



VIEWPOINT
Dr. Tilak Rawal



PERSPECTIVES
Dr. Surya Dhungel



OPINION
Dipak Gyawali

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With support from the Government of India, Nepal is among two dozen countries in the world to have started a nationwide vaccine campaign against COVID-19. At a time when the first phase of the pandemic is closer to plateau and will likely lead to the second phase, the process of administering COVID-19 vaccine shows a ray of hope to bring life back in secure and safe environment. Although Nepal has just received one million doses of Oxford AstraZeneca Covid-shield vaccine in a generous grant support, enough for 3 percent of the population, Nepal government has already started to purchase the remaining from the market through government to government channels. People are hoping that the second consignment of the vaccine will arrive soon, which will cover the old and people with poor health conditions. Given the current shortage of vaccine, it is very difficult for Nepal to purchase the vaccine from international market. Nepal has to make another effort at the government to government level with India for another round of vaccine. As launching of Covid-19 vaccine is a major event, we have decided to cover the administration of the vaccine as our main story for this week. We have also covered visit of foreign minister Pradeep Gyawali to India as our second major story.

Keshab Poudel

Editor

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Progress Despite Difficulty

Led by renowned banker and chairman Prithivi Bahadur Pande, Nepal Investment Bank Ltd (NIBL) announced a total of 18.5 Percent Dividend despite the effects of COVID-19

BY A CORRESPONDENT

The real test of leadership is not when everything is sailing smooth. Leadership is oftentimes tested during a crisis. The way a leader behaves and acts during a crisis will establish their credentials as a good leader or a poor one.

Very often, the unpredictable nature of crises means that leaders have no time to prepare. It is very much a do or be destroyed situation. Additionally, there's no telling how long a crisis will take to blow over. The time period can range from a day or two to over a few years.

Honesty and confidence are important things leaders need to display. The quality of leadership of any organization matters at the time of crisis. This is what Nepal Investment Bank has shown by safely navigating COVID-19 crisis and placing the bank on a track of recovery. Chaired by experienced and renowned banker Pande, NIBL is able to achieve progress despite complete lockdown of the country.

Chairman Pande and his family members also got infected with COVID-19. Even as he was hospitalized for a few days, he continued his efforts to minimize the damage to bank's overall performance giving direction and taking appropriate steps.

Along with other sectors, the nationwide lockdown announced by the government had also disrupted the transaction and day to day activities of the bank for a few weeks. However, NIBL is able to minimize the loss. Nepal Investment Bank Limited (NIBL) has announced a decision to distribute 18.5 % total dividend, composed of 13 % bonus shares and 5.5% cash, on its total paid-up capital.



Successfully concluding its 34th Annual General Meeting (AGM) for the fiscal year 2076-77 on 21st January, 2021 at its head office, Durbar Marg, the bank announced the decision. Chaired by the bank chairman Prithivi Bahadur Pandé, the shareholders were informed in the meeting of the bank's decision to distribute 18.5 % total dividend.

The AGM highlighted the Bank's major achievements in the fiscal year 2076-77, future plans, performance targets and strategies.

Taking in to consideration the Pandemic circumstances, the decision was taken to conduct the meeting through a virtual medium.

During the year, NIBL earned an operating profit of NPR 3.51 billion. The net profit of the bank for FY 2076/77 stood at NPR 2.42billion with paid-up capital to reach NPR 14.24 billion. In

the FY 2076/77, NIBL's deposits have increased to NPR 166 billion from the previous year's total NPR 152 billion. Similarly, the total lending has reached NPR 141 billion compared to NPR 127 billion from the previous year.

NIBL has been catering to its customers from 83 branches, 128 ATMs, 20 extension counters, 10 revenue collection counters and 59 branchless banking counters. The bank, being the recipient of five Bank of the Year awards for exemplary service and business, was accredited with Euromoney awards for "Best Bank 2018" from the international publication - Euromoney. Further, ICRA Nepal (International Credit Rating Agency- Nepal) has given the bank a credit rating of A.

Thanks to its leadership, NIBL has come up with some packages of profit to its shareholders.

NEWSNOTES

Biden Administration Wants To Partner With Nepal To Meet The Common Challenges

U.S. Ambassador to Nepal Randy Berry met with Prime



Minister K.P. Oli to discuss President Biden's top priorities. Ambassador Berry noted that the Biden administration wants to partner with Nepal and other countries to meet the common

challenges that no single nation can face on its own – from climate change to nuclear proliferation, and from cyberwarfare to global health challenges like COVID-19.

As President Biden said, “America has been tested and we have come out stronger for it. We will repair our alliances and engage with the world once again. Not to meet yesterday's challenges, but today's and tomorrow's. We will lead not merely by the example of our power but by the power of our example. We will be a strong and trusted partner for peace, progress, and security.”

According to a press release issued by U.S. Embassy in Nepal, Ambassador Berry told Prime Minister Oli the new administration will use diplomacy as the premier tool for global engagement. President Biden believes in international cooperation to solve common challenges like COVID-19. To that end, President Biden will resume U.S. membership in the World Health Organization. He will also restore the U.S. relationship with other international organizations and reinvigorate partnerships with democracies around the world, including Nepal.

As a first order of business, President Biden has re-joined the Paris Climate Accord and will lead a diplomatic push to raise countries' climate targets, including the United States. Ambassador Berry recognized Nepal is on the front lines of climate change. He relayed the Embassy's desire to help make the Sagarmatha Sambaad dialogue a success and discuss how to address the effects of climate change together.

Sara Beysolow Nyanti Is The New United Nations Resident Coordinator In Nepal

Ms. Sara Beysolow Nyanti has been appointed as the

new United Nations Resident Coordinator (UNRC) for Nepal. Ms. Nyanti presented her credentials to the Minister of Foreign Affairs Pradeep Gyawali on 26 January 2021 as the UN Resident Coordinator to the Federal Democratic Republic of Nepal.

“I am truly delighted to start my tenure as the UN Resident Coordinator

in Nepal. This is a crucial time for the UN and the government as it relates to containing the COVID-19 pandemic



and ensuring a coordinated response that is not only medical but addresses the socio-economic challenges as well. I am committed to our joined-up efforts to provide immediate and effective humanitarian support to Nepal in relation to not only the COVID 19 response, but to an overall effective emergency preparedness and response system. On behalf of the UN in Nepal, I express my commitment to support the government of Nepal and the stakeholders in pushing the envelope to build back not only better, but greener, and differently. Nepal's aspiration of graduation from being a least developed country is one that the UN shares, and our support in this area will remain a priority. With the Sustainable Development Goals (SDGs) at the heart of everything we do, I would like to reiterate the UN in Nepal's focus on internalizing the SDGs for stronger engagement with provincial and local governments in order to achieve the global agenda with a focus on gender equality,” said the UN Resident Coordinator Nyanti.

Prior to joining the United Nations, Ms. Nyanti worked as her country's Director of the National AIDS Control Program in the health ministry. She authored the first Global Fund for AIDS, Tuberculosis and Malaria funding for the Liberia's national AIDS response and led the development and subsequent legislation of the national AIDS policy, guidelines and law.

Indian Army Day Celebrated In Nepal

The Embassy of India in Nepal organized a function on 20 January 2021 on the occasion of the 73rd Indian Army Day. Purna Chandra Thapa, Chief of Army Staff Nepali Army and Honorary General of Indian Army, was the Chief Guest.

According to a press release issued by Embassy of India Vinay Mohan Kwatra, the Ambassador of India to Nepal spoke about the historical ties between Indian Army and the Nepali Army that bind the two countries in a deep bond of fraternal ties.



He also expressed gratitude for the selfless service and sacrifice of Gorkha soldiers in Indian Army. He reiterated India's commitment to serve the Indian Army pensioners and their families residing in Nepal.

COAS General Thapa conveyed his greetings to General MM Naravane, COAS Indian Army and Honorary General of the Nepali Army, on the occasion of the Indian Army Day.

He recognized the gallantry, courage & sacrifices of the Indian Army and appreciated its support in the modernisation of the Nepali Army. On this occasion, gallantry award winning gorkha soldiers of the Indian Army were also felicitated by General Thapa.

The Charge d'Affaires a.i. of Japan to Nepal Yoshioka Yuzo has signed a grant contract with the Community Development Center to build a training center and emergency shelter in Rautahat District. The construction is expected to



cost approximately NPR 91.5 million.

The project for building the training center and emergency shelter facility in Rautahat District is funded under the Grant Assistance for Grassroots Human Security Project (GGP) of the Government of Japan.

At the online signing ceremony, Yoshioka said the project will help promote the welfare and security of people in Rautahat District.

The Community Development Center was established in 1998 and has been providing training related to disaster prevention, vocational training, and that aimed to support education of children in the district.

Similarly, Charge d' Affaires a.i. of Japan to Nepal Yuzo signed a grant contract with Damodar Prasad Yadav, Chairperson of Centre for Health and Environment Conservation (CHEC) Nepal, for installing a machine for making sanitary napkins to support the hygiene of poor women in Birgunj Municipality.

The project is funded under the Grant Assistance for Grassroots Human Security Projects (GGP) of the Japanese Government and involves a grant of about NPR 4 million.

Similarly, the Charge d' Affaires a.i. of Japan to Nepal YOSHIOKA Yuzo signed a grant contract with Keshab Raj Bist, Principal of Shree Latinath Secondary School, for constructing a Vocational Training Center in Darchula District.

The project is funded under the Grant Assistance for Grassroots Human Security Projects (GGP) of the Japanese Government and involves a grant of USD 82,953 (about NPR 9.68 million).

The project aims to develop skills and increase employment opportunities. The vocational training center will provide a proper environment to deliver trainings related to both.

