

The Telegraph

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Nepalese are fools and so brave and vice versa

We will not improve for the better is perhaps the inner psychology of the Nepali leaders in particular and the lay men in general.

This is our experience and hence could be brought under ruthless debate.

After witnessing various experiments of all the available systems functioning across the globe we have finally come down to the republican order. What's in a name if the beauty contained therein the system as such is summarily disregarded. Thus Nepal has obtained the distinction of being a place for several experiments that earnestly began with the Nehruvian doctrine as back as in the early 1950s. We as an obedient student of Nehru took his sermons and instructions for granted and still been practicing the same. We don't want to pain the departed Indian soul. Hindu phenomenon.

It is not that Nepalese were not happy with each changing whimsical systems. They are happy because the entire Nepali breed is a "peace loving" lot and thus they easily adore any system which they are either imposed or even told by some "invisible" elements to accept in part or whole. It is these qualities that have made us different in the comity of nations. We are brave because we are fools and we are fools because we are brave Gurkhas, so had said the versatile poet Bhupi Sherechan.

When he said so then it must be so. And it is so. No wonder that we have still been copying to what this legendary poet had penned in one of his best poems prior to leaving this material world long time back.

Our salute to the kind Nepali soul that he was.

No wonder we will not advance ourselves.

In the process we will tear apart the nation and loot the nation so that the generations to come will enjoy their best and will have not to dwell in the foot path wearing rubber slippers. The system we have brought is nothing for the better of the teeming millions who have well been recorded to be below the poverty line. We damn care the poverty stricken people. We will continue to ignore the plight of the national population scattered across the country. We will beamingly bear with the continued load shedding problem and even not mind if the power-cut drama is extended beyond twenty four hours. We are a peace loving population. We will encourage corruption to attain new and newer heights in the days ahead. Let some corrupts uplift their living standards at the cost of the national exchequer. We will allow these corrupt to roam free simply because they have remained, as they claim, instrumental in importing democratic order. When they have cared so much for the population then the latter must remain obliged for all the time to come. Once again the Hindu psychology.

For we the Nepalese, NOIDA or Kathmandu makes no difference at all. We adore both the places as the seat of learning wherefrom we learn political lessons and in the process also import alien ideas and put into practice to the best we can. Not to our national advantage albeit.

We are brave and that is why we are fools. We are fools because we are brave. We don't want to pick up because we don't have the intention to develop. We are Bahadurs and will remain and die as mercenaries.

King Tribhuwan was a brave man but he was a declared fool, many take him like that now after his death, as he bowed down to several demeaning proposals pushed to him by Shrew Nehru while in Delhi self managed exile.

Mohan Shumsher Rana was a number one fool but yet a brave one who signed the 1950 unequal treaty with India in order to save his regime from going to the dogs. Nehru made him a fool which the Rana understood later.

Nepalese are brave but yet fools or else why should we had been allowing the Indian intelligence operative to take part in Nepali cabinet decades and decades back.

Late Kishan jee too was a fool or else why he could have signed tentatively a sort of Treaty on June 10, 1990, to maintain the status ante quo that later lifted the Indian economic blockade on Nepal, if one were to recall. Rest in peace Kishanjee!

He was a fool because he was easily fooled by the then Indian regime in the name of change of the King's system.

Late Koirala, a self declared intelligent but a proven fool or else why he could have signed the Tanakpur treaty?

Secretary Damodar Gautam made Koirala a fool then and forced the latter to sign the Tanakpur treaty. Thus Mr. Gautam is a declared and proven fool but we have been told that he is yet a brave former bureaucrat and become a foreign policy expert.

His expertise can be guessed well in advance.

Bijaya Kumar Gachchedhar is tentatively a wise fool as he being a Nepali national appealed recently India to impose a blockade on Nepal. The height of modest foolishness.

A brave Nepali national telling the Goliath to penalize his own motherland. Terrible. Unthinkable even.

Nepal Maoists were made fool by the Indian regime and it was also the other way round. Both enjoyed being fools. The Maoists were encouraged to destroy their own country during the people's war and now the Maoists have taken an oath that they will tease India to the hilt.

The list may go long.

Finally, we are brave and so are fools and vice versa.

The hidden message is there. A word to the wise must have been enough.

THE LEGAL REGIME ON WATER RESOURCE AND THE WATER USERS ASSOCIATION - THE CHALLENGES - I

- SURYA NATH UPADHYAY

INTRODUCTION

The institutional development of Water Users Association (WUA) in a formal way dates back to the introduction of a new legal regime on water resource in the country. Much before the need to get a formal legal recognition, Water Users Associations did exist in an informal way. Such WUA was mainly based on shared interest and mutual benefit by cooperation. Farmers did not need to get a legal recognition. Their activity was based on understanding and tradition continued for generations. With the changing social relationships, competing demand on water resulted in the need for getting the water users a formal recognition. The WUA has to be formal entity in order to be able to establish a bank account, to own tools, equipments and other property, to get the grant and various kinds of technical assistance from the government for operation and maintenance of the irrigation system. By becoming a legal personality, the WUA could deal with any other entity formally as a corporate body.

The indigenous informal groups started to clamor for legal recognition as a corporate body. The government, on the other hand, started to realize that without the support and sharing of responsibility and partnership with the farmers, irrigation development through government agency without the support and partnership with farmer cannot go very far. Given the nature of the system and its requirements for sustained operation and management, farmers' participation was necessary for any irrigation project developed by the government. . .

Both, from the farmers' side as well as from the government side felt the need of legal regime to accord formal legal status to the WUA. However, such legal regime would not come in a totally new form. The provisions of the existing law was used for this purpose. The first WUA was registered in Syangja District Administration Office in 1978's under the Association Registration Act, 2034. This WUA was sponsored by Anandi Khola Irrigation Project undertaken by United Mission to Nepal an International Christian Missionary. Since then, there have been various changes in the legal regime of water resources as well as the laws which could accord legal status to such organizations like the WUA. Yet, the issues like ownership of water, the water right, the corporate character of WUA, their limitations etc. require more clarity, precision and reform for the growth of WUA.

As the country is in the process of being restructured into a federal system with sharing of state authority among the center, provinces and local governments, the issue of water right and the irrigation has taken a different dimension. Now, one needs to start looking at first the ownership of the resource and the interface between the WUA and the government.

The present legal regime to accord legal status to WUA

The present legal regime for constituting WUA and to accord it a legal status is being practiced in a variety of ways. There are competing jurisdictions being practiced by various agencies of the government.

Section 5 of Water Resources Act 1992, makes provision for constituting WUA. People, who want to use water resource for communal purpose, need to register users association at the government agency or with the officer as prescribed. The Water Resource

Regulation, 1993 has prescribed District Water Resource Committee as the agency for registering WUA. According to Water Resource Act, 1992, the WUA is to be a corporate and autonomous entity with perpetual succession. It may own, sell, mortgage or manage any movable or immovable assets or property. It may sue or may be sued in the court of law.

The Irrigation Regulation, 2000, on the other hand, prescribes different set of requirement for registering WUA. Section 3 of the irrigation regulation requires that the existing irrigation systems including the one which has been constructed and run by farmers independently are to be registered with the Irrigation Department. The irrigation regulation does not make provision for new irrigation systems which are to be constructed and run in the future.

The requirements for registering WUA are different in the case of District Water Resources Committee and the Irrigation Department. The District Water Resources Committee requirements are along the lines of a normal corporate entity whereas in the case of Irrigation Regulation the requirements are more specific and elaborate. For registering in the Irrigation Department, the WUA must include 33 % of women members in the working committee along with members of marginalized community, 67. % of the farmers would be from among the farmers whose farms fall within the command of the concerned tertiary or the main canal or a farm ditch. This regulation makes elaborate provisions regarding its rights, responsibilities, dissolution procedure and record keeping etc.

Beside the above provisions, there is yet another procedure that is being practiced in regard to the formation of WUA. WUAs can be registered under the Association Registration Act, 2034. This Act makes provision that any

Association which aims to promote the religious, professional, scientific, philanthropic, academic, cultural, economic activities can be registered with the Chief District Officer (CDO). The property of such Association will be transferred to the government on its dissolution. This type of associations is to adhere instructions of the government. They need to annually re-register at CDO with their annual audited financial statement. In practice, there are various methods being used for the formation of WUA in the case of Mohana Irrigation System in Kailali and Piparpati Parsuani Minor Irrigation system of the Gandak Irrigation, they were registered with the concerned District Administration whereas in the case of Panchakanya Irrigation system of Chitwan, WUA was registered with the District Water Resources Committee. The Management Transfer Agreements between the Irrigation Department and Hardinath and the Kankai Irrigation system do not specifically mention their legal personality. While there remains some confusion about the appropriate procedure and place to accord legal personality to the WUA, some people have argued that WUA could also be registered under Cooperative Act, as a co-operative institution or a non-profit company under the Company Act.

