other political activities, they are over exploited by our politicians who don't have any vision about future Nepal. Youths must be given proper opportunities.

*Srijana Kattel
Via email*

Saturation of Politics

There is politics all the time and country's major issues like economic development is overshadowed. Your cover story (Budget Preparations: Overshadowed by Politics July 04-10) was very timely and accurate. The country has been passing through a very critical phase of economic crisis as the price of petroleum products continue to go up and overall inflation has gone up from single digit to double digit. As Maoists have emerged as the single largest party and are on the final stage of leading the forthcoming government, recent statement of Maoist leaders have further shaken the economy. The time has come now to discuss the issues regarding the country's economy. It should be the main priority.

*Santosh Rai
Nepal Commerce Campus
Minbhawan, Kathmandu*

Expectations High

I agree with your argument that people have huge expectations with the forthcoming budget as it is going to be the first one prepared by a republic regime. At a time when the Constituent

Assembly's meeting continues to be disrupted by Madhesi parties, there is no sign what kind of budget is in the making. It is inevitable that Maoists will present most populist budget in case they are given complete control over the government. If Maoists prepare such budget, it is certain that other donors will pull out their support. Once again, poor Nepali people will have to suffer. Instead of talking about the populist agenda, Maoists should speak the reality. Maoists must speak the economic language rather than political language of jungle raj.

*Binita Shakya
Via E-mail*

Beyond Control

It seems that there is no immediate solution for the soaring oil price as it continues to climb up. If this week's crude oil price is any indication, it shows that the price will cross the range of US\$ 200 within a year resulting in high inflation in the country (Soaring Oil Price: Worsening Woes June 27-July 03, 2008). As a net importer of fossil fuel, Nepal does not have any option other than to import the petroleum products at par with

the international market price. However, the mentality of the people is such that they want to live in subsidy. If one prepares to pay the price of petroleum products at par with international market, everything will be settled.

*Kapil Lama
Montreal Via email*

Speak Reality

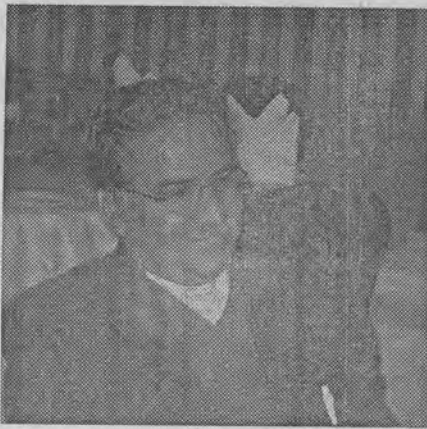
Eminent constitutional lawyer Dr. Surya Dhungel has rightly pointed out many important things about the constitution making process. Every one agrees with Dr. Dhungel that there is a crude struggle for power going on. Although political parties held the election for CA to draft the new constitution and making New Nepal, their actions show that they are more interested in power rather than the constitution. Dr. Dhungel's comment that in the name of people's mandate and Jana Andolan, the leading political parties appear to have been carrying imposed and imported agenda that are not in the national interest and keep on changing their tones everyday speak reality of present politics. As a Nepali living far away from the country, we always are misled by imposed articles and interviews. Dr. Dhungel opened our eyes and mind. Others also need to speak the reality.

*Bandana Rai
London Via email*

Lacking Research

I was very disappointed with your cover story which stated that the government of Nepal does not have any specific program to engage overwhelming number of youths (Youths; High expectations June 20-22). I thought the story lacked thorough research it deserves. Certainly, the government would have had some programs. Nepal's youths have been badly exploited by political parties. I hope the political parties will formulate more programs to engage the youths in employment/productive sector.

*Junu Basnet
Via email*



Madhesi Parties Conclude Govt Has Betrayed Them

The Madhesi parties have concluded that the decision of the government to introduce the supplementary bill to amend the constitution is not in keeping with their demands. Terming the move by the seven parties as 'betrayal' to the Madhesi people, the parties – Madhesi Janadhikar Forum (MJF), Terai Madhes Loktantrik Party (TMLP), Nepal Sadbhavana Party (NSP) and a faction of NSP-Anandidevi – have said that they have been compelled to re-launch struggle. The joint statement of the parties signed by Sarita Giri of a faction of NSP-A stated that the government decision has compelled them to 'carry forward the agitation in more effective and stronger manner in the coming days.' MJF coordinator Upendra Yadav has said that they will hold further meeting on Saturday (July 5) to decide about the struggle. "Madhesi people will not accept this betrayal," said Rajendra Mahato, chief of NSP. The meeting of the Madhesi parties had reached the conclusion to launch struggle following the decision of the cabinet to introduce the supplementary bill at the Constituent Assembly (CA) meeting on Saturday. However, the CA meeting could not take place as scheduled on Saturday and has been deferred till Monday. *Compiled from reports*

Students Protest 'One

Madhes' Demand

Student unions affiliated to big three parties - CPN (Maoist), Nepali Congress and CPN (Maoist) - and other fringe parties have concluded that the demand for "One Madhesh Province" raised by Terai-based parties is illegitimate and that it will prove to be counter-productive for the Madhesi people themselves. A meeting of eight students' union held in the capital on Friday (July 4) called on the government to address the demands raised by Terai-based parties through the new constitution, but advised against explicitly stating "Madhes as autonomous region" in the interim constitution. They were of the firm opinion that this demand can't be accepted under any circumstances. "Since it has already been said that the issue of state restructuring would be tackled by the Constituent Assembly, the demand of the Terai-based parties for inclusion of the phrase 'Madhes as autonomous region' and 'group entry' of Madhesis in the draft of the supplementary constitution amendment bill is not legitimate," said Pradip Poudel, president of Nepal Students' Union (NSU). However, NSU's parent party Nepali Congress has been clearly divided over the issue, although it has been seen in favor of fulfilling the aspirations for autonomy of not only people from Madhes but also of indigenous communities and backward regions. Similarly, the students' unions also asked the Madhesi parties not to disrupt the CA session as they have been doing from the past some time, saying that it would only create obstacles in the formation of the new government.

Compiled from reports

Bandh Cripples Life In Terai Districts

Normal life in most of the Terai district was crippled Friday (July 4) due to a bandh called by Chure Bhavar Rastriya Ekta Party, Tharuhat Autonomous State Council and Nepal Loktantrik Samajbadi

Dal protesting the Madhesi parties' demand for a single Madhes autonomous state. Transport service, trade and industry sectors were affected by the bandh and no vehicle plied in Biratnagar. The agitators staged demonstrations in Nawalparasi from morning. In Parsa, the agitators staged demonstrations and district headquarter Birgunj and other places remained close. Traffic was halted in Inaruwa, Duhabi, Khanar of Sunsari district. Normal life in Sarlahi and Rautahat districts was also affected by the bandh. "There is no Madhes region in Nepal. It is the only Tarai region," the agitators said. Agitators also warned that they would revolt if the government agreed to 'One Madhes One Pradesh' demand.

Leading dailies report

Tharus Enraged Over

'Madhesization' Of Terai

Expressing serious concern over attempts being made to invent "Madhes" which never existed, in Terai parts of Nepal by resorting to "political blackmailing", ethnic Tharus have issued a strong warning against conspiracies to downplay their identity and existence. They also said that Constituent Assembly (CA) has been turned a "rubber stamp" to endorse such attempts. Thirteen different organizations working for the welfare of the Tharu community including the Tharu Welfare Assembly (TWA) issued a joint statement on Wednesday (July 2) in protest of efforts being made to turn the entire "Tharuhat Terai region" into Madhes province through 'political blackmailing'. They said they would wage a movement against the deliberate attempt of what they called Madhesization of Terai and also announced a number of protest programs. "It is not very hard to understand that the main aim of this political blackmailing is to downplay the identity and existence of the indigenous communities living in Terai and turn them into Madhesis," the statement said, adding

that the closed door meetings (between seven parties and Terai based parties) including political bargaining are all exercises to end the identity of the Tharus in their own land. Stating that the big parties are being compelled to meet the "One Madhesh" demand - of declaring the whole of Terai (from Mechi to Mahakali) as a autonomous Madhes state - through threats and warnings, the Tharu organizations have said they would enforce a one-hour long transportation strike in Terai on June 4 and picket the CA venue on June 5. In the statement signed by general secretary of TWA Raj Kumar Lekhi, an appeal has also been made to the civil society and general people to help stop "Madhesization of Terai". Major political parties like CPN (Maoist) and CPN (UML) have already raised their objection to the "One Madhes province" demand of Terai-based parties, describing it as a threat to national integrity. However, Nepali Congress (NC) has maintained that the demand of Terai-based parties (Madhesi parties) should be met, but haven't come clear on whether they support their demand for "One Madhes province". On the other hand, demanding constitutional guarantee of "autonomous Madhes province", Terai-based parties have already obstructed the Constituent Assembly (CA) meeting for the fifth time in a row. They are all set to not let its proceeding go on smoothly today too as the taskforce of the three aforementioned parties who are also largest parties in CA failed to prepare the draft of a supplementary constitution amendment bill yesterday following difference over the definition of a "Madhes autonomous a province" and "group entry" of certain communities into Nepal Army. Madhesi leaders have also threatened a nationwide stir if the government turned down their demand for a single Madhes province. Chairman of Madhesi Janadhikar Forum (MJF) Upendra Yadav said on Monday that big political parties

are trying to repress Madhesi demands by bringing in the Tharu community. Yadav, who was speaking at a program in Birgunj, claimed that "all Tharus are also Madhesi as they reside in Terai region like other Madhesi communities", and said that Madhesi struggle will continue until the establishment of separate Madhesi state. He also said that Madhesi movement is not targeted against any other community but is meant to establish the rights of both Madhesi and people of hilly origin in the Terai region. However, Tharu Welfare Assembly says that the "One Madhes" demand has been made to convert their land - Tharuhat - into Madhes. Similarly, Chure Bhawar Ekta Party (CBEP) which represents the people of hilly origin in Terai, has also raised objections against the demands for one Madhes province, saying that it would sow the seed of disintegration.