At the online grant signing ceremony, YOSHIOKA said he believed that the project will respond to the high demand for better vocational training for the unemployed in the district.

The Shree Latinath Secondary School, a community school, was established in 1955. It offers schooling from the ECD to the 12th grade, and also technical courses. Since 2018 it has also been offering vocational training to unemployed persons in the district.

Nepali UN Peacekeepers Patrolling Highly Sensitive And Disputed Territory In Syria



Deployed under the UN Peacekeeping UN Supervision Mission in Syria, Nepal Army's soldiers have been monitoring and patrolling disputed territory of Mount Herman with freezing

temperature of minus 20.

According to a press release issued by Public Relations and Information Directorate, Nepal Army has been deployed there since 2013.

According to a press release issued by Public Relations and Information Directorate, the areas are covered by landmines. Those Nepal Army soldiers deployed in the region are trained in High Altitude Training Center in Mustang. The Mount Harmon Region remains under the snow for six months. COAS General Purna Chandra Thapa also served the region as a force commander.

UNCHR Shuts Down Its Bhutanese Refugee Office In Nepal

United Nations High Commissioner for Refugees (UNHCR), the UN refugee agency, has permanently shut down its office in Damak, Jhapa amid a function and handed over the management of camp to Province 1 Government and local level.



Established 27 years ago, the office helped resettle over 113,000 Bhutanese refugees from Nepal to third countries since the launch of the program in 2007 with IMO.

Despite resettling of such Bhutanese, there are still two camps in Pathari of Morang and Beldangi Jhapa. There are 6000 refugees in the camp.

Ambassador Rajbhandari Presents Credentials To King Of Belgium

Gahendra Rajbhandari, Ambassador of Nepal to Belgium, presented his Letters of Credence to the King of the Belgians, His Majesty King Philippe, amidst a special official ceremony held at the Royal Palace in Brussels.

Following the credential ceremony, Ambassador Rajbhandari had an audience with His Majesty King Philippe. During the audience, His Majesty the King congratulated Ambassador Rajbhandari on his appointment and wished him for the successful tenure.



While expressing happiness over the state of bilateral relations and economic cooperation between Nepal and Belgium, Ambassador Rajbhandari expressed that he would be making utmost efforts to further strengthen the existing relation to take it to a new height during his tenure.

Ambassador Rajbhandari is the seventh Ambassador of Nepal to the Kingdom of Belgium after the establishment of residential Embassy of Nepal in Brussels in 1992.

BUSINESS BRIEF

Corporate Support Must For Quality Education: Binod Kumar Chaudhary



Chairman of Chaudhary Group of Industries and Member of Parliament Binod Kumar Chaudhary has said that education is an important and funda-

mental aspect of human life and it is considered one of the most valuable gifts bestowed upon humanity. He stressed that none of our children be left behind in education.

Addressing the World Education Conference 2021 as a chief guest, Chaudhary said that there is the need of quality education to improve life of people around the globe.

At the first global virtual conference organized by the Policy Times and Shiv Nadar University, various speakers expressed their views.

Industrialist Chaudhary said that if big corporate houses help for quality education under their Corporate Social Responsibility, there can be progress in global human development.

“Being a fundamental right, education can show individuals ways to understand the world,” said Chaudhary. “Education provides light in the darkness even at the time of frustration in professional life. Thus there is no alternative to quality education.”

He said that Nepal and India have a huge number of youth population. “If we provide quality and timely education to this generation, the future will be brighter in itself.”

He said that education was not only for achieving success in profession or enterprise, it was also for making life beautiful. He added that it can change one’s perceptions of life. Chaudhary said that under CG Corp Global CG education has been working globally for quality education through volunteerism. He said that Chaudhary Foundation has been running digital class room as a program adding that the program aims to increase access of Nepali Children in worldwide quality education program.

NIBL Has Started Consolidated Banking Operations With City Express

Nepal Investment Bank Ltd. (NIBL) announces the commencement of consolidated operations between itself

and City Express Finance Company Limited from January 24. The joint operations will be carried out from three branches namely; Ghanta-gar, Birtamod & Gaighat and will provide banking services to our customers. Nepal

नेपाल इन्भेस्टमेन्ट बैंक लि.
NEPAL INVESTMENT BANK LTD.



Investment Bank Ltd. had acquired City Express Finance Company Limited with swap ratio of 100:30.

According to a press release issued by NIBL, NIBL now has 86 branches, 128 ATMs, 20 extension counters, 10 revenue collection counters and 59 branchless banking counters. The bank, being the recipient of five Bank of the Year awards for exemplary service and business, was accredited with Euromoney awards for “Best Bank 2018” from the international publication - Euromoney. Further, ICRA Nepal (International Credit Rating Agency- Nepal) has given the bank a credit rating of A.

Global IME Bank Ltd Launches Cashless Transaction In Nakkhu

To promote cashless transactions, Global IME Bank Ltd has started a program of payment through QR code in groceries of Nakkhu Market area.

Governor of Nepal Rastra Bank launched the trading of cashless payment through QR code in the groceries of Nakkhu area of Lalitpur amid a function.

Global IME Bank organized the program to promote cashless electronic transaction under financial literacy promotion program.

Global IME Bank has said that it will organize more programs in the future to promote cashless transaction to increase the access of people in the banking sector.

Hero MotoCorp Surpasses 100M Milestone

Hero MotoCorp, the world’s largest manufacturer of motorcycles and scooters, has surpassed the significant milestone of 100 Million (10 Crores) units in cumulative production.

The 100 millionth bikes, the Xtreme 160R, were rolled-out of the Company’s manufacturing facility in Haridwar, in the northern Indian hill state of Uttarakhand.

This is also the 20th consecutive year that Hero MotoCorp has retained the coveted title of the world’s largest manufacturer of two-wheelers.

Hero MotoCorp’s achievement of this landmark is one of the fastest global achievements of the 100 million cumulative production mark, with the last 50 Million units coming in a span of just seven years.

Focused on Sustainable Growth, Hero MotoCorp has



been building value for communities across the globe and acting as an economic multiplier with its sales, R&D and manufacturing ecosystems. It also continuously works towards the progress of the societies it operates in.

To mark the occasion, Dr Pawan Munjal unveiled six special celebration edition models at the Company's manufacturing facility at Gurugram, located in the National Capital Region (NCR) of Delhi. The six celebration edition models include Splendor+, Xtreme 160R, Passion Pro, Glamour (motorcycles) and Destini 125, Maestro Edge 110 (scooters) – that will go on sale from February 2021.

Global IME Opens 244th Branchless Branch In Kanchanpur

Global IME Bank has started banking service in Kuluwapur Bajar of Kanchanpur district through a branchless branch. Following the operation of this branch, the total numbers of its branchless section reached 244.

According to a press statement issued by the bank, head of Surdur Paschim Province Global IME Bank Mukunda Prasad Bhatta and chairman of Kaluwapur Margent Committee Hari Bahadur Gaura jointly inaugurated the branchless section of the bank.

The bank has appointed Ganaram Rana as a representative of the bank. Under the branchless banking, people living in rural parts of Nepal can receive banking services through the representatives.

The branchless section also helps open deposit account, draw the limited cash and deposit saving and other facilities. People can also receive balance sheet of their account.

Himalayan Bank Ltd Concludes AGM

The Himalayan Bank Ltd hosted its AGM through a video conference in compliance to the circular issued by Government of Nepal to minimize spread of COVID-19.

The AGM has approved 14 percent Bonus Share and 6 percent Cash Dividend (including Tax) of its Paid-up Capital to its valued shareholders. After the distribution of Bonus Share, the paid-up capital of the Bank will stand at Rs. 10.68 Billion.

The Bank's 28th Annual Report for the Fiscal Year 2019/20 was presented in the AGM, highlighting that the Bank is continuously improving its service because of the trust of the valued customers and creative effort of the Management.

The Bank has become one of the leading, reliable and secured banks in Nepalese financial sector during the period of last 28 years; and the Bank is committed to providing



prompt and standard banking services.

At present, HBL has been extending its banking services through 70 Branch Offices, 4 Extension Counters, 146 ATM Booths and more than 4200 POS terminals throughout the country. During the review period, the Bank's total deposit reached Rs. 131.86 Billion, an increase of 16.60 percent compared to previous year. Similarly, the loans and advances reached Rs. 107.29 Billion during the review period, an increment of 9.25 percent compared to previous year. In addition to this, the NPA of the Bank has also dropped to 1.01 percent. The shareholders also expressed their satisfaction as the Bank has been able to hold on to its financial position amidst the pandemic.

Himalayan Bank Ltd And Siprodi Trading Sign Agreement

Himalayan Bank Ltd and Siprodi Trading Pvt Ltd signed a vehicle financing Agreement. Jayandra Bikram Shah, chief manager and Anu Mani Dhamala, General Manager of Siprodi Trading, signed the agreement.

Under the agreement, Himalayan Bank will provide loans in concessional rate to those who purchase vehicles from Siprodi Trading Pvt Ltd. According to a press release issued by the bank, the loans will be provided from bank's branches from all over Nepal.

Similarly, Himalayan Bank Ltd and Eastern Agency Pvt Ltd signed an agreement to provide concessional loan to customers to purchase vehicles. On behalf of the bank, Chief manager Jayandra Bikram Shah signed the agreement and chief executive officer Sunil Thapa signed an agreement on behalf of Eastern Agency Pvt Ltd.