In the context of the existing

confusion, time has come to make it precise and clear. There are two ways to deal with these subjects. One way to deal with it is to treat the subject in a specific sectoral way while the other way would be to look at the subject in a holistic way. Water is a subject by itself. Irrigation or drinking water or any other kind of uses of water is sectoral. When it comes to the integrated approach to the use and conservation of water, one needs to look at the subject holistically. Water needs to be conserved, allocated and used in a way which could be optimal use of the resource. This can only be possible by managing it in a holistic perspective. Therefore, it would be much better if WUA could be registered at the District Water Resource Committee. It is not enough to have only legal personality. WUA must have the right to water. To accord that right, WUA must get permit or the license from the concerned officer. As per the legal provision of Water Resources Act, it is the District



managed irrigation system and for participatory irrigation purposes only. Under this circumstance, it would be doubtful as to whether they shall have corporate status or not. The above procedure for WUA registration, however seems to be one dimensional. The use of water is considered only for irrigation purpose. In the case of irrigation, WUAs may opt for multiple activities besides irrigation water management such as running an agricultural produce marketing or fertilizer supply etc. In such case, it may be registered

NATIONAL

Canal, Electricity and Related Water Resources Act, 1968 had required the user of water to obtain license from the government and tints be the holder of the water right. This provision was to be applicable only on the prescribed water by issuing a notification in the Nepal Gazettee. As no notification was issued, the provision of license did not come in practice for a long time.

Water Resource Committee which is to give, such permit or license. It is, however, understandable that WUAs which are to be constituted within the large government irrigation systems, the WUAs have to work along with the government machinery for allocation of water, maintenance of the system etc. Yet it does not and would not present any difficulty to accord legal status from one agency that is District Water Users Committee rather than many other agencies.

There are different ways that a WUA may be registered under the law. Yet, one has to ascertain which legal procedure is congenial to proper functioning of WUA. As each law is designed to attain a particular goal. The law sets out the regime to facilitate the attainment of the goal. In the case of WUA, the main objective is to facilitate the WUA for its growth and attain optimal management of water resource. From this perspective, it is the District Water

Resource Committee which should have the authority to accord legal status to the WUA. The provisions of the present Irrigation Regulation, 2000 may only be appropriate for an agency

under Co-operative Act. In the context of restructuring of state, the authority of the government may be devolved between the center, province and the local government. In that situation, it may be assumed that the present authority of the government will be shared by the relevant agency.

Canal, Electricity and Related Water Resources Act, 1968 had required the user of water to obtain license from the government and tints be the holder of the water right. This provision was to be applicable only on the prescribed water by issuing a notification in the Nepal Gazettee. As no notification was issued, the provision of license did not come in practice for a long time. Even if notification was issued in the case of some water resource, the law was not

practiced and made effective. Water Resource Act, 1992, annulled the earlier Act and introduced the concept of water licensing in a much broader framework. This provision is to be applicable to all water uses except for certain category of uses. The concept is that the Water Resource is owned by the State. Whoever wants to use it needs to have user right on prescription.

(To be concluded)

आफ्नो अधिकार प्रयोग गर्दा अरुको
 अधिकारप्रति सजग र सचेत हुनु
 असल नागरिकको कर्तव्य हो ।



नेपाल सरकार
 सूचना तथा सञ्चार मन्त्रालय
 सूचना विभाग

Of shadow Prime Ministers

The UML is in government. The UML is in Opposition. This is interesting. The UML must be a good manager then.

The UML was in government in the not so distant past. A section of the UML leaders were in the opposition. Difficult task but yet they managed very efficiently. Bravo.

Thus does mean that the UML party is the single real party in Nepal which has the capability of acting both at a time as a ruling and opposition set. This rare intelligence.

An exceptional example indeed.

We have been told that Madhav Nepal and K. P. Oli are themselves more or less like a government. They have the guts to form or break a government. One has to admire their inner political stamina. It is altogether a different matter that the intelligence this duo possesses is an imported one. They always speak their master's voice, this too we have been told. We have concurrently been told that Khanal and Prachanda are in government now. Some even claim authentically that it is not UML leader Khanal is the real Nepal Prime Minister but in essence

Comrade Prachanda is the de facto Prime Minister of Nepal. This does then mean that at times de jure is weaker than de facto.

Strange phenomenon indeed. May be Nepalese leaders copied this phenomenon from neighboring India.

For the public consumption, the handpicked one Dr. Man Mohan Singh is the Prime Minister of India. But in real sense, he is just the proxy of Mrs. Sonia Gandhi—the de facto Prime Minister of India, the Indian academia opines this fact if it were a fact.

Dr. Singh swings when he is told to dance by Madame Gandhi. This obedience. Deserves admiration.

So we can take it that Prachanda is swinging Khanal. Let's hope that Prachanda will continue to swing Khanal until his wishes and preferences are met with.

Then let us also presume that former Nepal PM Mr. Madhav Khanal too was being twisted by Dr. Singh as it was then in the run that Mr. Nepal was just a shadow of the Indian Prime Minister who himself continues to be the shadow of Mrs. Gandhi.

This speaks of Nepal-India brotherly relations. I think it is with this motive the Indian regime, as analysts Madan Regmi authentically writes, may have kept the border open. Free flow of ideas



SECOND IMPRESSION
N.P. UPADHYAYA

and politics.

Keeping the border open has several advantages. The Indian police have enjoyed the most from this open border phenomenon.

They enter into Nepali territories and brutally beat the bordering Nepali nationals. Had the border been a closed one, the Indian SSB and the Police may not have enjoyed that advantage to what they have now.

The idea to keep Nepal-India border open is the handiwork of an intelligent Indian brain. Nepalese ought to be beaten as they were meant for beating purposes.

Mr. Talwar and his family members in Delhi killed a Nepali

national Mr. Banjade from Arghakhanchi district because the dead one prior to being killed by the Talwars knew so many things of the murder of Ms. Arushi Talwar.

So may Nepali nationals await such killings and the Nepal government back home remains like a mute spectator.

Surprising is the fact that none of the declared messiah of the Madhesh community have so far condemned the beating of the MISHRA family in Sarlahi district. The beating was successfully carried out by the Indian police just the other day. Shame on us all. Shame on the government.

En Bref

Gacchedhar prefers Indian economic blockade, S. B. Thapa rejects

Kathmandu: "You can convince the Indian establishment to impose economic blockade in the country. We cannot topple this communist coalition until India imposes an economic blockade". Unbelievable but true.

This was Nepal's illustrious leader Bijaya Kumar Gacchedhar of Madhesi Janadhikar Forum reportedly urging Chairman Surya Bahadur Thapa of Rastriya Janashakti Party at a secret meeting held at Thapa's personal residence in Malligaun, Kathmandu, March 23, 2011. Quite expectedly Thapa immediately refused.

Thapa knows on how to defuse the irritations.

Gacchedhar continued, "India is not at all happy with the communist coalition. We must seek their support to topple this government." Thapa was quoted as saying, "I agree that if the communists continue to rule, the democratic order will begin shaking...but I do not agree on economic blockade".

Nepali Congress leaders Bipin Koirala and Arjun Nar Singh K.C. were also present at the meeting.

100 billion Rs consumed in the name of peace and new Charter: Thapa

Kathmandu: "Treating people like slaves while claiming that they were the masters of democratic order", said Kamal Thapa and asked "Isn't this a dictatorship".

"More than rupees one hundred billion plus have already been spent in the name of peace and constitution, the democratic system has been taken like a system of loot and broad-day light robbery".

"What have the people got, violence in the name of peace, dictatorship in place of freedom, economic crisis and uncertainly over constitution drafting", said Thapa while addressing a program in Sarlahi district, March 26, 2011.

The chairperson of Rastriya Prajatantra Party-Nepal, Mr. Thapa also warned that failing to draft the constitution on time will pave way for a communist dictatorship in the country.

But will the impending dictatorship, as stated by Thapa, make any substantial difference to the "peace loving" people of Nepal?

7 Point Deal, historical achievement for Nepal

Kathmandu: "Who cares if Nepali Congress is angry or not with the signing of 7-Point Deal between UML and Maoist, we should continue abiding by the agreed upon covenant".

So said senior United Marxist Leninists (UML) Leader Bam Dev Gautam while addressing a program in Butwal of Rupandehi district, Saturday March 26, 2011.

Mr. Gautam is taken as a half Maoist.