Nepalnews.com reports

UML Floats YCL-Copycat

Even as the Maoist-affiliated Young Communist League (YCL) has been draw-



ing wide criticism for taking law in their hands, another communist party, too, has decided to tread the same path. The Youth Force of the CPN-UML affiliated Democratic National Association Tuesday (July 1) beat up two persons of the Department of Labor on charges of taking bribes and handed them over to the police. The arrested have been identified as Bhuwan Kumar Regmi, a staff at the department, and Daman Chand of Shah Manpower Company. The newly formed

UML Youth Force has charged Regmi and Shah with jointly taking bribes worth Rs 15,000. Kalpana Shrestha of Swargadwari Abhimukhikarn said that Regmi demanded the bribe to lift the suspension of her organization. The UML Youth Force said that they are planning to deal with employees at other offices who are involved in bribery. The other staff at the department halted their work today in protest of the arrest. *Compiled from reports*

Docs See Epidemic Threat In Valley Garbage

Mounds of garbage dotting the capital, coupled with scarcity of potable water, can spark an outbreak of water-borne and other diseases, warn doctors. The garbage that has been piling up in the Kathmandu valley for about a month is unlikely to be removed completely for another week. Dr Mahendra Bahadur Bista, director of Sukra Raj Tropical and Infectious Disease Hospital, says number of infectious diseases like gastroenteritis, cholera, typhoid, hepatitis, viral influenza and conjunctivitis go up in the rainy season. "Eighty per cent diseases are water-borne and can be controlled by drinking safe water," he said. He blamed the Kathmandu Metropolitan City for not managing the waste properly and warned of an outbreak of epidemic if the situation persisted. Bista said personal hygiene was a must in order to stay away from these diseases. Dr Garib Das Thakur, chief of Epidemiology and Disease Control Division, stated that June and July were the months when diseases spread the most and special measures should be taken to prevent any outbreak of epidemic. Diseases caused by food, water and insects spread in this season, he said. He added that people should take utmost care of their food habits. Dr Devi Prasad Bhusal, chief physician at Sukra Raj Tropical Hospital, said the hospital had already been witnessing a surge in the number of patients with the onset of rainy season as compared to other seasons. *The Himalayan Times daily reports* ■



Along with 23 new members, Rajendra Khetan (fourth from right), an industrialist, is also sworn in by CA chair KB Gurung

percent whereas USA and Spain had a negative growth of 7 percent each and Germany 31 percent. The Indian market recorded a negative growth of 8 percent. Nevertheless, this market alone contributed 52 percent in the total arrivals for June. In total, the Asian market registered a commendable upsurge in arrivals with a notable rise of 64 percent from Bangladesh, 73 percent from Pakistan, 46 percent from Sri Lanka and 42 percent from Singapore.

EX-CROWN PRINCE

PARAS SHAH has left for Singapore where he is said to be planning to settle with his family. He left for Singapore by Silk Air plane Tuesday (July 1) afternoon, accompanied by his brother-in-law Raj Bahadur Singh. There was no special security arrangement for the ex-Crown Prince when he arrived at the international airport. His wife Himani and three children will fly to Singapore in a few days, reports said. During his stay there, he will also find a school for his two daughters and a son.

THE CABINET MEETING, TUESDAY (July 1), decided to extend the term of United Nations Mission in Nepal (UNMIN) by six months. The term of UNMIN was going to expire on July 23. The cabinet has also decided to reduce the size of UNMIN. The government will need to request the United Nations formally for the extension of its tenure. Meanwhile, on Wednesday, the cabinet is expected to endorse the name of 26 nominees for the Constituent Assembly membership. They have been nominated by nine different parties. Compiled from reports

A COMMITTEE FORMED TO REVIEW the salaries and allowances of government employees has recommended increasing their salaries by at least 20 percent in the forthcoming budget. The committee headed by chief secretary Bhojraj Ghimire has made the recommendations based on the report prepared by Pay Commission 2061, reports Kantipur daily. The committee has handed over its suggestions to the Finance Minister Dr. Ram Sharan Mahat on Thursday (July 3). If the government increases salaries as per this recommendation, it will need to bear additional expense of Rs 8 billion. At present, the government spends Rs 40 billion annually on salaries and allowances, which is 55 percent of the total revenue. The recommendation for pay hike has come amid spiraling rate of inflation, which is set to hit 10 percent this year.

THE TOURIST ARRIVAL BY AIR DURING THE MONTH of June has decreased by seven percent compared to same time last year. However, the figures released by Immigration Office at Tribhuvan International Airport (TIA) shows that visitor arrival to Nepal increased by six percent with a total of 177,163 visitors till June 2008. In the European market, Netherlands and Denmark recorded a strong increase by 20 percent and 35 percent respectively. Among the major tourist generating markets, UK and France registered a growth of 2 percent and 8

SPECIAL COURT OF THE NEPAL ARMY has upheld the earlier decision of NA's general court to expel one of its personnel on charge of being 'lesbian'. According to Kantipur daily, Bhakti Shah, undergoing training at Bhaktapur Kharipati, has been expelled. NA's court of general inquiry had slapped such action on her along with 60-day in custody a year ago. She was accused of having relations with one of the female members in the camp. Blue Diamond Society had made an appeal at the upper authority of the NA for revision of the verdict. The Special Court cancelled the action to send her to custody for 60 days, which she had already undergone. The Supreme Court last year had asked the government to treat 'third sex' at par with others in all government facilities and services, recognizing their identity.

THE SWISS GOVERNMENT HAS PROVIDED a grant assistance of Rs 232.02 million to Nepal for two different projects. Country Director of the Swiss Agency for Development and Cooperation in Nepal, Jean-Marc Clavel, and Krishna Gyawali, a Joint Secretary of the Ministry of Finance, signed the aid agreement during a function at the ministry on Thursday (July 3). Out of the amount, Rs 162.02 million will be spent for controlling carbon emission from brick kilns in the Kathmandu Valley while Rs 70 million will be spent on a research on species of maize found in hilly region ■

THE LAST BATTLE OF BHAKTI THAPA

—Mrs. Laxmi Thapa

Dr. Tulsi Ram Vaidya and Dr. Indira Joshi have written in the recently published book *Sardar Bhakti Thapa: Rastra Bhakti ka Praktik* that Bhakti Thapa was the only commander in Nepal's history who was vested with authority to govern the vast territory to the west of the Chepe-Marshyangdi river stretching almost up to the Sutlez river. At that time in 1790s at the height of the Nepal's Unification Campaign Bhakti Thapa was stationed in Kumaun. (now in India). According to Kirkpatrick Nepal was then trying to reinvigorate the attack in the west.

British Started to Worry

Many of our historians have not yet taken stock of the fact that soon after the signing of peace treaty with China our country had started to make preparation for the next round of the Unification Campaign. The British rulers in India appeared to be greatly concerned about it. We can draw such conclusion from the visit of Kirkpatrick to Kathmandu in 1793. Historian Steeler has given at length the description of that visit in his book. British governor general in India had agreed to send Kirkpatrick to mediate in Nepal China dispute. Kirkpatrick did not even set out for Nepal until after the war had been successfully terminated by the Nepal-China agreement. The governor general was requested not to send Kirkpatrick since the war had been amicably concluded. However, since the governor general was keen on sending a man to Nepal, so Kirkpatrick visited Kathmandu for not any specific official purpose. During his visit Kirkpatrick found that Nepal was trying to reinvigorate the attack in the west. The circumstances under which the visit of the Kirkpatrick to Kathmandu took place clearly

shows that British rulers in India were all the time watching Nepal with great suspicion. At that time British rulers in India were adopting every possible method to enlarge the territory under their control. The way new territories in India were brought under British control and ruled had shocked even the British public. British Parliament went completely against it.

Heinous Acts of British Rulers

Historian HG Wells has written about the British rule in India at great length. The text from his book (History of the World) has been reproduced here.

Englishmen at home were perplexed when presently the generals and officials came back to make dark accusations against each other of extortions and cruelties. Upon Clive, Parliament passed a vote of censure. He committed suicide in 1774. In

1788 Warren Hastings, a second great Indian administrator, was impeached and acquitted (1792).

Leadership of Bhakti Thapa

Historian C.B. Khanduri has written about the new nationalism concept underlying the Nepal's broad Unification Campaign. Why Gorkhas won and their enemies, the Kumaonis, Garhwalis or Himanchalis lost is the question that should haunt every historian. After all, the armies of those states were large; reasonably equipped; and their men material and their armies were not inferior to the Gorkhas'. And they fought in their own territories with the advantage of intelligence, resources and no dearth of brave population. The conclusion one draws from the analysis of strategies followed, battle field tactics and techniques adopted, is just one: there was total lack of leadership among the vanquished. The Gorkhas, on the other hand, had been spurred by their overzealous new concepts of nationalism (*Hami Gorkhali hom*).

It had leadership that grew stronger as it moved from Kumaon to the Kashmir border. Leadership and character were the hallmarks of the Gorkhas that got them victorious against a people who lacked both these essential ingredients for the life of a state.