According to a press release issued by the bank, the bank will offer necessary loan in purchasing the vehicles from the company



Instability Abounds



BY DR. TILAK RAWAL

Surprising the entire nation, Prime Minister Oli on December 20 dissolved the House of Representatives (HOR), and called mid-term polls to be held in two phases, pushing the country into a state of serious chaos and instability. Oli had no problem at all in securing President Bhandari's endorsement who wasted no time in formalizing Oli's proposal related to untimely demise of the House and holding of elections in two phases on April 30 and May 10. Understandably, this move of Oli came in the backdrop of the accentuated feud within the Nepal Communist Party (NCP) and the rival faction led by Prachanda\Nepal pressuring him to step down either as head of the government or party co-chair. Seemingly, he also ran the high risk of losing both jobs because he had fallen into minority in all the important bodies of the party and HOR where, it appeared, a no-confidence motion against him could be passed without much difficulty. A smart Oli, however, preempted all these likely moves by the rival faction with the sincere cooperation of the President whose good office even refused to register a petition signed by 83 CPN lawmakers requesting her to summon a special session of the Parliament.

Legal experts are more or less unified in observing that Oli's move was unconstitutional and President Bhandari should not have put her seal of approval on it in haste and without any consultation whatsoever. It is said that the present constitution, unlike the 1990 constitution, does not have a provision that allows a majority government to dissolve the House. The faction led by Prachanda\Nepal, which claims to have about two-thirds central committee members, has appointed Nepal as co-chair in place of Oli and Dahal has also been unanimously chosen as the parliamentary party leader, removing Oli from the post and ultimately expelling him from the general membership of the party as well. Similar punitive actions such as stripping Dahal of his executive powers have been taken against him by the faction led by Oli. In addition, the two rival factions of CPN are seen engaged in battles on several fronts and the rivals are busy trading accusations, most often making derogatory observations, and cracking jokes to the delight of listeners\viewers. Since the media coverage now a days of their activities is so wide and effective that not only those who attend their programmes in person have the benefit of entertaining themselves but the viewers\listeners miles away from the point of jocular activities have also been lucky enough to have access to this recent source of cost-free entertainment. Although a very good orator himself, Prachanda appears no match for Oli

as far as the question of making people laugh or entertaining them is concerned. In addition to the entertainment aspect, some of their revelations have given people information, some very serious, about their leaders and the party, which many people would not have known had it not been for this serious intra-party feud. Oli seems to be having a tough time sending back befitting replies to numerous attacks on him by

the three heavyweights (Prachanda, Nepal and Khanal) of the rival faction who are also well known for their oratory power.

The battle between the two feuding factions is being fought on multiple fronts- Supreme Court, Election Commission and streets of Nepal, mainly Kathmandu, that receive almost every day protesters opposing the move and occasionally some appear even to defend Oli's action as well. The apex court has already begun hearing on petitions challenging Oli's move to dissolve the HOR, which many experts term as unconstitutional and some even finding it tantamount to constitutional coup. While the petitioners and other experts have made it amply clear

that the present constitution does not have a provision, unlike the 1990 one, that allows a majority government to dissolve the House, some opine that the constitution does not prevent a prime minister from going to the people at a time when he feels seriously constrained to operate due to problems created by his own party colleagues. We have no choice but to wait for the verdict.

The Election Commission (EC) was also approached by the feuding factions doing

everything possible such as Oli expanding the Central Committee basically to outnumber the signatures of majority members (290) submitted to EC by the rival faction. Despite these efforts of the two factions staking claim to the party flag and election symbol, EC very smartly decided not to take sides with any of the two feuding groups, concluding that NCP was still one party as it had not received any request from any quarter to split the party. Hope this decision, not very much liked by the anti-Oli faction, does not contribute towards further shaking the nation.

In addition to the two rival factions of NCP, several other political parties and non-political organizations have taken to the streets, strongly protesting this move as unconstitutional. Although refusing to launch joint agitation programmes with

India, fast emerging as a major economic power of global scale, looks engaged in a healthy competition on economic front with the second largest economy in the world and predictions are that it will be fast leapfrogging many other economies to be near China (likely to be the largest economy soon), which has become the first country to register positive economic growth of around 2 percent in 2020.

the NCP faction led by Prachanda\Nepal, NC has been regularly organizing activities against this move. Looking at the site\ area selected for the phased agitation and balanced statements of Deuba, it is almost clear that there is a tacit understanding within NC to criticize this unpopular decision of Oli and also ensure electoral gains, taking advantage of the divided NCP, should the apex court decide in favour of elections. Ostensibly, NC senior leader Poudyal and many others in the party have been aggressively condemning the move without seeming to be tempted by the electoral windfall likely to emanate from early polls. Anti Oli faction organized a huge protest gathering in Kathmandu on January 22 and preparations are being made for a befitting reply soon. On the whole, these activities, irrespective of organizers, have engulfed this Himalayan country where the new variant of Corona has been recently traced and Nepalis are getting increasingly frustrated because the economy has been hard hit by the pandemic, making it difficult for many to meet their basic requirements.

The World Bank (WB) has painted a very bleak picture of the economy, stating that our economy would grow by only 0.6 percent while overall South Asian growth would be 3.5 percent. Looks like the concerned authorities finally have no problem in agreeing with the WB's revelation that last fiscal year our economy grew just by 0.2 percent and the nation will have to wait until 2022 to have 2.5 percent growth. International agencies expected the economy of Nepal to remain weaker in three fiscal years. Due to lack of employment opportunities, people have no income, which has adversely affected domestic demand for goods and services. The decline in import of petroleum products by 11 percent this year could have contributed a bit towards reducing our ballooning trade deficit but this is definitely not something to be happy about because reduced consumption of these products in most cases is a distinct pointer to reduced economic activities and declining growth. As stated by outside agencies, situation economically is not good, which can be corroborated by some other current facts about the economy.

Despite reported decline in imports and some improvement in exports, data made available for the last six months of this fiscal year show that Nepal imported goods and services worth Rs. 650 billion while our exports remained limited to Rs. 60 billion. Overall decline in imports, including a significant decline in imports of petroleum products, is attributed to the pandemic, which has inflicted serious injury on the economy. Government agencies report that petroleum import, despite the decline, was Rs. 20 billion more than Nepal's total export during the last six months. It is said that about 57 percent of industries\businesses have now become fully operational and need support from the state to sustain their current level of operation. It may also be interesting to note that despite record production of paddy this year (increasing by 71 thousand metric ton to reach 5.6 million ton) due mainly to favourable weather conditions, rice import in the last five months amounted to Rs. 18 billion. Likewise, in keeping with the performance of this

government in the last couple of years, progress on the capital expenditure front has continued to remain disappointing (14.4 percent of the allocated Rs. 352.91 billion) and so is the case with revenue collection, which remained at 41.73 percent of the targeted Rs. 1011 billion. Foreign direct investment has also registered a sharp decline. It is sad that, despite the nation already about a year into the pandemic, industrialists\businesses are still seen urging the government and the concerned agencies for tangible support and quicker delivery of whatever has been promised. Indeed, it is high time that we gave a serious look at the meaningful efforts made elsewhere, specifically in our neighbourhood.

Indian economy has been hard hit by the pandemic, which is shown by the shrinkage it experienced in the last two quarters. A number of schemes are in place to help the ailing industries\businesses and there are strong suggestions coming from different quarters, including the ruling BJP, that efforts be made in the next budget to put more money in the pockets of middle- income families because this way government of India would be incentivizing consumption by them, which would help domestic industries and businesses. It is also very likely

Although refusing to launch joint agitation programmes with the NCP faction led by Prachanda\ Nepal, NC has been regularly organizing activities against this move. Looking at the site\area selected for the phased agitation and balanced statements of Deuba, it is almost clear that there is a tacit understanding within NC to criticize this unpopular decision of Oli and also ensure electoral gains, taking advantage of the divided NCP, should the apex court decide in favour of elections.

that the next budget would cut the cost of raw material for small and medium- sized businesses, which is likely to be effected through substantial reduction in import duty. Government of India also looks determined to further increase investment on projects for roads, pipelines and ports to revive businesses and generate jobs to put the much-needed money in the pockets of people, focusing mainly on the middle-class (300 million of India's total population of 1.35 billion), which is feeling a lot of pinch. India, fast emerging as a major economic power of global scale, looks engaged in a healthy competition on economic front with the second largest economy in the world and predictions are that it will be fast leapfrogging many other

economies to be near China (likely to be the largest economy soon), which has become the first country to register positive economic growth of around 2 percent in 2020. Another mention worthy fact about India is that it has launched the world's largest vaccination drive to cover 300 million Indians and this is likely to be followed by another 270 million people. One of the world's biggest drug makers, India, has gifted millions of doses of Covid-19 vaccines to its South Asian neighbours, showing in very clear terms that it is with them in their struggle against the devastating **pandemic**. Hope Nepal government does not take too much time to make good use of the one million doses of easy-to-store Oxford\AstraZeneca vaccine it has received. Indeed, we do not expect Nepal government to perform miracles over night or do something like US president Biden who has announced many measures, including the announcement of a 19 trillion dollar relief package days before his inauguration on January 20, but our authorities definitely have to learn to deliver on time, without attempting to veil the unstable situation and the problems arising there from.

Dr. Rawal is a former governor of Nepal Rastra Bank

Friends In Need

Inking an agreement to provide temporary employment for Nepali youths, Israel has come to support the revival of Nepalese economy

BY A CORRESPONDENT

Having experiences of launching a program to provide Nepalese youths knowledge and skills in agriculture sector in Israel through a successful learn-and-earn program in his first tenure as an ambassador, Hanan Godar, coming to Nepal in his second tenure as an ambassador, has inked another landmark agreement with Nepal to provide employment to 500 Nepalese youths.

At a time when Nepal has been facing a major economic crisis following shrinking demands of Nepalese workforce in foreign countries due to COVID-19 pandemic, the recently signed agreement between Nepal and Israel is highly significant. Signing the agreement to allow 500 Nepalese youths to work, Israel government has shown its concern in Nepal's development and prosperity.