"Our Prime Minister had taken a great deal of risk by signing the 7-Point Deal. It is a historical achievement, we need to continue abiding by it, we cannot sideline the Maoists just the Nepali Congress is not happy with the secret pact", he said.

"He however, clarified that the 7-Point Deal is not aimed at polarization of the country the communist way. If that happens eventually one need to fear from such a polarization."

Gautam, however, did not mention the very status of the November 22, 2005 12 point New Delhi sponsored agreement.

It must have been a Himalayan deal.

UML-Maoists seven point secret pact a disaster for Nepal: Oli
Kathmandu: One senior United Marxist Leninist Leader terms the 7-Point Deal as a historical achievement, the other claims it is a disaster.

Munday Munday Matirbhinna...

Kathmandu: Senior United Marxist Leninist leader K. P. Sharma Oli claimed while addressing a program in Dhading District, Saturday March 26, 2011 that his party will never abide by the 7-Point Deal and thus will not bring the deal into practice.

Whom to believe, Bam Dev Gautam or Oli?

At yet another plane "brilliant" Oli opined that the Unified Maoists party would like to extend the Constituent Assembly tenure infinitely. They want to extend the CA tenure and continue to pocket salaries and allowances, said the UML senior leader who now represents extreme rightist views in Nepali politics.

More than Kamal Thapa of Rastriya Prajatantra Party-Nepal, is how the nepali analysts take Oli's current political stance.

Some even allege that his views were imported ones. Oli also advised the Unified Maoists' Party cadres to remain vigilant towards the activities of their party leaders. Said Oli, they talk different to leaders of other parties and provide totally different sermons to their cadres on different occasions. *Oli's fresh Goli.*

Nepal constitution drafting: All is well claims Prachanda

Kathmandu: Just 64 days remain at hand for drafting the constitution and two years already wasted without feeling ashamed, Chairman Pushpa Kamal Dahal of Unified Maoists' Party after a meeting of one of the constitution drafting committees in Dhulikhel, Kavre March 24, 2011, beamingly accepted that "for the first time open discussion was held between the committee members over several conflicting issues of constitution drafting".

So it was the first time that they expressed their inner feelings. Several meet thus hopefully remain to go deep into the matter. The process may take one more year. However, the perks will continue to enter into the pockets.

The meeting was organized at one of the resorts in Dhulikhel. No settling for less than Resort Hotels!

"Perhaps this is for the first time we held an open discussion", said a beaming Dahal as if he had scaled Everest.

"We agreed to draft a timeline and modality for completion of peace process. We held intensive discussions on the issues of state restructuring and federal model", Dahal told journalists.

The UML Leader Madhav Kumar Nepal told that the committee members have gained extra confidence and all had agreed that contenting issues could be addressed on time.

So the confidence building measure has just begun. Ram Chandra Poudel of Nepali Congress however, opined that A state restructuring commission as provisioned by Interim Constitution should be constituted.

"Without the commission, the task of state restructuring was impossible and it is not acceptable to Nepali Congress", said Poudel.

National Polity, Ethnicity, and Impunity

-- Bijay Kumar Rauniyar
Associate Professor, English Department, T. U, Nepal

Way back in late May or early June 1893, Mohandas Karamchand (MK) Gandhi (born October 2, 1869), a young Indian barrister to South Africa, was thrashed out by British officers or *Goras* from his first class compartment on the grounds that he was an Asian (Indian), colored, and colonized. It was a WHITES ONLY compartment. On return (1914), he turned a freedom fighter under the deified name of Mahatma Gandhi (a title conferred upon him by the great Indian-Bengali poet Ravindranath Tagore alias Kavi Ravi) and made British Government (popularly known as East India Company) quit India through non-violent means. It got independence at the cost of the division of a predominantly Muslim country, Pakistan, on August 14, 1947 which further split in a predominantly Bengali Muslim country, Bangladesh in 1971. In the midnight of that very day (August 15), India celebrated its own independence along with the pang of separation. That was not enough! A fanatic (!) Hindu, Nathuram Godse gorged bullets in Babu's frail chest only after five months that is on January 30, 1948, on the grounds that he was instrumental in partition. All he uttered was "Hey Ram" (Oh God) and lay in peace. But the volcano of violence erupted soon after. India reeled with communal riots. Brethren were picked and hacked brutally. Godse and his aide, Narayan Apte, were hanged. India suffered racial riot once again after the assassination of Indira Nehru Gandhi (title endowed on her by Mahatma Gandhi for her active role as a child during Freedom Movement) by her Sikh aide.

Martin Luther King, Jr. followed Gandhian philosophy of non-violence against racial discrimination in America and got rights for the African Americans. He, too, was assassinated. So did Nelson Mandela in South Africa and has been living as a legend of ethnic tolerance and political magnanimity. So did Hitler during the Second World War for the supremacy of the Germans

(Aryans) only but the Führer lost causing a great devastation to the entire universe. The air of ethnic strife, however, continues to hang in the air in India, US, South Africa, and Germany (even after the breaking of the Berlin Wall).

In fact, the color of ethnicity, in all versions of politics all over the world, is inescapable. Its carriers, like albinos, bear the scar all their life. So they do bear the ill feelings of caste-ism, racism, and communalism. Daggers draw fast at the pettiest dialog (*karabhandaa chhura chhito*) from both sides—high, low, or middle ethnic groups or castes. Words of abuse and calumny pour for each other, and the government connives the crimes of whichever ethnicity holds hegemony in the State. Whites against blacks (better non-Whites, colored ones,

others), Aryans against non-Aryans, upper castes against lower castes, people of one region or state against another, and vice versa constantly collide with each other with hatred and hostility. Often they turn into organized aggression or offense. Combined with legal and social impunity, this ethnic malady mars the entire social harmony. Not that those who get an upper hand also get any peace. But they love to scratch the itch till it bleeds profusely.

Nepal is a multiethnic country. It is on the threshold of federalism that is it is delineating different states (*pradesh*) or provinces (*prant*) through a new Constitution. Its drafting, nevertheless, is being delayed by an unstable and incomplete government, dwindling consensus on peace process and integration of former Maoist combatants living in dilapidated conditions in cantonments, and many other debates raised by various parties and ethnic groups and nationalities. The latter seem to have been over articulate about

their right to access over natural resources, and preservation of their languages, cultures, rituals, and religions. Doubtless, they should be protected, promoted, and preserved. But so should be national, regional, social, and interpersonal harmony. One's right should not encroach upon others'.

Here I am reminded of an anecdote. A person went abroad for the first time. As he stepped out of the airport, he walked down alone, flinging his hands wildly. Suddenly, he hit a native's nose. "Hey man, what are you doing? Don't you see where you are going, you alien?" cursed the White local. The fresh foreigner said, "Why, I am in a free land and I am free to do whatever I like." "Well, your freedom ends where my nose starts," rejoined the robust man, a little louder. The immigrant shied away soon.

In Nepalese context, the sense and concept of bonhomie seems to be missing. The neighbors, the friends, and even the relatives seem to be torn in many political and ethnic ideologies. Personally, I hail from a place which is not only upcoming in economic terms in recent times but which also held up social harmony during and after the turbulent Madhesh Movement following the much-hyped People's Movement. People of all ethnicities and all regions and religions live there with good sense of synchronization, though often personal enmity surfaces and sours the entire ambience. Still it is a nice place to be. I and my family have grown up in such a milieu and inherited this sense of medley entities living peacefully together.

Language, caste, ethnicity, sex and gender, region and religion never penetrated our life. Still, it often pricks when people from both hills and plains try to disrupt our integrity.

All I have to say is that we should not forget one thing: Any state or region, let us say Terai, is a part of Nepal; Tharuwat is a part of Terai; Maithil, Bhojpur, Awadh, and others are all in Madhesh (if the term is agreed upon). But it agonizes one to read, realize, and



listen that you are still a Mad(h)ise, Pahade, Pakhe, Nyar or Jyapu, Dhoti, Bhaiya, Bhathe, Bhothe, Thepche, Bhadur, Bahun, Kumain, Kale, Kuir, Purbel, Paschimeli, and so on... Without gender discrimination, you are a Mad(h)isni, etc. We should not also forget that calling names to one or another person or ethnicity is calling names to your own mother and motherland as they are all born in the same soil and out of same womb. Any state, any statute, and any statesperson (I regret to say that I have not come across any so far in Nepal) should accommodate this element that alone will keep the Center and federal state and local authority (if they are ever made as projected) intact. Once the seam of ethnicity is unwounded, and once the beast of impunity is let astray, no national polity will be able to stop the spilling of blood and brains. Yes, no new brand of nationalism or national system, howsoever promising, will be able to uphold the unity of diverse people inhabiting in this Himalayan terrain along the serpentine hills of north and plains of south. Happily, bordering Bihar (a term used derogatorily so far but now one of pride) have improved in many aspects. Will we at least maintain our own ethnic diversity and integrity, and social security, and remove all kinds of ethnic abhorrence and impunity through stringent actions taken by law?