According to CB Khanduri Bhakti Thapa had impressed the Gorkha commanders during the War of Consolidation and joined those who were to be the eventual ruler of Nepal. Kazi Amar Singh Thapa had treaded in the footsteps of Bhakti Thapa.

Nepal was Invaded

It was early 1810s. Great Britain was the most powerful country in the whole world. Its vast empire stretched across all five continents. At that time it was ruthlessly expanding its empire in the South Asian Sub-continent. Britain was tempted to make Nepal also its colony. Nepal was attacked without formally declaring war. Britain hoped that Nepal could be quickly subdued in a blitzkrieg invasion. The battle fronts stretched over a distance of about 1500 km. between the Teesta and the Sutlez River.

Needless to say that those were the worst days in the history of our country. The war stretched over a period of three calendar years in sharp contrast to the expectation of the British Government. Nepal bravely defended its independence. Britain was forced to abandon its grand design to enslave Nepal though we lost some of our territories.

Our forefathers were able to protect the honor of our country while almost all other countries in Asia and Africa failed. Nepal was able to defend its independence because of our forefathers' great sacrifice

Youthful Spirit of Old Man

At a time when Nepal had almost lost hope to win the war fought against the British in 1815, the Nepalese high command in the west appeared to have made up its mind to lay down arms. However, Bhakti Thapa was adamant to fight. He, at the age of 74 years, led the most daring counterattack on April 16, 1815 against the British force at Deothal. Bhakti Thapa and his followers in the counterattack appeared to have vowed to fight to the death. Bhakti Thapa had even handed his infant grandson in the custody of the Amar Singh Thapa just before going to the battlefield. Defiant Bhakti Thapa with a small force of just 400 marched to the battlefield in broad daylight after the sunrise to fight against the entrenched British force armed to the teeth and numbering about 3500.


The Last Battle

Bhakti Thapa led the counterattack against the British force. It was 3.15 a.m. when the small force under Bhakti Thapa marched out of the Malaun fort. The British column had taken position at Deothal on reverse slopes. The cannons of 6 pounders were properly concealed. There were two Indian battalions, the Grenadiers companies of the Light Battalions and some 1000 Irregulars. Thus the British strength was up to about 3,500 troops and weapons.

It was a bloody battle Bhakti Thapa laid down his life in the battlefield. Every one who fought from the Nepalese side was either killed or wounded. The British casualties were also high.

Nepal after Bhakti Thapa

"Until Bhakti Thapa was alive Nepal's territory was in a state of great expansion. After that Nepal started to shrink" This is an excerpt from the *sainikitihas* which is based on the book "Vikramjit Hasrat, History of Nepal (Punjab: V. V. Research Institute, 1970)". ●



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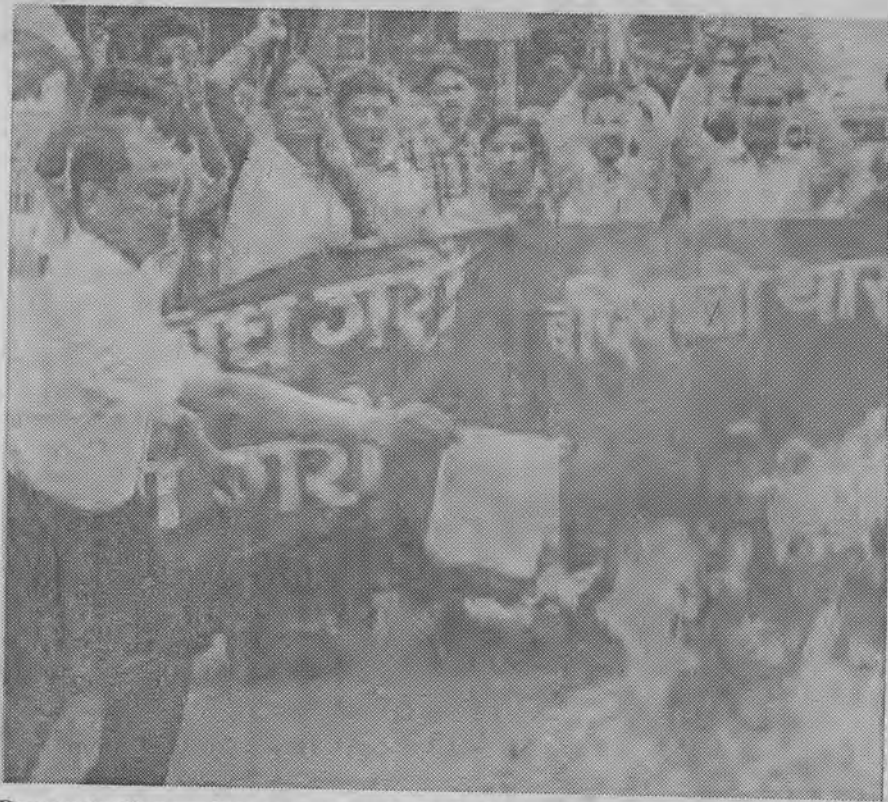
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Demonstration against agreement : Seed of dissension

POLITICS

Uncertain Course

Despite the agreement, Madhesi parties are yet to accept the bill

By A CORRESPONDENT

After more than two weeks of internal discussions, seven party alliance and three Madhesi parties find compromise formula to end the political deadlock. No body knows whether it will end the political impasse.

Following the announcement of Madhesi parties that they study the latest supplementary board before deciding anything on it, three week long political uncertainty continue to exist in the country.

The Madhesi parties have said they would study the latest supplementary bill on constitution amendment registered by the government at the Constituent Assembly (CA) secretariat.

The three Madhesi parties – Madhesi Janadhikar Forum (MJF), Terai Madhes Loktantrik Party (TMLP) and Nepal Sadbhavana Party (NSP) – are holding meeting on Wednesday ahead of scheduled CA meeting to decide about the bill. Because they needed some time to study the bill, the CA meeting, Tuesday, was deferred till Wednesday.

“We needed time to study the supplementary bill. That is why the CA was suspended on Tuesday,” said Rajendra Mahato, president of Nepal Sadbhavana Party (NSP). Sarbendra Nath Shukla, leader of Terai Madhes Loktantrik Party (TMLP), also said that though the bill was short of their expectation, it would pave the way for the CA process to pro-

ceed. Shukla hinted that Madhesi parties would present their own amendment bills and put it before the CA for final decision.

“We will accept the decision of CA,” he added. Earlier, the seven parties had prepared a draft of the supplementary bill proposing changes in the Article 138 of the interim constitution. The agreement states that Nepal will be a federal democratic republic by upholding the aspirations of autonomous provinces of Madhesi, indigenous people and people from backward and other regions.

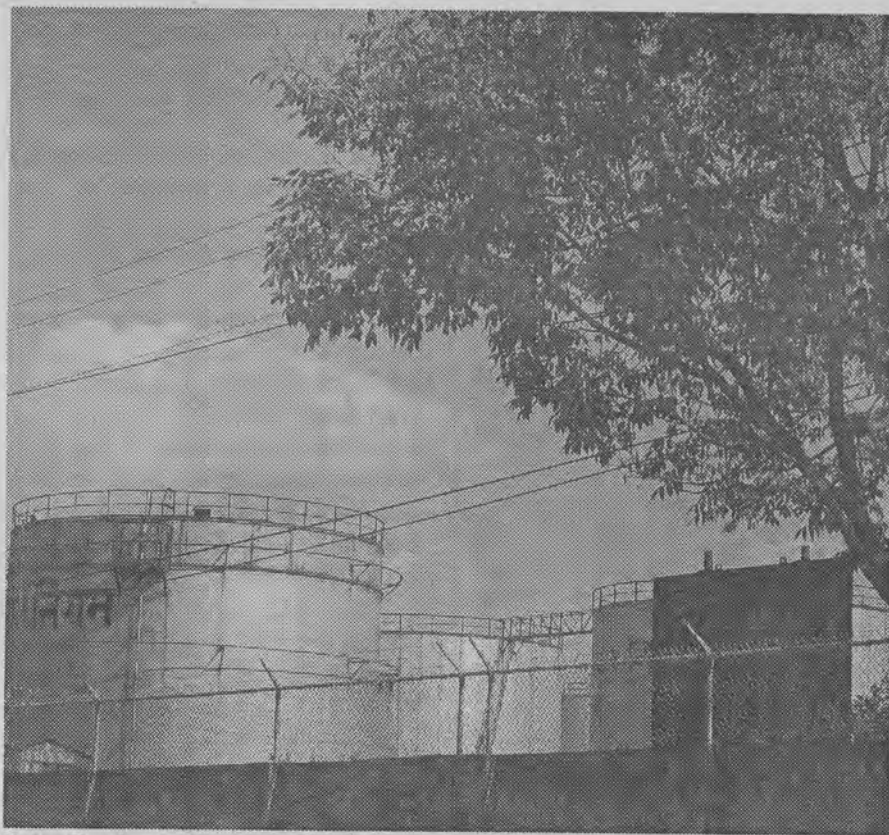
The agreement adds that the detailed definition regarding such provinces would be determined by the CA. Regarding the demand of group entry of Madhesi in the army; the agreement says that the army will be made inclusive on the basis of principle of equality and inclusion. Compiled from reports

In the main time, a meeting of the council of ministers Tuesday approved a draft of the supplementary amendment bill, which was prepared by the three major parties – CPN (Maoist), Nepali Congress and CPN (UML) - to address the demands of the Madhes-based parties.