'Implementation Protocol' has been signed between Nepal and Israel recently for the implementation of 'Agreement related to temporary employment of Nepali workers in labour market of Israel'. The latter agreement was signed on September 30, 2020.

Director General at Department of Foreign Employment, Kumar Dahal, on the behalf of the government of Nepal and Israeli Ambassador to Nepal, Hanan Godar, on the behalf of the government of Israel signed the protocol.

With the signing of the protocol, the Israeli labor market would be opened for Nepali youth where 500 Nepali youths would go for employment. Nepali youths would get employment as caregivers as well as in hospital, nursing home and daycare centre, according to the Ministry.

They would get service and facilities as per the labour-related laws of Israel. The Nepali youths would go for employment through government-to-government of both countries. Israel is one of the attractive destinations for overseas employment. There are around 2,500 Nepalis in Israel, according to Nepali Embassy in Israel.

According to the Ministry, it has

been made systematic and transparent as much as possible as the government is sending the skilled and capable workers to Israel.

Nepali Ambassador to Israel, Dr Anjan Shakya, and Israeli Foreign Affairs Minister, Gabi Ashkenazi had signed the labour pact on September 30, 2020.

On the occasion, Minister for Labour, Employment and Social Security, Gauri Shankar Chaudhary, said that new dimension has been added in bilateral relation of Nepal and Israel with the signing of the protocol.

Minister Chaudhary expressed a belief that diplomatic, as well as labour relations between the two countries, would be cordial.

He also urged the Israeli government to provide opportunities of employment to Nepali youths in other sectors not only as a caregiver.

Nepali Ambassador to Israel, Dr Anjan Shakya, said that she was actively involved to open labour market of Israel to Nepalis since she reached Israel as the Nepali Ambassador and it has been successful.

According to the protocol, 500 Nepali men and women will get employment in Israel in the first phase. Nepali youth will receive benefits in accordance with Israeli labour law.

This is a government-to-government agreement to send Nepali people to Israel as auxiliary workers in caregiving houses of nursing homes. This is entirely a new MoU which outlines a transparent process of recruitment. No private sector involvement is envisioned in this process, said DG Dahal.

"First, we will have to formulate internal working procedures by specifying the application, selection and requirement process. The department has already proposed elements of such procedures with the Ministry, the procedures will be finished soon," he said.

The Department will launch online application system so that all eligible Nepali youth can apply themselves without the help of any external person.

There are many caregivers in Israel and most Nepalis go there as caregivers.



Israel is considered an attractive destination for foreign employment in terms of income, social security and employment security for workers.

'New avenues for Nepali workers'

Through a video conference, Dr. Anjan Shakya, Nepal's Ambassador to Israel, said that she had been trying to open the labour market for Nepalis since she arrived in Israel as an ambassador and today she achieved the success. Mentioning that Israel is an attractive destination for foreign workers, she said that Nepalis will be able to work in Israel with dignity.

On the occasion, Israeli Ambassador to Nepal Goder said that Nepali youths would get the same services and remuneration without any discrimination as Israeli citizens.

He expressed his hope that the process to send Nepali workers to Israel would begin at the earliest by completing the required procedures.

At a time when Nepalese youths in major working destinations, except Republic of Korea, have been working in lower rate, this agreement helps Nepalese youths to get the salary as per the Israeli equal pay system. Under the earn and learn program, off springs of small farmers have already shown how to apply the knowledge acquired during their training in Israel and earn money helping to transform the agriculture sector.

Sign Of Closeness

Gifting one million doses of India-Made COVID-19 Vaccine, India has shown its closeness towards Nepal

BY A CORRESPONDENT

As there is a massive scarcity of COVID-19 vaccine all over the world and many countries around the world are desperately seeking the vaccine, India has provided one million doses of the vaccine to Nepal just a week after rolling it out for emergency use in India.

With the handover of the vaccine, there is a great sigh of relief among the medical workers and government officials. This first batch of a million doses is highly important because it will be enough to cover the entire frontline workers, including medical professionals, sanitation workers and security personals.

It is reported that India will provide some additional doses to Nepal under the scheme. Providing the doses to Nepal under a high priority, India has shown its closeness with Nepal.

Prime Minister K.P Sharma Oli has thanked Prime Minister Narendra Modi and people of India for providing one million doses of COVID-19 vaccine called Covishield to Nepal. Receiving the vaccine from India, Prime Minister Oli said that the support given by India at this juncture is highly important. "We appreciate India's crucial lifesaving support," said Oli.

Ambassador of India to Nepal Vinay Mohan Kwatra handed over one million doses of Covishield vaccine to Prime Minister K.P. Sharma Oli at Prime Minister's residence in Baluwatar amid a function.

In his tweet, External Affairs Minister of India Dr. S. Jaishankar said that Nepal received Indian vaccines. Putting neighbors first, putting people first! In his tweet, Embassy of India said 1 million doses of COVID19 vaccines arrived in Flag of Nepal from Flag of India. A testimony to India's abiding friendship and commitment towards people of Nepal.

The Government of India gifted one million doses of 'Made in India'

COVID19 vaccines to Nepal for the immediate requirement of Nepal's health-care and front-line workers.

The vaccines were supplied on the request of the Government of Nepal. This assistance was also discussed during the recently concluded 6th India-Nepal Joint Commission Meeting co-chaired by the two Foreign Ministers in New Delhi on 15 January.

Ambassador Kwatra expressed the hope that the arrival of the vaccines would mark the beginning of the end of COVID19 and reiterated India's steadfast commitment to the people of Nepal in their efforts to defeating the virus.

The Health Minister said the timely gift of Indian vaccines to Nepal was akin to a parallel roll-out in both countries.

Ambassador Vinay Kwatra said the vaccines were a gift from the people of India to the people of Nepal and conveyed best wishes for Nepal's vaccination drive. Prime Minister Oli thanked Prime Minister of India for the generous grant of COVID vaccines to Nepal and said gifts are always a special gesture and the gift of vaccines at the time of crisis add to the significance.

Along with this support, India had extended human resource training to Nepal for vaccine roll out at the ground level covering, inter alia, administrative and operational aspects of immunization, cold chain, and communication and data management.

According to a press release issued by Embassy of India Kathmandu,

the gratis supply of such vaccines to Nepal fulfills the solemn promise made by Prime Minister Narendra Modi to use India's vaccine production and delivery capacity to help all of humanity fight this pandemic. It is also in keeping with India's 'Neighborhood First Policy'.

"The supply of the vaccines is in continuation of regular COVID assistance provided by India to Nepal since the onset of the pandemic, covering hydroxychloroquine medicines, RT-PCR test kits, ICU ventilators, Remdesivir medicines and ambulances."

The government has prepared to provide COVID-19 vaccines to 72 per cent of the total population. As all legal, financial, and technical works to import and use the vaccines have completed, preparations are being made to start administering the vaccines within seven days, the Ministry of Health and Population informed.

As Nepal received the vaccines, it has already started to administer the



front line health workers including doctors, nurses, and other supporting staffs. By offering generous support, India has shown how much importance it gives to protect the people of Nepal.

Democratic Distortions Bite Back



BY DIPAK GYAWALI

Those who have seen governments mobbed by “democratic crowds” in their countries through sponsored colour-coded revolutions have expressed *schadenfreude* at the January 6 events that rocked Washington DC’s Capitol. In an eerie parallel with Nepal’s PM Oli, Boris Yeltsin dissolved the Russian parliament in October 1993 even though the constitution did not give him that power, claiming that it was hampering his ability to govern. In return, the parliament, with support from crowds in the street, impeached Yeltsin; and the impasse was only resolved when Yeltsin mobilized the Russian army, encircled the parliament, shelled its top floors and subsequently disbanded it. For the next seven years, Western powers got along famously with “democratic” Yeltsin and his drunken, corrupt looting of Russia in the name of privatization. However, the Russian nation did not forget or forgive, eventually paving the way for the rise of Putin to halt what the Russians call “national *raspad*” (disintegration). Glee would be an understatement to describe what the Russian media is expressing right now at January 6 events in Washington DC.

There was a similar repeat of the mob drama at the Hong Kong Legislative Council in July 2019 when hundreds of protesters stormed the building, ransacked and looted it. It happened on the 22nd anniversary of the return of the island by Britain to Chinese rule after the 99-year lease ran out, an occupation that the Chinese see as part of the “one hundred years of humiliation” they suffered at Western hands. That demeaning colonization was the culmination of the British use of military aggression (superior naval force) in its desire to profit from selling drugs (opium) to the Chinese, which the Qin dynasty had banned. Despite the handover, Western powers have spared no effort to split Hong Kong off from China as an independent entity, with Speaker Nancy Pelosi terming the ransacking of the Hong Kong legislature as “a beautiful sight”. The Chinese, understandably, lost no time posting pictures of Pelosi’s Congressional office being desecrated by Trump’s rioters as “a beautiful sight”.

When we try to analyze these events, including Brexit and the fanatical Trump MAGA supporters, standard divisions of left-right, liberal-conservative, democratic-autocratic, or traditional-modern are of no help. There is

something deeper roiling these societies, including Nepal’s, which are reacting back to events that destabilized it in the first place. To understand that, we have to go back five centuries, to the rise of capitalism as a new phenomenon in human history, and to incisive minds that have reflected on its churning impact on the way humans organize themselves into meaningful collectives. One was Marx, perhaps the best student of capitalism, whose thinking on this, when shorn of its Leninist (and subsequently Soviet Stalinist, Maoist, Pol Potian etc.) distortions, still provide us with clues to analyze and understand these horrific events of anarchy

The instances of governance breakdown we have witnessed or lived through in recent times are often mistakenly romanticized as revolutions similar to the one in France in 1789, two decades after the founding of the Nepali state by King Prithvi Narayan Shah. Edmund Burke was one of the earliest thinkers whose writings help wean us away from such romanticization of anarchy that not only weakens a



country’s social and economic infrastructure but inevitably consumes its acolytes. When one looks back at European history, or for that matter Japan’s, one cannot help realize that those countries that opted not to go for obliterating the “*ancien regime*” but bringing about democracy with piecemeal engineering actually ended up with both stabil-

ity and progress.