Painfully, politics is another blot. It is inescapable; it is equally incorrigible. It sucks like bed bugs. No dose of democracy, nationalism, federalism, republicanism, people's rule is going to cure it. The only way is—resist it; keep away from it as far and as long as possible.

VIEWS

Everest

Buddhism, radicals and radicalism: A necessary preamble

Malinda Seneviratne

The adjective 'radical' has two principal definitions. In common usage, 'radical' conjures images of or alluding the Che Guevara. It doesn't necessarily have to be about those who think like Che or for whom Che is hero. Anyone favouring fundamental or extreme change, especially in the social, political and economic order, or expressing related sentiments, is taken to be a 'radical'. In general 'radical' denotes 'going against the grain' or 'swimming upstream'. Some would say 'banging head against wall' but let's be more optimistic.

There is a more interesting and perhaps less known definition of 'radical': 'of or from the root or roots; going to the foundation or source of something; fundamental; basic; a radical principle.'

The second definition functions as a prerequisite for earning the label 'radical' in terms of the first formulation. It is easy to rant and rave about system and ruler but system-change and ruler-outing (the latter being the easier of the two) can only benefit by examining the fundamental sources of support, including but not limited to configuration of political forces, ideological persuasions and the degree of support enjoyed, structural factors that inhibit or make easier the obtaining of desired outcome.

Today the term 'radical' and its oft interchanged twin 'revolutionary' have become overused and abused so much that they've lost meaning and been divested for the most part of operative power, especially in the ideological arena. Che, after all, is not just a revolutionary icon, but a catch-all visual for any old product or brand that wants to position itself as 'new', 'radical', 'great', 'revolutionary' etc. Similarly those who call

themselves 'radicals' tend to grapple with the frills of the system they are determined to overthrow and even on the rare occasion that they do effect 'change', the transformation is more in the cosmetics rather than substance. Name-change and face-change don't connote 'revolution' even if marketed as such. Regime change may take a lot of work and even require a blood-price but the amount of plasma shed and hours of sleep sacrificed are not qualification enough for the outcome to be called 'radical'.

My contention is that the necessary disappointment that follows flows from the ready embrace of illusion, the uncritical acceptance of received 'knowledge' and manifest sloth in the matter of going beyond rhetoric. It is in this context that I offer the Kalama Sutra, the Charter on Free Inquiry proposed by Siddhartha Gauthama, the Enlightened One, our Budun Wahane as an excellent guide to more

beauties of the doctrine expounded by the Buddha is the multiple applicability of tenet flowing from observation and commentary. It is strictly in this sense that I have found the Kalama Sutra to have immense utility value for all those who profess a predilection towards radicalism, in thought and deed as well as in multiple spheres of engagement, including overhauling of social and political order.

Each of the cautions articulated by the Buddha to the Kalama merit separate treatment, but even a cursory glance at the above set of qualifiers when used as instrument of assessing expediency of action would indicate that for all self-righteous claim and even braggadocio, 'radicals' and 'radicalism' for the most part are creatures that nibble at systems raged again. Indeed some could argue that in a certain sense radicals and radicalism are necessary ingredients of system



or defer to reputation of book and author, leader and saint? How often do we probe that which is taken as self-evident, tease out the assumptions, un-fill it of rhetoric, verbosity and fudge-spot?

In the coming weeks, I propose to examine each of the above clauses with reference to 'radicalism' and 'radicals' here and abroad. Such an examination, I hope, would make for a more honest and wholesome understanding of the terms and their operative potential (or lack thereof as the case may be).

the reader with the thought that pinning the word 'revolution' on an event, moment and apparent transformation in political order does not necessarily imply that a fundamental change has taken place. The 'radicalism' implied in the latter definition of 'radical' (stated above) could provide an interrogative stand point that helps shed light on revolutions and revolutionaries. The last thing that those seeking to overturn a draconian social and political order need is illusion. The Kalama Sutra can help, I believe.

Sabbe Satta Bhavantu Sukhitatta (May all beings be happy).

DOSSIER REISSUE

effective, judicious and efficient engagement.

The Compassionate One cautioned the Kalamas thus: 'Kalamas, don't go by reports, by legends, by traditions, by scripture, by logical conjecture, by inference, by analogies, by agreement through pondering views, by probability, or by the thought, "This contemplative is our teacher".'

The Buddha did not use the word 'radical' to my knowledge. He stated things as they, elaborated on the human condition, the vicissitudes of life and proposed a pathway out of sorrow. One of the enduring

sustainability in the absence of a deep consideration of these conditions for they often and at best affect little more than regime change; the terms of inequality and other anomalies persist beyond 'moment of victory' and the replacement of one flag with another.

Do we not, after all, more often than not, go by reports, depend on traditions and scripture, the power of logic (based naturally on certain assumptions that may not be completely true or at least only applicable in certain conditions and not others), indulge in inference, wallow in analogy, play the numbers game of chance,

DATELINE KATHMANDU

Niraj Aryal

Old GHOST!

Almost six years back Nepal's former King Gyanendra complying by advices of royal soothsayers had left for a 23 day long trip to Africa.

It was then reported that then King Gyanendra who was having pretty bad days was advised to stay out of the country towards far-south for some time to avert the impending crisis.

Things though were far from being satisfactory back home. Gyanendra successfully completed his pleasure trip from national exchequer but could not save the 240 years old royal institution founded by his ancestors.

What a pity! The Royal chain was broken.

Cancelling regular flights scheduled for all along 23 days (9-29 October, 2005) Gyanendra thus left along with his better half Komal Shah on a 190 seater Boeing Aircraft that belonged to the state owned Royal Nepal Airlines. All the seats were occupied by the former royal couple and some chosen and declared marionettes.

The then Royal Nepal Airlines administration had asked the government to pay the bills worth 40.87 Million Rupees to the company on behalf of Gyanendra Shah-who was then the Head of the State.

Neither has Gyanendra responded since then nor does the government felt it necessary to pay the pending hefty bills.

However, the visit to Africa turned out to be the last visit of Gyanendra as the head of the state.

During his visit to Africa, the RNAC had flown to Kathmandu-Dhaka-Doha-Tunis-Nairobi-Johannesburg-Kroger-Mount Kilimanjaro-Burundi-Cairo-Kathmandu.

"12 bills are still pending at the ministry of foreign affairs in the name of the former King", writes Naya Patrika Daily, March 25, 2011.

The ministry of foreign affairs has already requested the Ministry of Finance to pay the bills, but the Finance Ministry is unnecessarily dilly-dallying the payment process", also writes the newspaper.

The report also discloses that six years back an hour of chartered flight used to cost around 11 thousand USD...now the price is around 13 thousand USD...but the Airline Company is only demanding payments for fuel expenses only that is equivalent to some 40.87 Million Rupees.

Will Gyanendra Shah- taken as one of the richest persons in one of the world's poorest nations come forward and show the magnanimity by paying the dues?

This will enhance his prestige. Make it a point, he will not do so, opine intelligent observers.



Third Party involvement in Nepal-China relation unacceptable: PLA Chief

Kathmandu: "Involvement of any third party (implied countries) in the relation between Nepal and China is not at all acceptable to China".

This was the stern message that Chinese Peoples' Liberation Army Chief Chen Bingde gave upon meeting Nepal's high level dignitaries", media reports have it.

Visiting Chief of General Staff of the Chinese Peoples' Liberation Army Bingde on the second day, March 24, 2011 of his three day visit to Nepal, met with President Dr. Ram Baran Yadav, Prime Minister Jhal Nath Khanal and Defense Minister Bishnu Poudel.

In his 45 minutes long conversation with President Dr. Yadav, general Chen while appreciated Nepal's one China policy but concurrently also made it clear that "Involvement of third party in bilateral aspects of Nepal-China relations will not be acceptable to China."

"Chen chose the right person to convey China's concerns", observers opine.

Yet, the smart Chinese dignity did not name any country near and far during the conversation. The message was loud and clear though.

A word to the wise must have been sufficient. Notably, Indian media and leaders have been making unnecessary hullabaloo over Nepal's increasing proximity with China-emerging world super power.

A day earlier during his meeting with Chief of Nepal Army Staff Chhatra man Singh Gurung General Chen had explicitly expressed his deep concerns over anti-China activities being sponsored by some European nations.

"We are totally aware of pro-Tibet activities being carried out by some European countries from the Nepalese soil", so said Chinese PLA chief expressing his concerns, writes Nayapatika Daily quotes sources as saying.