According to seven-party alliance leaders, top leaders of three major political parties and three Madhes-based parties agreed to use a sentence - the aspirations of the Madhesi including the indigenous and the marginalized groups will be included in the ‘autonomous Terai’ - in the supplementary bill of the fifth amendment to the interim constitution.

Leaders also agreed to mention the provision of various autonomous states in the supplementary bill. The leaders have also agreed to manage the Nepal Army based on the principle of inclusive and proportional representation. However, United Leftist Front, Peoples Front and Nepal Workers and peasant party opposed it. Government is all set to table the supplementary bill at the CA secretariat this evening, sources said.

Although the county’s major parties agree to end the political deadlock, there is no clear sight in the picture that Nepal will have a long lasting peace. The road ahead is more bumpy and difficult. ■



Petro Product : Short supply

PETRO SUPPLIES

Perennial Problem

Despite series of hikes, people are forced to stay in long queues to get petroleum products

By SANJAYA DHAKAL

“I have been staying in the queue for four hours and still I am not sure if I will get the fuel,” said Prakash KC, a motorcyclist standing in a queue in front of a petrol pump in the capital city.

Like KC, thousands of consumers are compelled to brave the July heat and rain to get few liters of petrol and diesel.

The serpentine queues have become a common scene since last many months – despite the series of hikes in its prices.

The petroleum dealers point fingers at the state-owned Nepal Oil Corporation

(NOC) for short supply.

“They have been supplying 60 percent less than the actual demand,” said Shiva Prasad Ghimire, president of Nepal Petroleum Dealers’ Association (NPDA).

The NOC has been claiming that it is running huge losses due to soaring price of oil in international market and lack of price adjustment back home.

“We are making loss in petrol, diesel, kerosene and cooking gas. Based on July 1 price, in total we are incurring monthly loss of Rs 1.3 billion. That is why we are unable to supply as per the market

demand,” said NOC spokesperson Mukunda Dhungel.

In the last one year, the NOC has increased the price of fuel four times apart from other three times when it had to rollback the price hike in the face of stiff protests.

Despite such price hikes, the demand for the fuel has not subsided. “The demand for diesel, in fact, has been rising by thirty percent. Because of increasing number of vehicles and use of diesel in farming activities, their demand has grown,” said Dhungel.

At present, there are around five and a half lakh of different kinds of vehicles in the country. And their number is growing in double-digit rate. The easy installments and consumer financing schemes by the banks have also triggered this rise in the number of vehicles.

The growing import bill of petroleum products triggered by ceaseless climb of oil price in the international market has started hitting at the vitals of the economy.

Rameshwore Khanal, Secretary at the Ministry of Finance, has said that the soaring import bill of fuel has started eclipsing the total money the country earns through its exports.

Khanal also presented alarming situation related with decline in exports. “If the trend continues, in the next year we may not be able to purchase even petroleum products from the income from our exports,” he said.

He said that based on current world price, the government will have to cough up Rs 70 billion to purchase petroleum products next year. “Whereas our estimates point that we could earn only around Rs 60 billion owing to our total exports next year,” he said.

As such, the total export earnings will not be able to pay even single commodity import bill.

“Such a situation points to the very bad shape of our economy,” said Dr. Raghav Dhoj Pant, an economist. ■



Finance Minister Dr. Ramsharan Mahat: Budget uncertain

BUDGET 2008

Victim Of Politics

Due to unending political crises, this year the government is unable to present the budget for the coming fiscal year

By KESHAB POUDEL

For the people expecting relief package and growth impetus in the first budget of republic Nepal, there is a bad news.

Thanks to the current political deadlock blocking the formation of new government, the Ministry of Finance officials have said they are not in a position to bring in a full-fledged budget this year.

In normal circumstances, a budget for the new fiscal year is presented at the parliament in the first/second week of July. Nepal's fiscal year begins from mid-July.

But this time even as the first week of July has passed, there is no sign of ending of political deadlock – leading to

the troubling situation.

“Budget is presented after the government presents its policies and programs. Presenting policies and programs is not possible because there is no head of state now. So, full-fledged budget is not possible this year,” said Finance Secretary Rameshwore Khanal.

Khanal said that the government is preparing to introduce advance expense bill for the time being. However, even for that bill to be approved – which would, in turn, allow the government to continue collecting revenue and spending resources – the Constituent Assembly (CA) meeting has to resume as it also functions as legislature.

“There are still few days left. We hope

the deadlock will break,” Khanal said, adding that introducing ordinance is also out of question since the government cannot issue ordinance when parliamentary session is on.

“At present, we cannot issue ordinance. It can be issued only when the CA session is off. Either the current session has to be temporarily suspended,” he said.

Krishna Hari Baskota, chief of budget division, has said that the National Planning Commission (NPC) had fixed the maximum limit for the budget this year at Rs 189 billion.

Challenges

Even as the government prepares to bring in a temporary (covering three month) bill to avert the budget crisis, the experts have been pointing at several challenges before the government.

Apart from the stark lack of political ownership given the Maoist leaders' (who are preparing to form new government) remarks that they would not support the budget prepared by this government, there are various economic challenges as well.

The major challenge, as everywhere else in the world, is the spiraling rise of prices in the world market, the government officials and economists have said.

Finance Secretary Khanal said that the price rise of fuel and food and problem in supplies will affect the budget.

The rate of inflation is nearing the double-digit figure even according to estimates by the government. As the same has crossed beyond double-digit in neighboring India, Nepal is bound to be hurt more in the coming days.

Some economists have also warned that the country has landed in 'stagflation.'

“We are in stagflation, which means the growth is stagnant while there is rising inflation,” said Dr. Raghav Dhoj Pant, an economist.

“Only three things have held our economy together at this point. The remittance income, pension (received from retired Gurkha soldiers) and foreign grants,” he said.

Dr. Pant also warned that since the import is over three times more than exports, the economy is in bad shape. ■

Restructuring of State Slogan of Decentralization Under Centralized Leadership

Economic, geographic and political feasibility notwithstanding, political leaders with centralized mindset in each party including Madhesis are negotiating to resolve the issue of dispensing power to federal states, which they are temperamentally not prepared to do. Amidst the Madhesi Andolan of February 2007, the interim constitution has already accepted Nepal as a federal, democratic republic. Despite declaring Nepal a federal state, political leaders are still confused on what kind of federalism Nepal is going to have and what model will they adopt. The recent political deadlock between the seven party alliance and three Madhesi parties indicate that choosing the modality for federalism is a tricky issue

By KESHAB POUDEL

"We will continue our struggle till three political parties do not agree on One Madhes One Province with complete autonomy," said Rajendra Mahato, president of Nepal Sadvavana Party. "Only a Madhes as a single Pradesh (province) can ensure the right of the Madhesis. Madhesi people want to end century-old Pahadi domination and discriminations. We want all 20 districts of Madhes from east to west under a single province."

There are other groups within Madhes, who oppose the demand of

three major parties of Madhes. "There do not exist Madhes anywhere in Nepal. Declaring Madhes as a single state would be against the sentiments of indigenous people of terai. If this government declares Madhes as a single state, we will launch decisive struggle against it," said Raj Kuma Lekhi, leader of Tharu Kalyankari Sabha.

"In the name of one Madhes one Pradesh some want to build another centralized state in Terai," said Lekhi, who leads a strong ethnic group of southern plain. This Tharu community is scattered

from east to west of Nepal.

"There is no question of accepting the demand of one Madhesh one Pradesh," said CPN-UML leader Jhalnath Khanal. "This demand intends to break Nepal."

After the amendment of the interim constitution in March 2008 following the Madheshi agitation, which Maoists openly accused India of supporting, the demand related to federal autonomous regions have been raised by various groups.

All the groups have their own



PM Koirala (Centre) with Madhesi Leaders : Power to centre

agenda as some want state restructured on the basis of language and ethnicity while others want it done on the basis of geography. Country's three major political parties, which have decisive strength in the constituent assembly, have advocated different versions. Maoists have already divided Nepal on the basis of ethnicity. Nepali Congress is yet to open its mouth while CPN-UML wants several federal states in terai as well as in hill and mountains.

In the last election, three major Madhesi political parties contested the election on the slogan of one Madhes and one Pradesh with major national parties but they secured just over 15 percent popular votes in Terai. In fact, overwhelming majority of the people of the region rejected their slogan. However, their numerical presence in CA was enough to stall the house proceedings for last two weeks.

"We need to strengthen local governments like village development committee, municipality and district develop-

ment committee even under the federal system and there is a need for constitutional guarantee for local government," said Dormani Poudel, former mayor of Hetauda Municipality and president of Nepal Municipality Association. "Before carving the federal states, the government must decide the fate of local government. Only through the devolution of power to local government, can one ensure effective empowerment."

External Dimension

Sandwiched between two major powers of Asia, India and China, Nepal's restructuring is a matter of great concern for both the neighbours in terms of their own security.

India's renowned Nepal expert and professor of Jawaharlal Nehru University S.D. Muni writes, "Nepal is generally in harmony with the external context where accepted consensus is in favour of democratic institutions, multi ethnic societies and liberal open economics."

According to Muni, there is a need to look at the greater strategic, political

and economic interest of neighbour in the process of state restructuring. He argues that Nepal cannot ignore India's genuine security and strategic interest in the process of state restructuring.

Chinese scholars - who rarely speak on Nepal's internal political process - have also shown their interest in Nepal's ongoing debate on restructuring. "Instead of ethnicity, Nepal should be divided under the basis of geography. Only this kind of federal state will make Nepal a strong and modern nation. China always supports Nepal remain a sovereign, independent and unified nation," said Chinese scholar professor Wang Hongwei.