Another thinker, whose more recent and more relevant reflections than Marx’s on the political economic origins of fascism that culminated in the Second World War and which many fear is in the early stages of its re-enactment, is Karl Polanyi. His famous “double movement” theory posits that a society organized around capitalism comes to a fork on the road in its evolution. One path is to opt for a welfare state that cares for its weakest and most vulnerable even as it uses the instruments of capitalism, and taxes it, to prosper with equity. Failing to do so inevitably leads to the other path – indeed to a major democratic distortion – of fascism where capitalism does not serve society but society is made to serve it through a coercive state and its militarization.

Polanyi’s “double movement” posits that a vibrant and caring society reacts and pushes back against unbridled capitalism through its civic and religious bodies to uphold values important to society other than pure profit. It would enact policies that both Vulgar Marxists and neo-liberals would denounce as “regression”. But such policies to protect its traditions, values and the most vulnerable from becoming mere grist to the “satanic mill” would save a society through this “double movement”. It would not be put on the chopping block of unrestrained capitalism where citizens would be merely labour, families nuclearized to mere labour reproduction, and the vulnerable marginalized beyond the pale.

When one looks back at the Trump phenomenon, he was popularly elected by a frustrated populace that felt itself impoverished both economically and through the erosion of its cherished social values. Even as the US stock market grew bullishly, more and more Americans were being pushed to the edge of poverty and demeaned by liberal, urban political correctness. Strangely, it was democratic socialists like Bernie Sanders who were able to point precisely to the malaise, that all the prosperity from economic growth was being soaked up by the rich 1% pushing the 99% deeper into penury that even multiple jobs could not amend. Unfortunately for the US, Trump’s fascism lite was more effective in capitalizing on the grievances of unbridled capitalism’s victims than were the Bernistas with their (correct, in a Polanyi sense) message of democratic socialism!

And it does not look like Trumpism is going to go away anytime soon. Indeed, a horrified world used to seeing the US as the etalon of democratic values – and whose bedrock is peaceful transfer of power – is shocked to see Biden being sworn in as the new president with more US troops guarding Washington DC than are there in Iraq and Afghanistan! What the June 6 putsch is exposing is the

grip that Trumpism holds in the minds of many especially slowly immiserized White Americans, including those in the army and the police. Such is the Bidenista fears of possible Trumpista protests that one is reminded of the divisions brought out in Punjabi minds by Indira Gandhi’s desecration of their Holy Gurdwara which eventually led her to being gunned down by her own Sikh bodyguards!

The prevailing assumption among the Bidenistas is that Trumpism was a bad four-year nightmare which has happily ended, that everything will now revert back to Obama Part 2. The philosopher Heraclitus long warned that one cannot step into the same river twice, since the river itself will have changed. Seeing how polarized America has become (much more people voted for Trump this time than in 2016 despite knowing all about him and his doings!), Biden and US politics are going to be shackled for long by Trumpism well into his presidency, with him constantly having to look over his shoulders for its counter push via the frustrated 99%. Add to this the alienation of its old post-World War II European allies, the pushing of rising economic and military powers such as China and Russia towards a new Cold War hostility, the failure of the US to invest in manufacturing and relying on the weaponiza-

tion of its financial power in a Covid-induced economy in recession – and one cannot miss all the ingredients of a perfect storm brewing.

What will it mean for Nepal and the rest of the world? They will essentially be caught in a nut-cracker of multi-polar great power rivalry. Old assumptions of the World Order

as well as of global institutions such as the development agencies or even the United Nations and its SDGs or climate IPCC will no longer hold, even though Biden has made all the right, nice sounding noises about them. Old values of developmental professionalism will give way to the “*realpolitik*” of basic vested national interests and the great games that big powers will play. Countries with stable and strong polity will probably be able to benefit if they play their cards right. Countries such as Nepal with a dysfunctional dispensation, politicians both visionless and self-serving, and a disenchanting population that finds alleged “democracy” not serving their basic interests will find themselves caught helplessly in multiple nut-crackers not of their choosing. Indeed, the old Chinese curse, “May you live in interesting times!”, seems to be their foreseeable fate.

Another thinker, whose more recent and more relevant reflections than Marx’s on the political economic origins of fascism that culminated in the Second World War and which many fear is in the early stages of its re-enactment, is Karl Polanyi.

The Question Of Constitutionality Of Dissolution



BY DR. SURYA DHUNGEL

Preliminary Observations

Nepal's House of Representatives (the Lower House of Parliament) has been dissolved by the President on the Prime Minister's recommendation, and dates for new elections have already been announced. Nearly 14 public interest litigation cases are being heard by the Supreme Court's Constitutional Bench against the Government's decision of the Lower House dissolution. No stay order has however been given by the court.

Any utterance intended directly or indirectly to influence or undermine the five-member Constitutional Bench headed by the Chief Justice of the Supreme Court is certainly unhealthy. It is tantamount to violation of constitutional principles, politico-legal morality, and judicial independence. The recently published comments, interviews and statements by lawyers, political scientists, former justices – including a statement by **four former Chief Justices** – are most unusual and constitutionally questionable, as they may impose pressure on the court. The frequent **street show** on *subjudice* cases, seemingly supported by political parties and individuals that themselves played a crucial role in the Constituent Assembly and advocated independence of judiciary and democracy, tend to undermine the value of the Constitution, rule of law and the justice system.

The **main purpose** of writing this article, however, is not to seek answers to the serious constitutional questions under Court's consideration. It is meant neither to support dissolution, or to oppose it. Rather, it is to provoke constitutional scholars and political scientists to utilise the opportunity as it presents itself to save from further derailment our unique and as yet fully undefined parliamentary, federal Constitution. This preliminary observation of issues involved in the abrupt dissolution of the Nepal's House of Representatives (HOR) by the Prime Minister may help the **Constitutional Bench** constituted to hear the dissolution-related cases, the lawyers representing both parties, as well as those engaged as *amicus curiae*. Without unnecessarily stretching the arguments on legal paradoxes and underlying political intricacies, an attempt is made to directly address the matters that will engage the justices in the court for days to come. As one attempts to get to the core of the disputed subject, with the **high voltage discourse and extreme polarisation** within the political and legal communities, one

has to take a risk of opining in the national interest and in favour of federal constitutionalism and rule of law.

Issue of Constitutionality

The dissolution of the HOR as declared by the President of Nepal on the recommendation of Prime Minister KP Oli under the

present Constitution **appears prima facie to be unconstitutional**, as raised in the petitions and comments of many legal experts. However, the political dimension of the dispute was polluted from the very outset by senior politicians, particularly of the ruling parties, due to their inherent and acute in-house differences. The obvious victims of their **political anarchism** were the nascent federal Constitution and its institutions, such as the presidency, Parliament, premiership, political parties, the Constitutional Council, and even the judiciary. The consequence of the unsavoury infighting and dirty political games was the **'early termination'** of the HOR, which in turn has now created political uncertainty and constitutional vacuum. Amidst all this, a little ray of hope is seen in the call for an **'early poll'** which allows the public at large, through the electoral ballot, to censure the poor performance of the political parties and the dirty games they have played. The indication by the opposition parties, mainly the Nepali Congress and the RPP, that they will participate in the polls if the Supreme Court clears the way is a positive sign.

Constitutional Power of Dissolution

The governing principles of **textual interpretation** exploring the intended meaning of the words of the Constitution indicates that when the Parliament exhausts all given options to produce a new Prime Minister, the last candidate of the President's choosing, if defeated at the floor of the House, has a right to recommend dissolution. Once Parliament fails to produce a new Prime Minister under **Article 76**, such a defeated Prime Minister is in fact mandatorily obliged under **Article 76 (7)** to recommend dissolution to the President, who is also constitutionally obliged to accept such a recommendation. Interestingly, however, there is an inherent inconsistency, creating **deep cleavage**, in Constitution, in relation to **Articles 76 (7)** with **Articles 74, 75 and 85**, which has escaped the eyes of even the most-eagle eyed among our well-known constitutional experts. This inconsistency rupturing a **cleavage** can be

considered dangerous.

Many legal and judicial luminaries, including former Chief Justices and former Speakers of the House, seem to have encountered difficulty in penetrating this inconsistency, or gap, in the constitutional text. There is indeed a wide gap between the provisions allowing dissolution as recommended by defeated Prime Minister under **Article 76 (7)** and the space for early termination of HOR by a Prime Minister holding absolute majority in the House under **Articles 74 and 85**. No one has given enough thought as to what happens, for example, if a defeated Prime Minister of presidential choice does not recommend dissolution to the President as prescribed by **Article 76 (7)**. The President cannot declare dissolutions *suo motu*, and a defeated Prime Minister may otherwise continue to head as caretaker government so long as a new Prime Minister is not appointed. This is a risk-ridden **lacuna** hidden within the Constitution, and must be termed an **erroneous clause**. When the terms and text in the Constitution alone cannot help in interpretation, the members of the Constitutional Bench have the responsibility to bank on **the principle of harmonious interpretation** to clear the fault-line.