During his meeting with Prime Minister at his official secretariat, General Chen conveyed best wishes on behalf of the Chinese premier Wen Jia Bao for the successful

completion of peace process and constitution drafting in Nepal.

PM Khanal in response, quote sources, said that Nepal was always committed to the One China Policy and assured that the government will never allow anti-China activities to take place in the country.

"Nepal and China always share warm and cordial relations and in the days ahead Nepal is willing to further strengthen ties between the two countries", said PM Khanal. General Chen also told the Prime Minister that China will continue to increase its financial assistance.

"I am happy that gradually our relation is attaining a new heights", Chen recorded.

"An economically developed and politically stable Nepal is important not only for the Asia-Pacific region but to the entire world", commented Chen.

Interestingly, China used to tell the world that Nepal's political stability was important for South Asian peace and stability, however, now China takes Nepalese stability significant for the stability in the entire Asia-Pacific region.

Nepalese importance is increasing in the eyes of China. This adds significance to General Bingde's Nepal visit.

"We are totally confident that Nepal people and government are capable enough to solve their problems", Chen further hoped.

Defense Minister Bishnu Poudel in his meeting with the high ranking delegation led by Chinese PLA Chief Chen Bingde thanked the northern neighbor from the inner core of his heart for astronomical support it has declared to the Nepal Army.

A day earlier, Nepal Army Chief Chhatra Man Singh Gurung and General Chen had signed two separate agreements according to which China will provide around Rs. 1 Billion worth medical equipments to Birendra Military Hospital and around Rs. 300 Million Rupees for the construction of equipments to Nepal Army to support its development endeavors.

Unlike India, analysts opine Chinese policy of non-interference in the internal matters of Nepal has made China an all weather friend.

Atrocities in Kashmir & Indian obduracy

By: Ayesha Ibrahim

Recently, Amnesty International, in its report titled 'A Lawless Law' has termed the Public Safety Act (PSA) as a 'lawless law' and asked the state government to repeal it. Amnesty International played the authorities for using administrative detention as "a tool to hold hundreds of people each year without charge or trial in order to keep them out of circulation." Also notes that the "state officials often implement the Public Safety Act in an arbitrary and abusive manner... Detaining authorities fail to provide material on which the grounds of detention are based to detainees or their lawyers. Detainees can approach (often successfully) to the High Court to quash their order of detention, but Amnesty International's research clearly shows that the J&K authorities consistently thwart the High Court's orders for release by re-detaining individuals under criminal charges and or issuing further detention orders, thereby securing their continued incarceration."

Amnesty International further says that many of the people detained under the PSA without charge or trial for periods of two years or more may have committed no recognizably criminal offence at all. "Under the PSA, detention can be justified for undefined acts 'prejudicial to the security of the State' and for extremely broadly defined acts 'prejudicial to the maintenance of public order. The possibility of

detention on such vague and broadly defined allegations violates the principle of legality required by Article 9(1) of the International Covenant on civil and Political Rights (ICCPR), to which India is a party."

Ironically, human rights are violated on large scale in the so-called world's largest democracy. To crush the Kashmiri Liberation movement, India has employed various techniques including black laws. Prevention of Terrorism Act (POTA), Terrorist and Disruptive Activities Act 1990 (TADA) and Armed Forces Special Powers Act 1990, (AFSPA) are enforced in Kashmir despite the fact that they contravene the Indian Constitution and international law. These laws violate the basic human rights such as right to life, the right to liberty and security of the person and the right to remedy. The Armed Forces (Jammu & Kashmir) Special Powers enforced on 10 September, 1990 authorized even a non-commissioned officer to search any place, fire at any person (and kill), or arrest on the basis of suspicion. TADA gives security forces and armed forces special powers for unauthorized administrative detention without formal charges or trial for up to one year. Under POTA, any person can be put into prison for not disclosing the information that can prevent an act of terrorism.

In Kashmir, there is one soldier for every twenty people. There are 5,00,000 armed troops, 3,00,000 army men, 70,000

Professor Hameeda Nayeem says : "that has transformed the Indian state into a source of deep insecurity for the citizens – as instruments of the persistent violator of human rights and converted the Indian military into an illegitimate agent of repression. Both in turn seriously undermine the democratic credential of the state." This excessive militarization has resulted in wiping out all space for the exercise of democratic rights by the people, the result being terrorization of the people at large. This has resulted in ruthless action on all dissent, and at the same time the military indulges in acts of violence against people with impunity.

Rashtriya Rifle soldiers, 1,30,000 central police forces as against the total population of 1 crore. In the past 20 years, a generation of Kashmiris has grown with soldiers at every street corner "often even in their living rooms". The grievance of the people is that instead of confining the role of the military and security forces to that of external defence and as against militants, it is regularly and continuously used for domestic repression; and as Professor Hameeda Nayeem says : "that has transformed the Indian state into a source of deep insecurity for the citizens – as instruments of the persistent violator of human rights and converted the Indian military into an illegitimate agent of repression. Both in turn seriously undermine the democratic credential of the state." This excessive militarization has resulted in wiping out all space for the exercise of democratic rights by the people, the result being terrorization of the people at large. This has resulted in ruthless action on all dissent, and at the same time the military indulges in acts of

violence against people with impunity.

Human rights organizations are routinely denied permission to investigate in a free manner. Media-men are being attacked and arrested. Humanitarian relief is limited as external agencies are not being allowed to provide medical assistance and other relief materials. Many cases of human rights violation stem from abuse of power under repressive laws and police/army brutality unleashed against the Kashmiri people. They are taken into custody for acts that are legitimized by international human rights standards of free speech, freedom of association and assembly, and freedom of the press. The Indian government's failure to account for these abuses and to take rigorous action against its forces responsible for murder, rape and torture speaks volumes of its fake posture of secular and democratic state. These atrocities are true reflection of its policy of condoning human rights violations by the Indian security forces in Kashmir that needs to be addressed, the sooner the better.

I don't think that China will assist Nepal to tease India... China practices a "mature diplomacy"

-Balananda Sharma
Coordinator, Integration Special Committee, Nepal

It is not a mystery at all. Nothing is hidden. Yes! The conjecture has been like that. China is a country which practices a "mature diplomacy". China deals with several other countries as well where they practice mature diplomacy not only with Nepal.

TGQ1: How you Mr. Sharma have taken the high level visit of the Chinese PLA Chief to Nepal? Why the Chinese interests in Nepal have suddenly increased? Your comments please.

Mr. Sharma: Personally speaking, I don't think that it has been too long of the prevalence of Nepal-China military relations. In the past we used to get some non-military items but not the weapons. In 1990, Nepal imported some Chinese weapons which deteriorated Nepal's relations with India. It is at this point from which Nepal-China military relations started. I take it a landmark beginning, which again as I stated earlier, damaged Nepal-India ties. Neither we understood the Indian pressure nor did China continue to maintain the support of regular flow. Ultimately, Nepal did not ask from any kind of support from China since then.

As regards your second question, well, being a neighboring country, the taking of interest is not unusual. Besides that the Nepal Maoists are in power at the moment. The Maoists wish to

expand their relations with China-the neighbor in the North. May be because of this China may have opted to come to Nepal in an open manner.

However, the fact is also that India can't protest China in an open manner as it used to do in the past because the two countries of late have begun forging direct commercial relations with each other.

The high level Chinese military official who came to Kathmandu from China is not for the first time. To recall, such high level Chinese military delegations have already visited Kathmandu in the past as well.

TGQ2: So why the Chinese military accorded this much high priority to the Nepal Army institution? Isn't it the first ever biggest support to Nepal from China? Also please tell us that the visit has come at a time when Nepal has a communist government and the huge support has coincided. Isn't it mysterious? Your remarks please Mr. Sharma.

Mr. Sharma: It is only a matter of one billion plus support

which could not be taken as to have been accorded top priority. They haven't supported Nepal with arms and ammunitions. Mind it, China has been assisting Nepal in several other sectors of development.

Well, Nepal Army sought the support to construct a Medical college to which the Chinese assisted. They supported for the construction of the college building. Don't you think that such supports ultimately come as a help to the nation itself?

It is not a mystery at all. Nothing is hidden. Yes! The conjecture has been like that. China is a country which practices a "mature diplomacy". China deals with several other countries as well where they practice mature diplomacy not only with Nepal.

TGQ3: Is it that Chinese assistance is aimed at teasing India? Will the Chinese assistance that has been aimed at teasing India last long? Mr. Sharma please.

Mr. Sharma: I don't think that China will assist Nepal in order to tease India. I don't consider it would be so. But India may take the entire affair in a negative manner. The likelihood remains.