As Nepal's two neighbours are keenly observing Nepal's restructuring process, the country is not in a position to undermine their security and strategic interests. Although Nepal's political parties have already accepted the agenda of federalism, it is doomed to fail if it goes against long-term strategic interest of Nepal's neighbours.

"The slogan of federalism is just a strategic slogan to fulfill the interest under a grand design," said a political analyst. "It is a completely inconceivable thing coming from those political parties whose leaders have completely centralized powers in their hands," said the analyst.

Beginning of Federalism

Federalism is a word of multiple meaning and diverse hues and colors. Basically, it is a concept of devolution of power and sharing of decision making authority between at least two, if not more, institutions of governance.

Nepal has a long experience of local self government concept but they were not given adequate economic, legal and other powers. After the promulgation of local self governance act in 1999, local governments were also given quasi judicial and economic rights. The new decentralization schemes also put all central level district offices under District Development Committees.

Although the interim constitution has not made any provision in the process of state restructuring, it was incorporated following sudden outburst of violent agitation in Terai. After the first amendment of interim constitution in April 2007, the country has turned into a federal country.

An Opinion Poll conducted by Interdisciplinary Analysts in March 2008 revealed that over 66 percent of population have not heard about unitary or federal system. The report found that only 23 percent of respondents had heard about unitary or federal system. The report said that majority of Nepali people still have not heard about the terms.

According to India's prominent constitutional lawyer Dr. Abhishek Singhvi, no single test may yield a satisfactory sub-division in a multi-ethnic, multi lingual and multicultural society like Nepal.

But inside Nepal, the debate on criteria has not been seriously carried out yet. Can Nepal cope with 9 autonomous regions as proposed by Maoists or one Madhes one Pradesh by Madhesis? There are several such tricky questions.

"None of the political leaders and their organizations have any concrete idea on federalism and devolution of power. Donors from western democracies have been helping several NGOs create awareness



Rural Population: Unaware of rights

about federalism in the ruling leadership as well as opinion leaders of the country," said a political analyst. "But the politicians don't have time to think seriously these things and their main concern is to be in the forefront of leadership at the cost of others and to get upper hand in exercising state power. None of the seven party leaders have any concrete idea about the shape of the future constitution and ingredients of restricting the state into federal units."

In fact, that is the real task of any political party contesting for power. All those superfluous and high sounding slogans were there to arouse the mass support in their favour. They will continue doing that just for the sake of power not for their materialization.

Economic Study

At a time when Nepal has been facing several economic challenges, nobody has any idea how federal states will deal with those issues. Given the limited resources and competitive market, there lies a major economic challenge of distribution of resources as well.

Under the support from DFID (ESP), Society for Constitutional and Parliamentary Exercises (SCOPE) has recently conducted a study on fiscal aspects of federalism in Nepal. Prepared by former vice chairman of National Planning Commission Dr. Shankar Sharma, the paper intensively studies Nepal's fiscal system and its current trends on the basis of fiscal year 2063/64.



CPN UML Leadership : In search for solution

According to the Economic Survey of 2063/064 (2006-07), the government collected total revenue of Rs. 72.28 billion in fiscal year 2062/063; Rs. 57.43 billion as tax revenue and Rs. 14.85 billion as non-tax revenue. Out of this, Rs. 15.34 billion were collected from custom duties, Rs. 28.11 billion from VAT and Income tax and 21.8 billion from land and registration fees, respectively.

According to Dr. Sharma, among the collections of revenue, Kathmandu had the highest contribution with 41.2 percent of total revenue generation. Parsa which includes the Birgunj custom contributed 24.8 percent and Morang, Rupandehi and Jhapa collectively contributed 14.2 percent, while Sindhupalchowk and Lalitpur and other 68 districts contributed 14.8 percent.

Nepal's total revenue including local and national is Rs. 76.81 billion. National



Exchange of letter : Restoring rights

revenue occupies Rs 72.28 billion or 94.1 percent whereas 58 District Development Committees collected Rs 1.64 billion or 2.1 percent, 58 municipalities collected Rs. 0.94 billion or 1.2 percent and Rs 1.95 billion or 2.5 percent were contributed by 1068 village development committees.

Running Federalism

"Nepal has the potential to developing specific industries compatible with geographical situation and also developing itself into a trade and transit bridge between India and China across the Himalayas. But what that would depend upon is the nature of Sino-India relations," writes S.D. Muni in his article.

For a country which was unable to implement the decentralized local governance for such a long time, how it will implement the federal state remains to be seen.

"The demand for autonomy and federalism is a recent phenomenon in Nepali politics. Although Terai Congress in the 1950s had claimed for Terai Autonomous State, its leaders could not stand on it," writes political scientist Krishna Khanal. "People too have strong belief in democracy. Federalism is not a panacea to all ills. The success of federalism will much depend on the present and successive political leadership. It is expected that entry into federal structure will open chances for new leadership."

Taking Nepal's specific geographic

and socio-economic context into consideration, the regions need to be complementary to each other's existence. Hence, the cooperation between the regions and communities is imperative. Federalism based on ethnicity alone would not address the issue of proportionate sharing of power and resources."

Country of Minorities

According to a study, there are 101 ethnic and tribal groups in Nepal. Of the 75 districts of Nepal, Chhetris are in majority in nine districts, Magar Tharu, Tamang, Newar and Gurung are majority communities in 14 districts. Among the hill caste and ethnic groups, they are in a majority in 28 districts, while the Madhesi communities are in majority in 8 districts.

"Madhesi Pradesh which is heterogeneous in ethnic, demographic and linguistic considerations can hardly form a single unit. The Tharus of western and inner terai and plains don't like to be a part of the single Madhes Pradesh because of their own desire for a separate Tharuwan Pradesh. Similarly, the people of inner Terai-Bhawal where a sizable hill people reside may not also easily agree to form a single Madhes Pradesh," said Dr. Lok Raj Baral in his article Nepal as a Federal State.

Although Madhesi leaders claim that their area is heart land of Nepal's economy, it is not completely true. Its contribution to the national economy is comparatively lower than the hills. However, the overall investment in terai is much higher than in the hills. From irrigation to roads and other projects, terai consumes large amount of development expenditure.

Hill generates resources through remittances, tourism and hydro power and consumption. Even the revenue generated in custom points in terai is consumed by the population of hilly region. For instance, the goods imported to Kathmandu contributes to over 60 percent of revenue generated in Birgunj Custom.

From infrastructures to all other facilities, the government annually spends huge amount of money in terai. Unlike in the past, Kathmandu valley is gradually becoming the major center for foreign trade as most of the import based garment, carpet and pashmina industries are

now located in Kathmandu. Before 1990, many industrial hubs which were established in terai region with an intention to export the goods are not in operation now.

But the Madhesi leaders have claimed otherwise. "Madhes is the industrial and agriculture belt of the country. It contributes 72 percent of total GDP but it gets only 12-18 percent of the development budget. The largest trade revenue of the country comes from Madhes," writes Nepali Congress leader Amresh K. Singh in his article restructuring the Nepali State: Madhesi perspective. "Madhesi population want to have its own identity. In past and even today, they are being divided and exploited. Madhesis now want to get united as one major group in the country and ask for their rights to be treated at the same level as others."

The reality of Nepal, however, is that this is the country of minorities and they need to live together harmoniously if they want to survive as prosperous, stable and independent nation.

"Taking Nepal's specific geographic and socio-economic context into consideration, the regions need to be complementary to each other's existence and hence cooperation between the regions and communities is imperative. It can also be called cooperative federalism. Nepal's cultural, ethnic and regional diversities should be taken into account while finding out the rationale of federalism," said Dr. Lok Raj Baral.

The question now is will Nepal sustain the federalism and, more importantly, are the political leaders who hold centralized power willing to devolve their power to the state. Given Nepal's geo-strategic location, the challenge for any system, whether unitary, federal, monarchical or republic, will be how to adjust with the security interests of two big neighbours.

Bolivian Experience

At a time when Nepal is preparing to write a new constitution through elected Constituent Assembly (CA) and debate on federalism has heated up in the country, a tiny land-locked nation of South America is also struggling through the similar process.

A constitutional expert Dr Bipin Adhikari draws parallels from Bolivian experience, which are relevant to Nepal.



Highway in Terai: Booming economy

"Nepal's advocates of federalism should be able to know why Bolivia which has also drafted a new Constitution through the Constituent Assembly convened in June 2006 has not been able to enforce it right away," said Dr. Adhikari.

"The overwhelming recent vote in favour of autonomy in Bolivia's richest province called Santa Cruz has strengthened the challenge to the reforms being ushered in by the government of President Evo Morales. Exit polls indicate that 85 percent of voters in this eastern province which is mostly inhabited by the European (Spanish) immigrants than indigenous descent backed the autonomy statute in May 4 election, which was declared illegal by the national government and the electoral authorities. The highly polarised South American country is caught up in uncertainty as to what will happen next," Dr Adhikari added.

Bolivia is basically divided between the western highlands, home to the impoverished indigenous majority, and the much wealthier eastern provinces, which account for most of the country's natural gas production, industry, agribusiness and gross domestic product. The autonomy movement is spear-

headed by the interests which are not sympathetic to the indigenous people most of whom live in appalling poverty.