Dissolution Options

Article 85 provides for a **five-year** tenure of the HOR, unless 'dissolved' earlier, which appears to allow dissolution, as stated earlier, only if a defeated Prime Minister under **Article 76 (7)** recommends it. This particular provision for dissolution of HOR operates only when Parliament is unable to produce (or elect) a new Prime Minister either right after election of the HOR or when a Prime Minister's position is vacant due to resignation or defeat in the vote of confidence motion. In this sense, the provision of dissolution prior to **automatic dissolution** at the end of HOR's five year tenure becomes dysfunctional and inoperative, unless a defeated Prime Minister is not prepared to go for dissolution. While dealing solely with the constitutionality of the faulty dissolution provision under **Article 76 (7)** and **Article 85**, the Constitutional Bench will have to seriously consider possible options to ensure effective operationalisation of **Article 76 (7)** even if a defeated Prime Minister on the floor does not recommend dissolution. Moreover, the question of incumbent Prime Minister's power of dissolution under Nepal's reformed parliamentary system exclusively based on **Articles 74 and**

85 is yet to be analysed and explained.

Otherwise, all arguments in favour of **'limits' on dissolution** created by the norms of constitutionalism under our 2015 Constitution will strengthen the hand of defeated prime ministers to play unfair games against the values of rule of law and constitutionalism in relation to parliamentary dissolution. Thus, simply challenging the constitutionality of dissolution is not enough.

Undefined Article 74 ?

In addition to clarifying restricted meaning of **Articles 85 and 76 (7)**, the scholars and advocates of political constitutionalism have to work hard to innovate a new way to deal with the issue of establishing a prime minister's power-relationship under the unique three-tier federation, exercising state authority as directed by **Articles 2, 56-58 and Schedule 5-9** with parliamentary systemic executive power as authorised by **Articles 74, 75 and 76 (7)**. The residual authority of the Federal Government under **Article 58 and Schedule 5 (35)** enables the Central Executive to give wider universal meaning to the undefined federal parliamentary system under **Article 74**.

Despite any existing personal political allegiance, there is an added burden on the individual *amicus curiae* at this juncture to offer a manageable constitutional outlet and practical political options. Since the present Constitution is a multi-order federal document that articulates several new elements of constitutionalism, many of the old precedents and principles developed by earlier larger constitutional benches may not be fully applicable. Innovations may therefore be required to respond to many challenging politico-constitutional issues raised in the present case of dissolution. The *amicus curiae* may also have to ask the Court to consider possible consequences of dealing with the political question as to what would happen if the Court issues writ orders and declares the dissolution unconstitutional. In this situation, both the President and Prime Minister will be morally obliged to immediately resign, and the HOR would return to *status quo* ante. The Vice President, officiating as president, would summon the HOR sessions, and a process to elect a new Prime Minister under **Article 76** would be initiated. The country will then have the new task of holding elections to choose a new President, pushing the country to another round of political instability.

The issue of 'constitutionality' cannot be said to have



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been properly interpreted simply because several former Chief Justices and Supreme Court judges have opposed the dissolution. Each member of the Constitutional Bench, mandatorily headed by the incumbent Chief Justice, will have to apply his own mind fairly, independently and with competence, keeping national interest and the future of the federal constitutional order as the top priority.



Arguments favouring Dissolution

Assuming that there was no writ petition filed at the Supreme Court, the country at this point would already be half way through the process to the parliamentary polls seeking fresh mandate for the potential new government. While the PIL cases may have reduced the momentum, the **National Election Commission** will continue preparing for the **elections until and unless** the Supreme Court gives a verdict against dissolution. Moreover, the Government claims it had consulted the Commission prior to dissolution of the Lower House before announcing the dates for **early elections** as per **Section 6 (1) of the House of Representatives Election Act 2074 (BS)**. This provision does not prevent the Prime Minister to declare early elections for the fresh poll at a date of his choice, and **Article 74** does not prohibit a ruling Prime Minister under the present hitherto **undefined “plural, multiparty, federal parliamentary system”** to dissolve the House and seek a fresh mandate from the people. If the prime minister’s own party, the Speaker, and the opposition do not cooperate but create obstructions in governance, the Prime Minister may count this as ample ground for dissolution under normal circumstances.

Unique Federal Parliamentarianism

Nepal has a three-tier federal governance model that is unique. The ‘pluralistic, multiparty, republican, federal government system’ is the basis of the parliamentary governance structure at the central level (**Article 74**). Nowhere does the Constitution define this structural parliamentary model. Unlike in India and the UK, here the executive power rests in the Council of Ministers headed by a Prime Minister (**Articles 75, 76, 77**). The Federal Parliament is bicameral, and the President is not a part of the Parliament as is the case in India and the UK. The seven provincial sub-governments

are also designed as parliamentary, responsible to produce Chief Ministers accountable to the Provincial Legislatures with the Federal Parliament. Although Provincial Legislatures are unicameral and can be dissolved before their normal five-year tenure, interestingly, however, the third tier of 753 local sub-governments are designed after the **presidential model**, and unlike the federal and provincial legislatures, cannot be dissolved before their five-year fixed term is up. The executive and legislative heads are the mayors directly elected by the people, and they cannot be removed earlier. Hence, the very nature of parliamentary governance model under Nepal’s constitutional system, especially limited at the federal and provincial levels, needs to be seriously examined, understood and the understating regarding them has to be refined. Since the Constitution does not define the ‘pluralistic federal

parliamentary governance model’ at the federal level under **Article 74**, this provides flexibility to the Federal Executive (i.e., the Council of Ministers) to explain under **Articles 58, 75 and Schedule 5 (35)** the meaning of new parliamentary model. Thus, the power of dissolution of HOR, with its normal five-year tenure (**Article 85**), is not as easily explained as attempted in the PIL petitions before the Supreme Court. The Constitution and underlying principles of each provision has to be perused exhaustively if one is to get at the real meaning of federal parliamentarism and House dissolution.

Federal Residuary Power

A review of **Articles 2, 56-58, and Schedule 5 (35)** read together, would thus indicate that the Federal Government headed by Prime Minister is authorised to exercise ‘**residuary executive power**’ to interpret the linkages between **Article 74** and **Article 85** with regard to the overall scope of dissolution of Parliament, while **Article 76 (7)** is restrictively applicable only in the context of electing a new Prime Minister. The scope of **Article 74** is certainly wide and it offers enough space for a Prime Minister to dissolve the Lower House before the HOR’s five-year term is over, in situations other than the floor test alone as narrowly raised by petitioners.

The PIL petitioners have ignored the need to explain issues such as: what happens when an annual policy statement of the President at the House is not approved by the Parliament? Or if an annual budget is not passed? If the Prime Minister’s own party repeatedly threatens to dislodge him or impeach the President, he does have options either to resign and seek a **vote of confidence** in the House or take a risk and go to the people – in essence democratically asking the ‘trouble makers’ to face the people through elections. Should the apex court deny the ‘**Executive Head**’ from

going to the people? Is it not a travesty to demand that the apex court intervene on what is exclusively a *'political question'*, un-related to matters of constitutionality? It is the Prime Minister as a Leader of the House, not the Constitutional Bench of the Supreme Court, who has the first right of interpreting constitutional provisions related to parliamentary practice, Nepal's unique federal parliamentarism, and the matter of parliamentary dissolution.

One must add the following cautionary note for those supporting the PIL petitions and who seek the transfer of the cases from the Constitutional Bench to a full

bench of the Supreme Court: Distrusting a **'Constitutional Bench'** (Article 137) created after such a long debate in the Constituent Assembly for giving final meaning to the constitutional provisions is itself an expression of distrust in the Constitution. The Supreme Court cannot simply abdicate its inherent judicial power of constitutional interpretation through 'Constitutional Bench' simply because a few lawyers so demand. Under the globally accepted *comparative parliamentary practice*, there is nothing to prevent a Prime Minister from relying on constitutionalism to recommend dissolution under **Articles 2, 5, 56, 57, 58, 74 and 85**. The Prime Minister's power to declare dissolution and early poll, differently from **Article 76 (7)**, is supported by **Section 6 (1) of the House of Representatives Election Act 2074 (BS)** and international conventions.

Options and Way out

As briefly mentioned above, defining an undefined issue related to a new constitutional and parliamentary order is certainly a big challenge for the five members of the Constitutional Bench. Indeed the Bench has become a focus of public interest and, at the same time, the repository and symbol of the people's faith in the judiciary. Clearly, the design of the federal multi-party parliamentarism of Nepal offers two options for the Parliament's dissolution. Firstly, the option relates to a defeated Prime Minister when the House is unable to produce a new Prime Minister under **Article 76 (7)**; and, secondly, the option which may be a bit hazy but offers wider space for dissolution by the incumbent Prime Minister in exercise of his federal executive powers under **Articles 74 and 75**, together with the 'federal residuary power' under **Article 58**. This option is further supported for implementation by Section 6 (1) of the House of Representatives Electoral Act 2074 (BS) as well as comparative international parliamentary practice.

The courts normally do not prevent the Executive

from going to the people on valid political grounds presented by the 'Executive Head' based on the principles of the separation of powers and parliamentary accountability, to reach the people for fresh political mandate to govern. Only



in exceptional situations involving mixed constitutional and political questions, might a court intervene against the executive decision to disband a parliament.

The comparative parliamentary experiences of the democratic world show different ways of implementing parliamentarism that allows options to reach out to the people in the name of 'political stability'. Political stability and 'political flexibility' go hand in hand; both are opposed to 'political rigidity'. Reforms are always welcome, but they must be for the good.

Reforms introduced under the Fixed-term Parliamentary Act (2011) in UK, implemented since 2015, in the name of political stability, acutely tied the hands of several Governments and prevented British Prime Ministers from carrying out urgent tasks. In 2019 AD alone, three successive recommendations of the British Prime Minister to dissolve Parliament were denied by Parliament as the Act required parliamentary endorsement. Consequently, both the Conservative Party and Labour Party were impelled to include in their party manifestos the commitment to repeal the Fixed Term Parliamentary Act. They are now preparing to introduce a bill to do away with the arrangement of restrictive dissolution that crippled the hands of the Prime Minister and the Government. So, such restrictive measures against dissolution experimented, in the name of stability, by the UK's mature common law parliamentary system, has not worked.