The support has not come, as you stated, to tease the Indian establishment. Yes, India would have taken the Chinese support to Nepal had China supported Nepal with arms and ammunitions. But they have only assisted the Nepal Army on matters related with the

Army's institutional development works.

TGQ4: Don't you think that China has begun taking clear interests in Nepali affairs? Isn't it that the Chinese regime has begun assisting Nepal Army in order to make it a strong institution and later cash in upon from such assistance say for increasing its influence? Have the Chinese ever expressed their willingness on the issue of militia integration process? Your comments please.

Mr. Sharma: Had the Chinese regime wished to do so, I mean exerting of political influence, then they would have done it through political means or used political channels. They would not have then used the military conduit which is what they have done this time around.

If the Chinese wish is to strengthen the Nepal Army

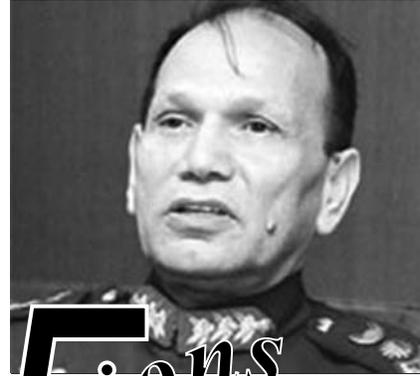
institution then don't you think that such instances should be taken in a pleasing manner?

A mere construction of some buildings and hospitals doesn't strengthen the Army institution. To strengthen the Army, you need to support with arms and weapons. It is these things or say logistics that solidify the Army institution.

But the Chinese have not assisted Nepal with those logistics.

Talking as regards your last question, well if it has been at the political level then I, for one, don't know. I have not felt so far of the Chinese taking interest in the integration issue. Yes! Political visits have been made. But they have not said this or that in these Nepali matters. I have not felt that they have expressed their willingness in this regard in an expressed manner.

TGQ5: As and when support comes from India, it is taken as intervention. How to take the



Questions

Chinese assistance? Also tell us Mr. Sharma is the Chinese support to expand its reach in the higher echelons of the Nepal Military institution? And more so can we say that the Chinese have any support to the Nepal Maoist militias?

Mr. Sharma: The scale and dimension of the Indian penetration that prevails in Nepal, China doesn't enjoy that. Nepal's relation with India is at various levels, beginning with the people to people which extend up to the cultural, religious, marital and economic levels. It is not that with China nor could it be.

What India has done to Nepal comparatively speaking, the present Chinese assistance stands at minimal level.

Mind it that the Indian Military Chief too has visited Nepal. And thus to take under suspicion the Chinese military delegation visit to Nepal will not be a fair attempt.

Moreover, one billion plus rupees is not that much a staggering amount. Even if the Chinese assistance is taken in the light of finance and security then also it is a meager support. To talk of increasing its influence at the upper echelons of the institution, well it can be said that Okay let's extend support Nepal when it has a communist government. It could just be that. But they used to make such visits even in the past. They may not have made this visit simply because we have Jhal Nath Khanal led government in Nepal. This visit has been made only after being invited by Nepal long time back. The invitation had been sent to them one year ago. It was pending since then.

I don't think any relation exist in between the formation of this government and the timing of the visit. That's it.

To the best of my knowledge, it is not there at least for the time being. It is simply very difficult to get such a support from the other side. Even if they provide then it is not that much easy to allow it to enter. The process and procedures that a state brings into practice in order to import weapons can't be utilized to bring in the political support for what you have asked.

It is neither feasible nor possible to bring in the weapons in an illegal manner. Crossing of the border with weapons is not possible.

The Bimarsha Weekly

A wobbly emerging Giant

Pratul Bidwai, India
The News International, PAKISTAN

After the Soviet Union collapsed, India was the last major nation with an independent foreign policy focused on demanding a more balanced world. The US has prised India from its independent policy moorings through inducements like the nuclear deal. It now wants India to become a supplicant and an obedient ally. The WikiLeaks disclosures should make the Indian public aware of this and provoke a strong response in favour of a fiercely autonomous foreign policy.

WikiLeaks cables disclosures have hit India. A major Indian daily, The Hindu, has accessed and summarised classified cables sent over the last few years from the US Embassy in New Delhi to Washington – and produced a political forum.

The most sensational disclosure is about the cash-for-votes scandal of July 2008, when Prime Minister Manmohan Singh staked the United Progressive Alliance government's survival on the India-US nuclear cooperation deal. The Left parties, on whose support the minority government depended, withdrew their backing. The Congress bribed other parties to support it during a confidence vote.

A TV channel's sting operation widely publicised this in 2008. It mainly indicted the Samajwadi Party. It now emerges that Gandhi family confidant Captain Satish Sharma got an aide to bribe the Rashtriya Lok Dal's Ajit Singh too.

Manmohan Singh pugnaciously defended his government in parliament. He said

"the veracity, contents and even the existence" of the cables sent by the US embassy couldn't be confirmed and that in any case he had not "authorised anyone to purchase any votes".

Despite denials, the WikiLeaks disclosure constitutes a strong prima facie case that the UPA bought MPs to win the confidence vote. The government must let the Central Bureau of Investigation investigate the scandal under Supreme Court supervision and ask the US embassy to identify the staffer who reported the scam in the cables. Failure to do this will further damage the government's image, already badly tainted by numerous scams.

The Bharatiya Janata Party is doing its utmost to exploit the disclosures. But it too stands indicted. While it publicly criticised the nuclear deal, it wasn't serious about opposing it. BJP national executive members told the Americans "not to read much" into the party's foreign policy resolutions. LK Advani, no less, assured them that when in power, the BJP would "behave very

differently from its days in the opposition".

The BJP opposed the US-India deal to affirm India's "sovereign" right to determine its nuclear policy. But its foreign and security policy is fundamentally Right-wing. It has been pro-US since the Cold War and sees India's future in strengthening a US-dominated capitalist world order. This makes it practise double standards – destroying its credibility.

However, the real importance of the WikiLeaks disclosures lies in illuminating the direction that India's foreign policy has recently taken, and showing how the world, in particular the US, views India's domestic situation and its response to regional and international events.

The disclosures contain generally useful, and sometimes valuable, information on diverse issues: domestic intra- and inter-party relations; Kashmir; public perceptions of the nuclear deal; India-Pakistan tensions; Iran's nuclear pursuits; and India's demand for UN Security Council reform, seen as mere "sound and fury".

Cables are routinely used by diplomats to convey information, analysis and assessments of the host country's positions. In the present case, they highlight divergence between the then-president APJ Abdul Kalam and Sonia Gandhi over the execution of the death sentence for Afzal Guru. They quote J&K Liberation Front leader Yaseen Malik as saying that hanging Guru would have an adverse impact in the Valley because the punishment is

grossly disproportionate to the charge – of helping organise transport for the Parliament House attacks.

The disclosures highlight the differences between Prime Minister Singh and former National Security Adviser MK Narayanan over resuming talks with Pakistan in 2009. Singh had said India and Pakistan "have a shared destiny". Narayanan bluntly told Singh: "Your destiny is shared. Ours is not." It was highly improper for Narayanan to say this to his boss. Even more deplorably, he narrated this to a US diplomat.

On substantive foreign policy issues, India comes across as an emerging but diffident giant, which often capitulates to Washington's pressure, sometimes without offering resistance. This is especially so on Iran, over which the US arm-twisted India.

India voted three times against Iran at the International Atomic Energy Agency, thus enabling the Security Council to impose sanctions. India's votes were against its Ministry of External Affairs' conclusion that Iran isn't in substantive breach of its obligations under the IAEA charter or the Non-Proliferation Treaty. The US was deeply unhappy with the proposed Iran-Pakistan-India gas pipeline and made the nuclear deal conditional upon India dropping the project and helping isolate Iran.

The US doesn't countenance even a peaceful nuclear programme for Iran – although Iran has every right to pursue it. Barring some infringements of disclosure requirements, Teheran has cooperated with the IAEA. India sounds doubly hypocritical

on Iran because it acquired its own nuclear weapons by abusing the civilian route – much like Pakistan did.

India's stance is at odds with its need for friendly relations with Iran, which it for decades partnered in Afghanistan against the mujaheddin and the Taliban. Afghanistan is vital to this region's future. And India-Iran relations will be crucial to Afghanistan's future.

The WikiLeaks cables show that New Delhi was so frightened of US annoyance at the April 2008 India visit of Iran's President Mahmoud Ahmadinejad that it notified the US embassy "even prior" to informing "other agencies within the Indian government".