Dr Adhikari further pointed out, "The autonomy statute in Santa Cruz and similar referendums planned in other lowland provinces is the question of control and use of natural resources like natural gas, farmland, iron ore, water and forests. This statute would give the province the right to elect its own legislature, create a separate police force, and negotiate its own contracts with foreign oil companies. It would also block the central government's agrarian reform efforts aimed at curbing the heavy concentration of land ownership and distributing idle land to landless indigenous peasants from Santa Cruz and other provinces."

"In fact, the proposal for other categories of autonomy — regional, indigenous, and municipal — set forth by the constituent assembly led to a break between the eastern autonomy movements and the national government. The country is losing its strategic and richer provinces very soon because it has not been able to contain their temptation to breakaway due to so many national and international reasons." ■

GURKHAS LOSE A CASE

A New Battle

Three former Nepalese Gurikha soldiers loses a case file in British high court

BY A CORRESPONDENT

Three former Nepalese Gurikha soldiers in the British army on Wednesday (July 2) lost their High Court challenge over their pension deal which they said left them struggling to survive, reports Agence France Presse (AFP).

The case was the latest in a series of legal battles over the rights of Gurkhas and the ruling will affect thousands of the Nepalese troops. The case related to an offer made by the Ministry of Defence (MoD) in March last year to transfer pensions benefits from the far lower Gurkha Pension Scheme (GPS) into the more mainstream Armed Forces Pension Schemes.

The MoD offered to transfer the value of the GPS pensions into the AFPS for periods of military service after July 1, 1997 - when the Gurkhas' base was moved from Hong Kong to Britain.

Lawyers for the trio argued that unfairly prejudiced older retiring Gurkhas, saying the years of service of those who signed up before that date but retired after were valued at between 24 percent and 36 percent of British rates. Rejecting their application for judicial review, judge Duncan Ouseley said the MoD had acted reasonably.

"If there was indirect discrimination on the grounds of age, or 'other status', it was justified and proportionate," AFP quoted him as saying.

The Gurkhas who brought the case are all in their late 30s and were forced to retire early due to ill health. In a statement after the ruling, their lawyer Philippa Tuckman said they intended to appeal against the judgment.

"A Gurkha who has recently retired through ill-health caused by his service can still be 27 percent worse off than a UK comrade with equal service," she told AFP. "A Gurkha, medically retired last year with 17 years' service, will get just over 4,650 pounds (9,255 dollars, 5,845 euros) a year. A British soldier in the same



position would get about 6,400 pounds. "This money is meant to be lived on, and in this country. Where a man's headquarters were based years ago is no more than an administrative detail. "Gurkhas have served in the theatres of war, in danger and in hardship. They should be valued for it, not penalized."

In a statement, the Ministry of Defense welcomed the court's ruling that the recent pension transfer offer was "fair and reasonable". "The transfer offer has resulted in a take-up of nearly 100 percent of serving Gurkhas transferring," it added.

Thousands of Gurkha veterans demonstrated in London in March and about 50 gave back military medals in protest at "disgracefully low" pensions and the fact they do not have the automatic right to live in Britain. Nepalese Gurkhas have been part of the British army for nearly 200 years and around 200,000 fought for Britain in World Wars I and II. More than 45,000 have been killed serving Britain. Around 3,500 Gurkhas currently serve in the British army. ■

Agencies Warn Aid Suspension

The International Organization for Migration (IOM), the UN High Commissioner for Refugees (UNHCR) representation in Nepal and the UN World Food Programme (WFP) in joint statement Tuesday (July 1) warned that continued intimidation and attacks on IOM might eventually have consequences on all program delivery for refugee operation - not just the resettlement process.

The statement came a day after the bombing at the IOM office premises and bus parking area in Damak. The three agencies in their joint statement termed the attack as an act of senseless violence. The three explosions caused minor damage to the office building but hurt no one.

The statement said investigations on the incidents were ongoing. "The IOM, UNHCR and WFP are shocked and outraged by this senseless attack which is aimed at undermining the humanitarian efforts by the UN agencies and the international community to aid refugees from Bhutan who have been through decades of suffering in camps in eastern Nepal," the statement read.

IOM, UNHCR and WFP also expressed serious concern as the incidents represent attacks on the international community and heinous crimes against humanitarian assistance and strongly urged all concerned parties to immediately stop such cowardly attacks. "It is the free choice of each refugee and his/her family whether they would like to be considered for resettlement to third countries. Neither the individuals opting for resettlement nor the agencies facilitating this process should be intimidated or threatened," they said. ■

“We Will Even Go To The Extent Of Mass Resignation”

- Rajendra Mahato

We are carefully studying various aspects of the fifth constitutional amendment bill and the supplementary bill in their words and spirit.

President of Nepal Sadbhavana Party (NSP) **RAJENDRA MAHATO** is one of the prominent leaders of Madhesi agitation. Amid the high voltage political drama surrounding the deadlock at Constituent Assembly, former minister Mahato spoke to **SPOTLIGHT** on Tuesday evening after the seven parties proposed latest supplementary bill on constitution amendment in order to placate Madhesis. Excerpts:

How do you see the new bill for the constitution amendment?

There are still many lacunae in it. The three major parties have not recognized our demand of one Madhes one Pradesh. Although seven party alliance signed the agreement with us in March accepting our demand for autonomous Madhes, they have betrayed us now.

What would you do at the CA meeting, then? Will you allow its proceedings?

Despite our disagreement with the new bill, we will allow the proceeding of CA since we don't want to make it hostage for such a long time.

You said your demands have not been included in the new bill. Do you plan to present amendment?

We are carefully studying various aspects of the fifth constitutional amendment bill and the supplementary bill in their words and spirit. I have not seen anything new in this bill from a lay man's perspective.

If that is so, why are you going to allow the proceedings of the CA?

That is for the time being. If seven party fail to address our demand, we will take our demands at the CA as well as in the street. This right is reserved with us.

As seven parties - which holds two third majority in the CA which is necessary to amend the constitution - have already indicated that they have limits for your demand, do you still expect that they will add your demands in the future constitution making?

They have to include one Madhes one Pradesh in the new constitution since leaders of seven parties have already publicly expressed their commitment on the agenda.

In case they don't include your demand, what would be your reaction?

We will go for agitation again and we will bring terai to standstill. If this CA is just going to be a rubber stamp of seven parties, we will even go to the extent of mass resignation.

At a time when you have been demanding one Madhes one Pradesh, Tharu communities have launched agitation opposing it. What do you say?

Tharus are also part of our Madhes as there will be equal treatment for all. All the residents of terai including Madhesis are exploited by Khas of hills. We want to end centuries-long colonial rule of Pahadis in Madhes. Majority of Tharus are with us and a small community which are instigated by Khas are trying to sabotage our demand of one Madhes one Pradesh. We will convince all Tharus that autonomy of Madhes will benefit all of us.

Some leaders of seven party alliance have been saying that your demands are directed towards secessionism?

Our initial demand is just for autonomy for Madhes. We want to remain as a part of Nepal. Actually, CPN-Maoist is the first party which pursued the right of self determination for all the communities. If they can pursue autonomy with the right to self determination to other hilly region, what is wrong in our demands? Leaders of seven political parties are hypocrites who don't want to devolve power. We want our own police, judiciary and executive in Madhes, which will take care of the plight of Madhesis.

Many other Madhesi political leaders who secured victory from terai are also saying that your demand of one Madhes one Pradesh is another form of centralization of authority in terai. How do you look at it?

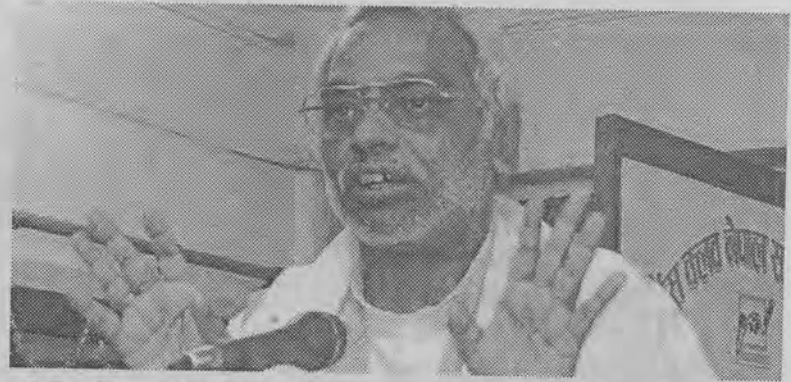
I have already told you that there are some elements in Madhes who are lured by the sweet words and slogans of Pahadis. We have already told them that there will be autonomy within terai for all other groups.

How hopeful that your demand of one Madhes one Pradesh with complete autonomy will be fulfilled?

This is aspiration of people of Madhes. This must be met if Pahadi rulers want to retain the present shape of Nepal.

Your demand is very close to independent status for Madhes, are you also walking along the line pursued by some armed groups who are demanding independent terai?

We will be compelled to think in that line if seven party leaders don't agree on autonomy. Once you launch the agitation, nobody can predict its consequences.



“There Does Not Exist A Single Madhes In The History Of This Country”

-Ram Chandra Jha

CPN-UML leader **RAM CHANDRA JHA**, who was elected from Dhanusha, has been opposing the idea of one Madhes one Pradesh. Jha argues that the one Madhes one Pradesh is a concept to impose another form of centralization of power in terai. Jha spoke to **SPOTLIGHT** on various issues regarding the recent debate. Excerpts:

Even though you represent the Madhes region, why do you oppose the concept of one Madhes one Pradesh being advanced by other Madhesi parties?