In conclusion, let the sharp brains of competent lawyers offer sufficient materials to help enrich the arguments before the learned justices of the Constitutional Bench, to offer the right options for the sake of Nepali Constitutionalism and Parliamentarism. Let no external pressure prevent the Constitutional Bench from going for the decision it sees to be proper.

Dr. Dhungel is Professor of Constitutional Law and Senior Advocate.

POLITICS

That One NCP

With the decision of Election Commission, KP Sharma Oli led NCP is now a legitimate party

BY A CORRESPONDENT

Following almost a month of ambiguity and uncertainty on who leads the legitimate Nepal Communist Party, the recent decision of Elections Commission has made it clear that there is only one Nepal Communist Party now.

The Election Commission of Nepal decided that neither of the two factions of the ruling Nepal Communist Party (NCP) would be accorded a legitimate status.

The polling authority stated that since both the groups — led by Pushpa Kamal Dahal – Madhav Nepal and KP Sharma Oli — failed to follow due procedures, they would not gain recognition.

With this decision, the commission has maintained that Oli and Dahal remain the chairs of the party as the NCP, despite a split among warring factions, continues to remain the same legally and will

notify both the groups accordingly.

Although the decision seems to have been neutral, the decision recognizes NCP led by Prime Minister K.P. Sharma Oli as a legitimate party. Rejecting the claim by both the groups, Commission has made clear that there is no legal evidence to recognize either of them.

“The EC’s decision has recognized us as a legitimate party. Others are a hoax,” thundered Prime





Minister K.P. Sharma Oli addressing a rally in Dang. “Now on election symbol, the sun is with us and original party is with us.”

Finding some ambiguity on the decision not clearly recognizing them as a legitimate party, NCP Prachanda and Nepal faction has issued a statement asking EC to recognize them as a legitimate party.

“There is a flaw in the EC’s decision. Since we have two third majorities of central committee members and standing committee member, EC should have recognized us as a legitimate party,” said Narayan Kazi Shrestha, spokesperson of Prachanda-Nepal led faction. “EC will come out with a clear cut decision recognizing us as a legitimate party.”

Just a few hours before the decision of EC, Dahal-Nepal faction had removed Oli from party’s general membership. The group accused Oli of not providing explanation for his recent moves as sought by the leadership.

Oli led faction has already taken a similar step removing Mad-

hav Kumar Nepal and Pushpa Kamal Dahal from the general membership of the party. As both the groups are trying to discredit each other, the Supreme Court continues hearing on the petition of House dissolution.

Implications of EC’s Decision

Not recognizing the split of the party, EC has given a last chance for both the factions to unite again. Although both the groups are at the stage of fight to finish politically, the decision still gives hope for those who have been pushing for a patch-

up between the two factions.

Along a strong communist group, Nepal’s northern neighbor China has already sent a high level delegation with a message for the unity within the party. Chinese delegation reportedly urged both the factions to forge unity, giving up differences.

Although EC’s decision is based on existing legal provisions, the decision gives space to those who still want a united strong communist party in Nepal. This decision also further pushes the possibility of





the opposition Nepali Congress and Janta Party Nepal coming to join Nepal-Prachanda led front against PM Oli.

Following the decision, there is only one NCP now. It means there remain the two chairs and one general secretary. EC's decision has also made it clear that only General Secretary Bishnu Poudel has the authority to verify and authenticate the legal document.

As the general secretary Poudel is with PM Oli side, Prachanda and Nepal led faction will have a very difficult choice now. Both the

factions are claiming themselves as legitimate group and not demanding split, EC had also very little space. Not recognizing the split is the safest side for them.

Dissolution In Court

As the five-member constitutional bench of Supreme Court continues its hearing on the writ filed against the dissolution, EC's decision may further strengthen the position of prime minister K.P. Sharma Oli.

Prime Minister Oli has been repeatedly saying that he dissolved the House of Representatives (HoR)

of the federal parliament and opted to go for elections to take a fresh mandate of the people as "political horse trading" of Members of Parliament had begun once again in the country.

With the EC's decision, PM Oli's political power has further strengthened. Even in case of revival of house, he has the legal authority to issue the whip since he is the leader of parliamentary party.

As Nepal and Prachanda faction is adamant to announce split and get recognition as a separate party, they cannot do much. With over 400 member central committee members, it is difficult for verification. In the past, there used to be a small size of central committees, the split used to be a matter of minutes.

For Prime Minister K.P. Sharma Oli, the political course is moving in his favor. Although a group of civil society are opposing his move supporting the issue raised by Nepal and Prachanda faction, two major political parties Nepali Congress and Janata Samajwadi Party-Nepal have declined to launch a joint struggle.

They have made it clear that they are against the dissolution of House of Representatives but they accept the verdict of the court. Prachanda and Nepal-led Nepal Communist Party has repeatedly asked both the parties to join hands in a joint struggle against PM Oli's decision to dissolve the House of Representatives.

NC General Secretary Purna Bahadur Khadka, who is close to party President Sher Bahadur Deuba, said the party had been protesting against the dissolution of the HoR and there was no question of a





joint struggle.

Another NC leader Ananda Prasad Dhungana said his party had always led joint political struggles in the past, including during the popular movement of 1990 and 2006, but the communist party had always betrayed the nation. “We will not join any struggle to restore one faction against other. We will launch a joint struggle if there is real danger for democracy.”

He said his party had termed the dissolution of the HoR an ‘un-constitutional and undemocratic move’ but would abide by the Supreme Court’s decision on the issue.

Janata Samajwadi Party-Nepal’s Rajendra Mahato said a joint struggle could happen only when the stakeholders reached understanding on addressing each other’s concerns after the agitation succeeded, but in this case, the Dahal and Nepal-led NCP had not discussed anything.

Mahato said that both the NC and NCP had betrayed Madhesi, Janajati and other marginalized groups and communities while framing the constitution and there was no guarantee they would not do the same again.

Mahato added that both fac-

tions of the NCP led by Prime Minister KP Sharma Oli and Pushpa Kamal Dahal and Madhav Kumar Nepal were still averse to the demand of constitution amendment.

What Is Next

Given the present political equation, Nepal’s constitutional process is in a crisis. Whether the court orders for revival for the House of Representatives or dissolution, it makes the constitutional process irrelevant.

As all political leaders and civil society members are putting pressure and threat to the court to deliver the decision on their favor, it looks that the constitutional solution will be challenged by all.

Even constitutionalist Daman Nath Dhungana, who has spent his entire career for rule of law and constitutionalism, issued a statement saying that those pleading for elections were justifying lynching.

At a time when politics is already over the constitution, there is no meaning of constitutional interpretation and constitutionalism. Constitution works only in the normal circumstances and law abiding situation. When political issues come out, it is just a bunch of paper.

Given the current political

trends and constitutional provisions, there is no option other than the elections. Prime Minister Oli will remain the prime minister and the house’s life will depend upon his decision. According to the constitution, a minority prime minister can recommend the dissolution of house and call fresh elections.

However, a political miracle, which one cannot rule out in Nepal, can avert major crises and clashes. If NCP’s two factions patch up their differences and agree to remain in the same party, the current political uncertainty will come to an end and elections can be averted for next two years.

“If NCP remains divided, elections are the only option. Whether one likes it not, there will be elections. If they cannot be held in April, there will be elections in November,” said former General Secretary of Nepali Congress Taranath Ranabhat.

Even Home Minister Ram Bahadur Thapa indicated that upcoming mid-term elections may be postponed if the court delays its verdict on the dissolution of the House of Representatives that is sub-judice in the court.

Whether the elections would take place in the scheduled time period (30 April and 10 May) depends on how soon the court delivers a verdict on the subject, he said. “The government is ready to organize the elections within the stipulated timeframe. The Election Commission and all security agencies are prepared for this. We are waiting for a court verdict,” he said at a press conference organized by the Press Organization Nepal, Kalikot.

After EC’s decision, the political course has changed. If PM Oli is determined to hold the elections, he will still go for it as there is no constitutional way out under the current political situation.

Second Wave Of COVID 19: Asian Underdogs Show The Way

According to Worldometer global database, which sources data from national ministries of health and the World Health Organisation, of the 215 nations and territories that have reported COVID-19 cases, 120 have experienced clear second waves or late first waves that began in July or later. With thousands of deaths, many countries have now gone into the strictest of lockdowns. Flights have been cancelled and businesses have been forced to close down again. The economy, which was slowly showing signs of recovery, is in shambles once again.

Going by the news coming in recent days, of these 120 countries, only six have definitively emerged from their second wave: Australia, South Korea, Japan, Hong Kong, Vietnam and Singapore. In other words, 5 Asian countries have successfully emerged or are doing well to control the second wave of virus in their respective countries. The first wave of coronavirus swept through the world unprepared. However, the entire world had enough time to prepare for the second wave. Still, why were some countries caught off guard while how did other countries tackle it relatively better?

One of the first reasons why Asian countries were better in handling second wave is due to the swift action taken by their governments. For instance, by early February, South Korea had swiftly developed a system to conduct about 10,000 free tests daily, while relying on apps and GPS technology to track down cases - giving it the framework to quickly squash any new outbreaks. In Vietnam, which still has one of the lowest deaths, a targeted approach and strong political leadership led to swift actions like implementing a strict lockdown. In other words, there was a clear approach from the government on what to do and how to contain the virus. Things were the exact opposite in the Western countries. The decisions by government were not as swift as they should have been. Governments feared that their decision to re-implement restrictions would not go down well with many as they would feel their 'personal freedom' being violated.