The MEA emphasised that Singh had rejected previous requests either to visit Tehran or for Ahmadinejad to visit India. Recently, the MEA ordered its diplomats to do extraordinary things to please the US. Days after Hardeep Puri was appointed India's ambassador to the UN, he assured the US embassy in New Delhi that his "specific brief" was to seek a "higher degree of convergence" with the US. Puri repeated this assurance to US Ambassador to the UN Susan Rice.

Puri reportedly raised the "arc of failed states" surrounding India, Nepal, Sri Lanka and Afghanistan, and "noted the convergence between US and Indian interests. Specifically, he praised US policy on Sri Lanka", where the Rajapakse government was about to kill thousands of Tamil civilians while combating the Liberation Tigers.

In another bizarre development, the MEA asked its deputy ambassador to the UN Ajai

Malhotra to undercut his own boss Nirupam Sen whom he accused of taking "a confrontational approach to the US". In dispute was the secretary general's selection. The Non-Aligned Movement demanded he should be from Asia. Malhotra offered to help the US promote its candidate in case the NAM proposal didn't find wider support.

That someone of Sen's impeccable credentials and stature should be overridden in such a slimy way speaks of the MEA's lack of professionalism and its pro-US bias. This is wholly unbecoming of a nation with a vision of global leadership.

The cables show the light-years' distance India has travelled from the Nehru-India Gandhi legacy of non-alignment and opposition to US hegemonism. They also show how the US has insistently, determinedly and obsessively attempted to push India into a subordinate relationship.

After the Soviet Union collapsed, India was the last major nation with an independent foreign policy focused on demanding a more balanced world. The US has prised India from its independent policy moorings through inducements like the nuclear deal. It now wants India to become a supplicant and an obedient ally.

The WikiLeaks disclosures should make the Indian public aware of this and provoke a strong response in favour of a fiercely autonomous foreign policy.

The writer, a former newspaper editor, is a researcher and peace and human-rights activist based in Delhi. Email: prafatbidwai@yahoo.co.in

Maoists took the previous set up as a puppet and initiated a campaign to dislodge previous rule

-Sarvendranath Shukla

Leader, Terai Madhesh Loktantrik Party, Nepal

Q1: It has been agreed upon that even if the constitution doesn't get drafted on time, the tenure of the Constituent Assembly body will remain kicking and alive until the next general elections. Is it that there is no need to make extra efforts in extending further the tenure of the CA body? Your comments Mr. Shukla?

Mr. Shukla: We are not in favor of the extension of the tenure of the CA body. What we have understood so far is that there has been an agreement only to keep alive the constitutional organs of the State. Yet this has not been made clear so far. We can analyze the entire events only when we get the overall picture of the agreement. It has been stated that the offices of the President, Vice President and the likes will remain intact. If there has been any agreement further than this then there is no question that we will support the idea. What we know is that only the constitutional organs of the State will function and the rest, for example, the parliament and the CA body will remain in an inactive state. That's it.

Q2: What you mean by remaining in an inactive situation? Remaining inactive but yet pocketing monthly salaries? What it is all about? Your comments please.

Mr. Shukla: Inactive state denotes being in a state of inertia. This inert situation means that the offices of the President, the Vice President and the Government will

continue to function. The parliament and the CA body which is in an inert condition will not allow any of its members to draw any sort of perks and facilities including government facilities. We take it and analyse in this manner. And our agreement will remain in force only under these conditions. Not more than that.

Q3: If the fresh agreement game has been specially played in order to pocket money and also to extend power then what sort of impact it would have upon the country's political situation? How you look at this condition?

Mr. Shukla: If this agreement has come from the side of the government only to continue in power by disillusioning the general population then, rest assured, such agreement will not last for long and be never implemented. Some quarters even suspect that this agreement has been in place in order to continue in power and also for the possession of the arms and weapons with the party. It is also being talked and thus held suspect that this agreement is meant for the continuation of the left unity for long. If this is the inner intent then the agreement does indicate clearly that a fresh conflict is round the corner in the nation.

Q4: Should this mean that the Madhesi parties were not taken into confidence prior to this agreement?

Mr. Shukla: It is not a question whether we have had agreement or disagreement. If the

agreement is made to draft the constitution on time which takes care of all of the Madhesi grievances then in that scenario we will not object to the very motive of the said agreement. But if the agreement has come with the motive of having majority in mind and if the impending issues were discussed as per their preferences and wishes then the Madhesi parties will not agree to that agreement. What we say is that the constitution must be drafted much ahead of May 28, 2011 simply because the State can't bear the financial burden any more for the draft of the constitution if it is not drafted on time.

Q5: Bijay Kumar Gachhedhar freshly said upon return from New Delhi trip that the nation must embrace fresh elections if the constitution is not drafted on time. Don't you think that you being a part of the Madhesi front, his utterances somewhere

OPINION

contradict with the entire Madhesi stance?

Mr. Shukla: We have raised the voice that a new constitution should be in place on time which takes care of the Madhesi grievances and demands. This is our line of thinking. There is nothing that contradicts with Gachhedhar's utterances. We don't agree with the notion that if you exhibit combined two thirds majority and then push the new

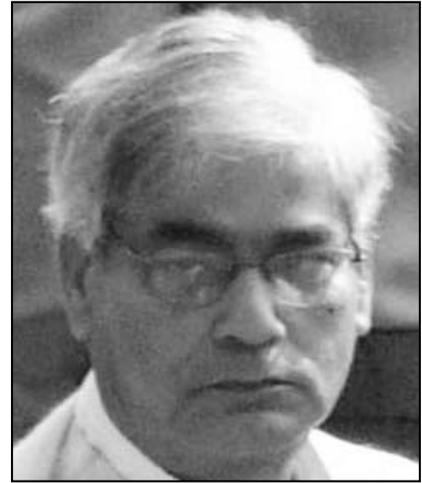
constitution for public consumption by force. We disagree with such motives, if any. Mind it that any constitution that ignores the Madhesi issues can't be implemented here. It is not at all necessary to accept the leadership of Jhal Nath Khanal who kept the nation for all along seven months for the formation of a new government. Consensus is for issues. But you ignore core issues and begin constituting sub-committees without consulting the parties not represented in the current government and yet claim that most of the issues have already been sorted out. In this way, a new constitution is not at all possible.

Yes! A constitution of his liking and preference may be drafted and later pushed but the question is where the constitution would be implemented? How he will implement the new constitution? This too must be taken into account. We will not go by the agreement if it exceeds

what has been stipulated already in the interim constitution. We can't go out of that.

Q6: It was alright when you were a minister in the government. Now when not in government you say that everything is in a damaged condition. Why so Mr. Shukla?

Mr. Shukla: Well, we had a UML led government prior to the formation of this government. We too were a part of the previous



government. From the very day the previous government was formed, a section of the UML party leaders including Khanal and his colleagues stood against their own party government. He almost led a campaign against Madhav Nepal led government. Had the entire UML party stood in favor of their own party led government and been able to put comfortable pressure on the Maoists then we could have accomplished a lot then. But a section of the UML used the Maoists extensively in order to topple the government then. The Maoists took the previous government as a puppet and initiated some sort of campaign to do away with the previous government. Neither the Maoists nor the UML drew their attention towards the completion of the peace process not for the draft of a new constitution. But at

the moment the same UML is leading the government and if they remain sincere towards the national tasks in a serious manner then we will not obstruct the government. We will instead extend our full support if the government drafts a democratic constitution that takes care of the Madhesi issues. While I was the minister, we sorted out some 44 different Madhesi demands. The rest we left it to be worked out by the new constitution. The peace process needs to be taken special care by the Maoists. And now the Maoists must attach great importance to the peace process and for the draft of the new Charter as they are an integral part of this government.

We will chart our impending moves analyzing the emerging political trend.

Grand...

Meaning loaded signal that it is.

This does mean that Nepali political stability is a must for the prevalence of the overall stability in almost half of the globe.

Nepal's importance and thus significance has been upgraded. Not bad.

High placed sources opine that several agreements have been made between China and Nepal in order to care the security concerns of both the two friendly neighbors. However, the details are yet to come to the open.

India understands this. Several salaried motives stand tall in Kathmandu's political and bureaucracy as well. Nothing to hide.

And thus to foretell that India will do all it can in an order to lessen the China's swelling activities in Nepal can not be ruled out. But how?

A disturbed India has already made some perilous moves and the acts were likely to increase further in the days ahead.

The formation of a Red government in Nepal and the sudden invitation extended to Nepal's Madhesi leaders to New Delhi which coincided with the RAW sponsored Patna meet, February 11-12, 2011, of some of the Nepali armed outfits operating from the Indian soil and the latter being told to create panic in Nepal and consequently Nepal's Terai being engulfed in "vehicle blast terror" do tell that some thing is cooking up in New Delhi against Nepal. Analysts presume this.