Of course, I represent Madhes at the CA just like many other friends represent Pahad and Himal. My difference with the demands of one Madhes one Pradesh is purely political. This is another form of centralization of power like what Nepal state witnessed in last 240 years under Shah Dynasty. There are various ethnic, linguistic groups in Terai-Madhes. By pursuing this demand, some of our friends from terai want to be new Prithvi Narayan Shah. There does not exist a single Madhes in the history of this country.

But, the three Madhesi parties have been claiming that Madhes has a long history of its existence. How do you look at it?

There were Maithili Pradesh, Bhojpuri Pradesh, Awadhi Pradesh and Tharuhat. But there was no single unit of Madhes. This is just a political propaganda of some of the regional leaders – some of them even have lost the election.

Pro-Madhesi leaders accuse the politicians like you for discrediting the genuine demands to liberate the Madhes from centuries-old exploitation of Pahadis?

I am not discrediting anyone. I contested the election from inner Madhes and people voted me to the CA. Had my views been against the wishes of people, I would have been defeated. I want Maithili State not Terai-Madhes. This was what I was voted to pursue.

Madhesi leaders of three regional parties are saying that they will file their resignation en masse in case their demand for one Madhes one Pradesh is not met? What will you do?

I will continue as a member pursuing my convictions regarding various autonomous states including Maithili Pradesh. It will set a very wrong prece-

dent if they walk out en masse and such move will help nobody. I think it is just a political threat to press other political parties.

Leaders of three Madhesi parties claim that they have overwhelming support in Madhes for their cause. How do you look at it?

Everyone has the right to interpret the mandate in their own way. Although our party has badly lost the election, we still secured the largest number of votes in terai. Our voters' strength is much higher than any regional party.

How do you see the possibility of disintegration of Madhes?

Some may wish it. Overwhelming majority of Madhesis are patriotic and they feel proud to be identified as Madhesis of Nepal. I feel proud to be Maithili.

What would be your proposition for the federalism in Nepal?

Nepal should be divided on the basis of its language. As all of us know, there exist Maithili Pradesh and there are large section of people who have their culture, language and traditions. Similarly, Tharus have their own traditions and culture just as Bhojpuris and Awadhs. I don't see any possibility to centralize the power in the name of Madhes.

But, the leaders of Madhesi parties have been saying that they will not budge from their demands?

They will slowly and gradually realize the reality. As they don't have a strong political base, they want to keep this slogan as a spring board.

What does a national party like CPN-UML needs to do about this issue?

National parties need to bring effective programs to address the Madhesi issues permitting more Madhesis in decision making process in the government as well as in the party. Proper environment should be created to show that there is no more discrimination.

Don't you feel lonely when you are taking a different stand than other colleagues from Madhes?

This is just a temporary phenomenon. In the long term, we have to live together with rest of Nepal. For the leaders of Madhes, this kind of demand will have short term gain but in the long term it will have dangerous consequences. ■

Nepal should be divided on the basis of its language. As all of us know, there exist Maithili Pradesh and there are large section of people who have their culture, language and traditions.



River pollution : Harmful effect

PHILANTHROPY

Volunteerism Matter

An initiative of two foreign youth volunteers to resolve the miseries of the displaced people

By A CORRESPONDENT

Ever since the political situation of Nepal has exacerbated, the number of convoluted societal issues namely- poverty, unemployment, child labor too has alarmingly increased. Thanks to these miseries, the influx of foreign aids and resources into our country, for the abatement of this cause has escalated dramatically.

Quite analogous to this context, two foreign youth volunteers are currently working as active 'crusaders' against social miseries, availing in the capital city of Kathmandu.

Israeli Zakee Aleem, 24, graduated from Wesleyan University in the U.S. with a major in International affairs and Hizarg Kenan, 22, a Syrian

national. Both of them speak English and Hebrew very well but manage their way out from the locals here with their broken Nepali accent. This disability has not deterred them yet, from their active involvement in these social service activities.

Their recent project is concentrated along the shores of Bishnumati River in the locality of Balkhu. Although this small piece of land belongs to the government, large numbers of migrant workers - estimated 1200 - have illegally inhabited this area.

Many attempts have been made to evict them, but all in vain the shorelines are swarmed with temporary dwellings- made up of wood and ram shackled rusty-tinned roofs covered with plastic sheets - that are flooded

every year by the monsoon rains. The dire poverty surrounding this place is quite well reflected as one passes through the potholed streets lined with open sewers, holding breath against foul stench diffused by islands of garbage, floating restlessly on the murky river.

The sanitation and hygiene of people is seriously deteriorating. The denizens here have no provisions for waste management, electricity or potable water. Consequently, the slum has become a breeding ground for mosquitoes, flies and scavengers, providing safe haven for communicable diseases like Cholera, Malaria and Tuberculosis. Mass Screening Camps conducted by the health officials of Nepal Red Cross Society, revealed nearly 79 patients of Cholera and 36 Tuberculosis ones for the month of May. Since these diseases can easily be transmitted, such cases are expected to rise in the next few months.

Zakee and Hizarg have been conducting health camps every month in this area, in association with The Red Cross Society. However, no improvements have been observed, as the locals then were blindly relying on ORS (Oral Dehydration Solution) sachets and trusting the efficacy of capsules being provided to them. Now the team has comprehended a loophole in their agenda. Hence, they are now focusing more on the root causes, trying to eliminate them through practical and cost-effective remedies.

With much of the allocated funds already utilized in health screening camps, the team is still daring to install water filter jars in every tenth house- to be shared amongst the members of the assigned family groups. Construction of ground water pumps and wells is underway with the help of the occupants here. This has been

done to prevent contraction of diseases by the usage of infected river water. A new committee has been set up, comprising of the locals themselves; that monitors and regulates various sanitation and cleanliness program throughout the community. Moreover, health awareness camps are also being carried out every six months.

It is still a matter of irony, however, that despite all these spear-headed and relentless efforts, the team seems to have lost much more than what they have gained so far. Now, the people heavily rely on the funded resources. They have developed a laid-back attitude and a dependent mindset.

Much of the earmarked funds for future projects are now being coughed out to re-fulfill the increasing demands for new water jars and medicines. For the worse, the team itself has come under the scrutiny and allegations of the police officials, for promoting illegitimate settlement.

Confused by this conundrum, Zakee laments, "What else can we do? As we have reached so far, many hopes of the locals here are beamed on us. We need to consider the plight of these poverty-ridden, helpless migrants. Since the Nepalese government is quite lethargic with such issues, seemingly, the responsibility of their rehabilitation is likely to be in our hands even though our financial reserves are depleting now. The same government is nagging on us and expecting us to quit all our activities!

However, Inspector Hari Baral bleakly states, "We have no such intentions of disrupting their relief programs. Our only concern is that a legal consensus has to be reached between them and the government officials." To some extent the statement of Inspector Hari is quite justifiable. Instead of having let the population to thrive in such a prohibited



Growing population : Pressure on water

and polluted land, the volunteers should have initially pondered on the issues of re-habilitation and re-settlement of the migrants, to a different but a safer place. Then, an accord could have been signed, unanimously by both the factions (the government and the team) ultimately leading to a lawful as well as philanthropic relief program.

But, again it wouldn't have been as easy as it sounds now, in a debate-

torn country like Nepal. In fact, everyone would agree that the project could have taken years to materialize if the relief program had been carried out in the aforementioned manner. But let me remind you again, it is due to the lack of such a pressure from our side that the government has always remained apathetic to these issues....

Gautam is a student of Malpi Institute

Book

Legal Manual

This encyclopaedia is going to be helpful for those foreign lawyers who want to know about Nepal's law of contract

By A CORRESPONDENT

At a time when the market is more globalized and there is inter-dependency among the nations of the world, one needs to know about the legal systems of all parts of the world regarding the legal concepts, financial and common laws of particular countries.

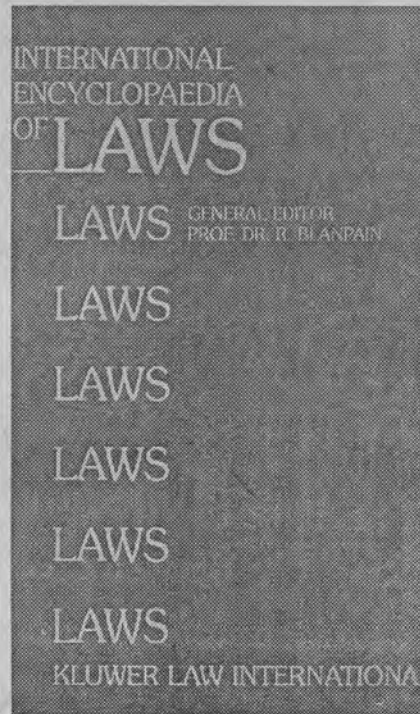
Like the countries around the world Nepal, too, is experiencing rise of global business. From tourism to other international business, Nepal is a part of global economy and there are hundreds of multi-lateral agencies, non-governmental organizations and business groups who have been working in Nepal. Many new ventures are coming to Nepal.

The first and foremost thing for all these organizations will be the need to know about the legal system of Nepal and laws of various forms.

Written in Nepali and evolved under its indigenous system, Nepal's legal system has its own long history.

From calendar to legal codes, Nepal has its own system. As there is a greater requirement of a book to help others understand our law, two prominent lawyers Pravakar Adhikary, who holds an MCL from University of Delhi and an LL.M. from Columbia University, New York, and Kishore Uprety, who holds a Diploma in Etude Superior and a Doctorate from the Sorbonne University Paris, have contributed Nepal's legal system for the encyclopaedia.