High placed sources however, have yet to understand as to whether the distinguished Nepali leaders who recently visited New Delhi could attend the RAW engineered Patna meet or not.

Some say that Patna RAW Chief Jai Kumar, a Bhojपुरi speaking Indian national manager of the Nepali leaders to meet the Nepali armed outfit leaders in Patna. The same sources claim that Rajendra Mahato, Mahanta Thakur and Gachhedhar were specially flown to Patna's Bailey Road and dumped in a Government House for "security reasons".

However, this remains yet to be substantiated. But the media in Nepal remains sure of this happening. The Nepalese security agencies too subscribe to this view. Yet some other sources claim

that India will not settle for less this time around. India in all likelihood may use some Terai armed outfits to blunt the increasing influence of Upendra Yadav, the Chairman of Madhesi Janaadhikar Forum.

Upendra Yadav is being expectedly penalized for having struck a deal with the Red government that he and his party will soon join the government.

Upendra Yadav is being taken as a half Maoist by the entire Indian regime and thus may have thought to eliminate Yadav from Nepal's political scene. Jwala Singh group has been told, analysts have come to know this fact, to do the needful in order to cut the wings of Upendra Yadav.

Upendra Yadav is faring in the days ahead and clears the impending obstacles will have to be watched.

Needless to say, India has several cards under its sleeve if she wanted to penalize Nepal. As a bonus, one prominent Nepali leader, Bijay Kumar Gachhedhar openly appealed the Indian establishment to impose economic blockade on Nepal.

Such appeals may come soon from other parties as well.

Nevertheless, the Nepali Congress, presumed to be the declared tail of the Indian regime since its very inception, has for the first time pointed fingers at the Indian regime for all the sad incidents that have freshly been rocking Nepal's Terai plains. "It is an attack on Nepali nationalism...not only a matter of security concerns", says a NC meet that was held March 28, 2011, in Kathmandu.

Nepal's security experts opine that it is the real time when Nepal-China friendship is tested. Some experts even suggest the Nepal government to seek arms and weaponry support from the Northern neighbor in order to deal with the current unrest in Terai.

Nepali security agencies need the logistics which they badly lack. Fresh reports have it that a high level political delegation from China is soon to land Nepal. This high level delegation is expected to press Nepal government to sign a fresh extradition treaty with China much similar to what India has already forwarded to the perusal of the Nepalese

government. Later the Pakistan government will also take up the same case. Some nine countries, analysts have been told, have already approached the Nepal government for having an extradition treaty with Nepal).

But will China come forward in helping Nepal in its times of crisis? The question has some logic.

Now it remains yet to be seen as to how the irritated Indian regime devises newer schemes to further destabilize Nepal. Equally interesting would be to watch as to how Khanel-Prachanda duo face and brave the clandestine Indian bid to topple their RED government which is already in progress.

Which ever way the country's politics goes, the days ahead remain gloomy because the Nepal President too has begun poking his nose in the national politics. He has been definitely exceeding his constitutional limits. He is the President of the country but not a political leader hanging with some political parties.

It is time that President Yadav controls his "high ambitions". It may boomerang on him ultimately.

A word to the wise should be enough because the ruling RED has already expressed its displeasure over some of the harsh comments made by Dr. Yadav.

Baburam...

situation carefully taking into consideration the situation that prevails between India and China due to their geo-strategic concerns in Nepal, mostly in our relations with influential neighbor, India." The JNU element.

He went on to say, "But, indications are not that favorable (from South?)"

Professor Muni is a visiting faculty at Institute of South Asian Studies of National University of Singapore. Bhattarai was the only speaker invited by the Institute. Mysterious! **The Love between Guru and Chela perhaps!**

In the course of his speech said Bhattarai, "The bitter relation that exists between Nepali Congress and our party unless settled through an agreement and lack of trust between the two parties could once again push the country to another civil war."

"Arriving at common points between parliamentary-democratic

parties and communists in the manner similar while Monarchy was unproven should once again be taken as the need to avert the confronting post-conflict politics of Nepal", he admitted.

This does mean that Dr. Bhattarai once again would like to bring in India for drafting yet another agreement much similar to the humiliating 12 point agreement. Bhattarai can't forget India. Could be his compulsions.

Form what Bhattarai observed in Singapore can we conclude that Monarchy was no problem to the nation instead it was the inefficient, corrupt and 'alien subservient' political parties of Nepal who are now the proven real problems? Because they continue to fight in post-Monarchy period as they had been doing previously.

"Neither political parties of Nepal nor the Indian regime had any agenda on how to proceed after sidelining the monarchy which they both tacitly did and thus the present political uncertainty", comment matured analysts.

Clearly, a grand debacle for both the seven agitating parties and their alien mentor.

Indian Police...

may be asked between INR 50 to 500 as a bribe to be pocketed by the India police.

Analysts in Kathmandu opine that the Nepalese nature who cross the border would be more than happy to provide the pocket-money if it gets deposited in the Indian national exchequer—that would ultimately go to the teeming millions of empty stomachs of the Indian citizens.

Analysts sympathize. Poverty is poverty whether it is in Nepal or India.

However, it is simply puzzling, on the one hand, the Indian Ambassador Rakesh Sood finds himself extremely busy throughout the week visiting each and every districts of the country to provide financial support yet the India police along the border manages to get the support back through open loot.

Given with publicity and taken back silently with no noise. Naked diplomacy this.

In the meantime, the Indian police in yet another blatant act entered right inside the Nepali territory in Sarlahi district and arrested Avadesh Mishra (60) and

his son Rajiv Mishra (24).

There were some 40-50 Indian police personnel who first gherao the Laxmipuri Tol at around 3:00 AM in the morning and arrested the old father and his son. Both of them were sleeping when the Indian police had arrived. The police had arrived all the way from the district of Sitamadhhi, India.

A terrified local who refused to provide his name said that the villagers were totally unaware of the reason behind the arrest.

It becomes now clear as to why India imposed open border on us, analysts conclude.

Flavor...

government led by Madhav Kumar Nepal. Thus an Indian flavored one by implication.

If Khanal is a China man then Nepal (not mother Nepal) is an India man, this is what Laxman Lal Karni believes and even authenticates.

Sons of Mother Nepal either transform themselves into Chinese or Indian...it happens only in Nepal! Let us bear with it.

There were other speakers at the Reporters Club interaction program the majority from Terai plains of the country-point to be noted currently not in government, who were expectedly in a government bashing mood. Flavor clash begins.

Top Three...

So said Narayan Man Bijukche Rohit, the chairman of Nepal Majdoor Kisan Party while inaugurating first national convention of Nepal Revolutionary Workers Association in Bhatkpur, March 26, 2011.

During the inaugural session, Bijukche who was invited as the chief guest said that the three parties, ruling United Marxist Leninists and Unified Maoists and the party in opposition Nepali Congress have been deceiving (*Janata thugdar*) the people.

So Thugs have been ruling Nepal! The veteran communist is perhaps speaking the truth.

"Concerning constitution drafting and conclusion of peace process they have been lying to the population by claiming that the two processes will see an end in a matter of a month or two", said Bijukche

cutting joke at the major parties.

The present government led by UML and Maoists is even 'greater Thug'.

Thugs are of varying sizes then. Eureka!

"How can a communist government hike petro-price", he questioned.

Rohit, however, did not mention as to whether he too was also a Thug or not.

His Bhaktapur voters perhaps better understand him.

Tarai...

entire weight for splitting Nepal's Tarai from the mainland to be governed by the parties themselves".

"RAW is fully confident that except for Upendra Yadav of Madhesi Janadhikar Forum, all other Madhesi leaders will not oppose to its designs", the source further claims.

"RAW has plans to check and counter Upendra Yadav through armed group of Jawala Singh—who has strong presence and capability to dismantle Upendra Yadav's base from Tarai", the source continues.

"If Nepal's political situation slips out of hand of India it is likely to invest huge finances to launch fresh disturbances in Tarai to sideline other political issues albeit suiting to their designs", the source concludes.

Pre...

March 26, 2011: 6 injured in Nepalgunj, explosion in a public vehicle.

March 26, 2011: Police recovers explosive devices from seven different locations of Banke and Bardiyia District

March 27, 2011: 23 injured in Bhairahawa, explosion in a public vehicle.

The Kantipur daily writes point blank referring to sources at Nepal Police Force and Armed Police Force that the explosions could have been carried out by the Indian side to further pressurize newly formed government (Communist coalition). In the meantime, Bhagat Singh of Terai-Madhesh Separatist Organization has taken the responsibility for explosion spree in the Nepalese Terai plains that adjoins India, it is reported. Turbulent days ahead. Panic prevails in Nepal.