Compiling all the legal and constitutional system of Nepal, the authors duo help those who would like to know Nepal's legal system. "Nepal follows a unique calendar system (referred to as the Bikram Sambat) which correspondingly is 56 years 8 months and 16 days ahead of the Gregorian calendar system. This explains the confusions often emanating from the reference to two including Gregorian



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Although Nepal has a long history of exposure to west, it is the only country in south Asia, which follows different legal system evolved through last many years. Some of its civil code laws are more than a century old. For foreigners from western world, it is not easy to understand the legal system of Nepal.

"This monograph is intended for the use of foreign lawyers desiring information about the Nepalese law of contracts. In order to assist readers unfamiliar with the few unique legal concepts, occasional comparisons with the common law or continental law have also been added, but only to the extent necessary," authors writes in the preface. "As such the scope of this monograph remains narrow and focused. It is important to note that there is a real dearth of writings and publications on the Nepalese law of contracts and therefore in writing this monograph, we have been forced to rely extensively on primary sources and to draw from only a small stock of secondary sources. We hope that the readers will benefit from this monograph but scholars will continue to pursue further research on and about this topic."

Divided into several chapters, this monograph gives insight into overall legal system of Nepal. The first chapter consists of geography and economy, which includes the physical and cultural geography and economic characteristics of Nepal. The second topic talks about the Nepalese legal family which consists of the history of the Legal code and Customary Law.

In the third chapter, the author duo discuss the law of contracts in Nepal describing contracts in general highlighting the economic, social and cultural values. They also discuss government contracts and contracts financed by bilateral and multilateral agencies and general scheme of contracts.

In their short series on Nepal, lawyers Adhikary and Uprety critically analyse and discuss the judicial system of Nepal and contracts, specific laws and all other important aspects of Nepal's legal system.

This book is very helpful and informative to understand Nepal's legal system particularly the contract laws for those who want to do business in Nepal.

“We see there are people (behind the curtain) who are delaying the formation of new government. The current deadlock reflects that conspiracy.”

Dr. Baburam Bhattarai, senior Maoist leader, on the current political deadlock over Madhesi issue.

“We are very clear that the demand for single Madhes province is not acceptable.”

Jhal Nath Khanal, general secretary of Unified Marxist Leninist (UML), talking to reporters.

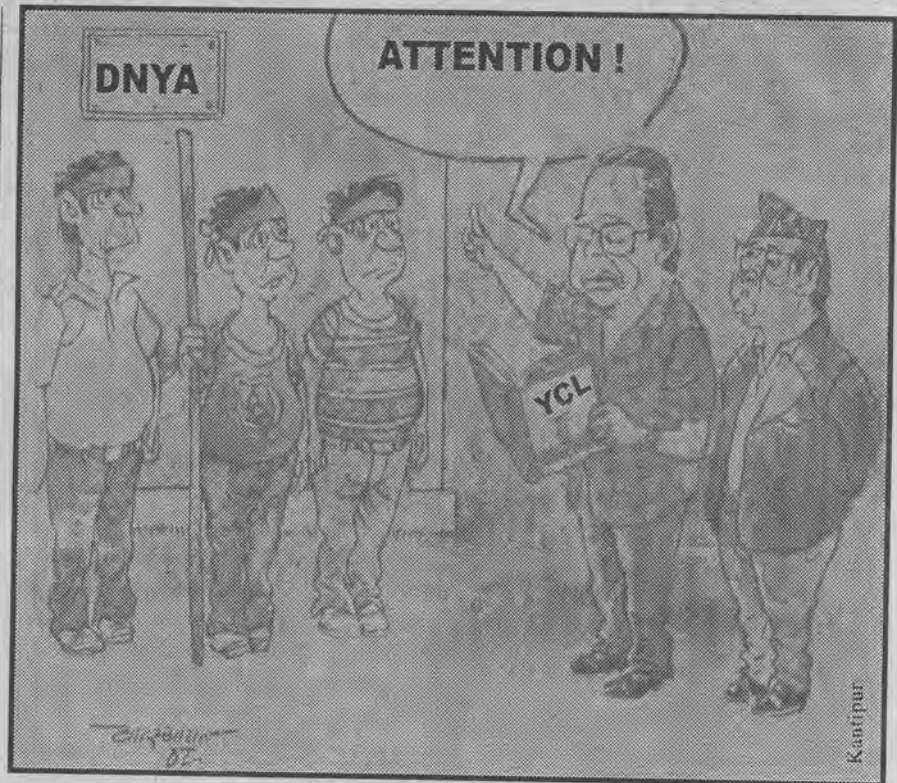
“The government and the seven parties have betrayed the Madhesi people.”

Upendra Yadav, coordinator of the Madhesi Janadhikar Forum (MJF), blasting the government decision of introducing supplementary bill to amend constitution.

“We will counter their (government and seven parties) every move.”

Mahantha Thakur, chief of Terai Madhes Loktantrik Party (TMLP), expressing dissatisfaction over the decision of the seven parties, in Kantipur.

“The demand of the Terai-based parties for inclusion of the phrase ‘Madhes as autonomous region’ and ‘group entry’ of Madhesi in the draft of the supplementary constitution amendment bill is not legitimate.”



Pradip Poudel, president of Nepal Students' Union (NSU), a student wing affiliated with Nepali Congress (NC).

“It is not very hard to understand that the main aim of this political blackmailing is to downplay the identity and existence of the indigenous communities living in Terai and turn them into Madhesi.”

A statement issued jointly by thirteen different organizations working for the welfare of the Tharu community including the Tharu Welfare Assembly (TWA).

“The political landscape has changed irrevocably, but the old parties have not woken up to the new realities.”

Rhoderick Chalmers, International Crisis Group's South Asia Deputy Project Director, in a recent report.

“If the trend (of declining exports) continues, in the next year we may not be able to purchase even petroleum products from the income from our exports.”

Rameshwore Khanal, Finance Secretary, speaking at an interact at Reporters' Club.

TRANSITION

LEFT: Paras Shah, ex-Crown Prince, for Singapore.

DECLARED: The Shital Niwas, the current seat of Foreign Ministry, will be transformed into Presidential Palace, by the cabinet.

NOMINATED: The 26 remaining members of the Constituent Assembly (CA), by the cabinet.

EXTENDED: The tenure of United Na-

tions Mission in Nepal (UNMIN), by six months after its present tenure expires on July 23, by the cabinet.

RECOMMENDED: Hike of salaries and allowances of government employees by 20 percent, by a chief secretary-led committee formed to review the salaries.

SWORN IN: The twenty three new members of Constituent Assembly (CA), who have been nominated by the cabinet, have been sworn in. They include

Mahantha Thakur, Nilambar Acharya, Narayankaji Shrestha, Hari Rokka, Radheshyam Adhikari, Rajendra Khetan, Indra Maya Gurung, Kamala Pant, Ngima Lama, Pasang Sherpa, Bhagwati Chaudhary, Shila Katila, Bhupendra Chaudhary, Mahesh Chaudhary, Ikbal Ahmad Shah, Sher Bahadur Pahari, Shyam Sundar Gupta, Sabina Baram, Sushil Chandra Amatya, Chandralal Meche, Jagat Bahadur Tajpuriya, Jagge Bahadur Shahi and Harilal Thapa.

EXHIBITION

Seasonal Moods

Artist Sagar Manandhar expresses his feelings on the changing moods of seasons

By A CORRESPONDENT

The nature is changing as shown by the faces of the seasons. The differences in winter and summer and monsoon are felt by one and all but only a few can grasp the change and display the feeling through artwork. The artists, poets and writers are the persons who enjoy looking at the change in the nature and are able to describe them vividly.

Artist Sagar Manandhar carefully depicts this very phenomenon through his brush and paintings. Exhibited at Q Art Gallery at Baryo Fiesta, Naxal from July 1, the exhibition depicted the various seasons of nature and its implications

on the nature.

"Through the vibrant colors in the paintings, I am trying to emote my feelings. These collections, which are based on abstract pieces, have bright colors. To describe a season is very difficult and complicated matter as the color of nature changes time to time. From summer to winter and autumn to spring, one can find all kinds of change in the nature.

However difficult it looks, the artist is able to mix the colors in the art as per his feelings. The combination of colors used by the artist helps bring to life the change in the nature. One of the basic



things about Manandhar's art work is that he has used both contrast and different shades of the same color in his works.

Along with using colors, he also includes some etchings in his collections. These etchings are more about human.



PAINTINGS

Playing With Object

Artist Saroj Kushwaha portrays images of various objects

By A CORRESPONDENT

Some artists paint on the object and others set their eyes on nature; some focus on human emotions while others on life. Various painters have their own ways of describing the situation.

Artist Saroj Kushwaha too has his

own way of portraying. In his solo art exhibition, Kushwaha expresses his feelings regarding objects to signify something else.

His paintings are based on his own imagination and conceived images

through his internal frame of mind. He then grasps the meaning and purpose of objects and this, in turn, helps him manipulate the images on the canvas.

Inaugurated by French ambassador Gilles Henry Garault at Park Gallery Pulchowk, the paintings are very interesting to watch. His solo exhibition titled *Absence of Objects* has meanings and imaginations. Expressing the inner feelings though the object is itself a very challenging task. However, Kushwaha has done it well. "For me an object is the key to the mystery of life. The more we understand, more we can reach closer to the object," said artist Kushwaha.

Most of his paintings are large in size and he also has two creations comprising of four and five panels. "I have done this to bring design to my paintings," said Kushwaha. His portrayal seem realistic.

From green to reddish orange to black; Kushwaha has used vibrancy of colors in the background.

The exhibition will continue till July 15.

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