BY ABIJIT SHARMA

The Asian countries did not stick only to conventional options. For instance, four of the five Asian countries that have emerged from their second wave did so without relying fully on lockdowns. They showed that options like lockdowns are intermediate options, but they only work if certain conditions are met. They engaged heavily in effective testing, contact tracing and isolation capacities; a culture of wearing masks and following public health directives; electronic contact tracing; and selective local restrictions such as closing bars, restaurants and places of worship. In other words, the countries, through their past experience and logical thinking showed that there was no one-solution fits all approach. In Vietnam, for instance, one of the reasons why people wore masks and maintained social distancing was because of the heavy emphasis of the government on innovative social messaging. Such innovative approach has been largely missing from many European and western countries.

European and western countries were also too early to let their guard down which has given them a hard time in containing the virus. Summer is the vacation season and a 'golden goose' for European economies. Many countries thus lifted various restrictions to enable tourism. As a result, many people had a sense of regained freedom and a feeling of lesser need to adhere to physical distancing measures which proved to be fatal. In Asian countries, on the other hand, the government did not let



its guard down so quickly. For instance, Hong Kong barred non-residents from entering the city for the longest time, halted travelers from transiting through the city's airport, and implemented strict quarantine and testing measures on all arrivals to the city, regardless of origin. Those under home quarantine were given electronic bracelets to track their location. While in countries like UK, there was a rush to open pubs and bars, in Asian countries, the government implemented restrictions like prohibiting alcohol sales in bars and closing all gyms and sports facilities for a very long time. All of this contributed to better management of the second wave.

Sharma is a political analyst with a Political Science degree from Delhi University and an International Law degree from ECUPL, Shanghai.



NEPAL-INDIA RELATIONS

Closed Narratives

Calling for border resolution, amendment of 1950 treaty, EPG report, Foreign Minister Gyawali shows the narrative of Nepalese leaders has not changed despite willingness to work in a new situation

BY KESHB POUDEL

As it is said in diplomacy if there are many disagreements between the nations, the leaders must start dialogue on the point of agreement to restore confidence and normalize relations.

Following a chilling relationship, Nepal and India have initiated the exchange of high level visits to bring normalcy and closeness back. From Indian side, three high-level visits concluded in a matter of two months.

Except the visit of India's primer intelligence chief Samanta Goel's visit which landed on political controversy due to mishandling from PM Oli's office, two other formal and official visits of Indian Army chief Gen MM Naravane

and Foreign Secretary Harsh Vardhan Shringla were highly successful to restore the level of confidence and bring the traditional relations between the two countries back on track. These visits helped bring ties to an even keel.

At the foundation led by three visits, foreign minister Pradeep Gyawali paid the first official visit to India. His initial statements and words were well meaning directed to mend the fence as he highlighted the issues based on the point of agreement, mutual trust and commonality of interests.

However, nothing can prevent his old narratives on Nepal's relations with India which he inherited from his schooling days -- calling for amendment

or revision of 1950 Peace and Friendship Treaty and border disputes are prerequisite to become a staunch communist nationalist.

Well calculated and crafted words used by him in the beginning of the visit vanished as soon as he raised the contentious issues like border resolution, amendment of 1950's Treaty of Peace and Friendship and handing over of EPG Report in his meeting with minister of external affair Dr S. Jaishankar and his address to India's intellectuals.

Raising contentious issues or points of disagreements reportedly irritated PM Narendra Modi who declined meeting with FM Gyawali and Nepal missed a chance to warm the relations



at top political level.

Addressing a gathering at Indian Council of World Affairs, New Delhi, minister Gyawali, in his well written statement, highlighted the strength of Nepal India relations and its foundation.

In his interactions, minister Gyawali made every effort calculative using the words aiming to strengthen the relations and not to harm the warmth. However, he poured the ice at the end raising highly sensitive points of disagreements.

“Nepal-India relations are the vast confluence of political and economic interactions as well as unique ties at people-to-people level. They cannot be confined to one dimension alone,” said Minister Gyawali.

“We are two countries of different size, population, level of economic development. The scope of our ambition is different, so is our strength. India is aspiring to be a global power, both politically and economically. Nepal’s ambition is to be a more stable and

prosperous country,” said the minister.

“In order to carry forward our multi-faceted relations, we have built a large network of bilateral mechanisms in almost all sectors of cooperation. There are close to three dozen mechanisms that are currently functioning at various levels and in different areas.”

“Needless to say that relationship between neighbors has its own characters. Mutual trust, understanding and respect for each other’s sensitivities and concerns contribute to strengthen the foundation of such relationship. Building and nurturing trust is absolutely essential for the health and harmony of the relations.”

Minister Gyawali’s first part of statement is full of reconciliatory remarks and based on points of agreement. However, he raised most sensitive and continuous issues in his last part which eclipsed the good endeavor.

“Our foreign policy priority begins at our borders. Talking about India, our intention is to strengthen the

foundation of our relations; to expand and consolidate it; and to bring the relations to the next level. Our objective is clear and unambiguous. In this spirit, we desire to start the conversation with a view to resolving the question of boundary alignment in the remaining segments. Many of you may be aware that Nepal and India share over 1,800 km long international boundary, most of which is jointly mapped. Only in the stretches of some kilometers, the work remains to be completed.

“We should sincerely attend to the issues that we have inherited from the past; address them appropriately and should creatively work out the agendas for future. With the same objective, we created an Eminent Persons’ Group in 2016 and mandated them to review the entire spectrum of Nepal-India relations and recommend measures to upgrade them in the changed context. EPG has done its work and our job is to receive their report and implement.”

“One of the tasks assigned to

EPG was the task of recommending the inputs for the review of past treaties and agreement, including the Peace and Friendship Treaty of 1950. We have agreed to revise, adjust and update the Treaty to better reflect the current reality and to further consolidate and expand our friendship. We need to do it sooner than later.”

Narrative of Nepal India Relations

Whether it is in the national interest or not, two narratives have widely prevailed over Nepal for long. To be a diehard Congress or democrat, he/she must be condemning and criticizing King Mahendra and Panchayat rule.

Similarly, in being a communist or nationalist, one must condemn all treaties and agreements with India even if they are in the interest of Nepal. To be a true nationalist, call for abrogation of 1950 treaty -- Gorkha recruitment and border disputes are a must for communists and former Panchas.

As large numbers of communist ideologues joined Monarch led Panchayat, they easily injected the narratives that opposing deals with India is a prerequisite to become nationalist among the cadres of Panchayat.

With almost three decades of politicization with communist, even Nepali Congress leaders, grown up with different schooling, have started to follow the communists. Although their voices are still lower, they also joined communist-led bandwagon during the 2015 disputes on the blockade and later on Kalapani border disputes.

Groomed up in the schooling that called for scrapping Nepal India 1950 treaty, they call for shutting down Gorkha recruitment and annulling all unequal treaties with India as basic ingredients to be nationalist. It is difficult for Nepalese communists to start discussion from points of agreement and foreign minister Gyawali was no exception.

Indian Narratives

Similarly, Indian scholars and officialdom also regard Nepalese as pro-China as anti-Indian. There is a wide obsession

among Indian officialdom and intellectuals to blame Nepal for using pro-China card. This group of Indians also regarded monarchists as anti-democrat and anti-Indian.

However, it is the fact that Nepal shares over 1500 kilometer long border with China in north. However, Nepal has nothing to share with China regarding religion, language, culture and civilization. An obsession of monarchy, a traditional institution linkage with common civilization with India, was uprooted from Nepal.

Foreign minister Gyawali rightly addressed Indian concerns. “Nepal has always maintained good relations with our both neighbors. We never compare our relationship with our friends.”

“Nepal believes in good relations with both New Delhi and Beijing and is keen to use its geography as opportunity.”

Interestingly, many leading Nepalese communist leaders and intellectual sympathizers including Maoist ideologue

Annually, thousands of Hindu and Buddhist pilgrims pay visit to each other’s country to worship the gods and goddesses without facing any discriminations and hassles. At people to people level, the relation is simple and manageable. None of them feels any difference while moving into each other’s sides.

Despite smooth people to people relations, the obsession created by intellectuals and officialdom has had decisive effects on Nepal-India relations at the state to state level.

Indian authorities are obsessed with Nepal’s border with China in a way similar to Nepalese authorities obsessed with the size of India and possibility of absorption of Nepalese culture and religion in India’s mainstream.

Recently, there is a growing trend in Nepal to create new spiritual and religious places terming them as parallel to India or trying to prove that Nepal’s identity of San-



Dr. Baburam Bhattarai, who are critiques of Nepal-India relations, are products of Jawaharlal Nehru University.

Overwhelming majority of Nepalese and Indian citizens believe in their close religious, cultural and civilizational relations. However they are unable to change the narratives held by politicians and intellectuals.

People from both the countries have only one narratives as Indians regards Nepal as a country of Pashupatinath, Muktinath, Boudhanath and Nepalese regard India as a country of Bishownath, Badrinath and Somnath.

tani is different. For instance, Pashupatinath and Kedamath have spiritual connections guided by Santan sculptures. Chardham has its own meaning in the life of Santani Hindus in Nepal.

India Nepal Relations

Although India and Nepal have weathered the last year of a strain in ties over the boundary issue, India has chosen a different course to woo Nepalese people.

As Nepal foreign minister Gyawali raised issues that displeased India, Indian authorities calculatedly chose the safe course offering the package to reach out to people.

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“As the bilateral level Indo-Nepal relations are so old, deep rooted and wide-spread that they go long back in history and cut across all aspects of state to state and people to people interaction-politics, economics, security, culture and religion. Sadly, official policy often obfuscates the true nature of this relationship. Some recent events give both sides not only pain but also reason to reflect, why and how such a relationship has reached this point?,” writes Shambhu Ram Simkhada in his book *Nepal India China, relations in the 21st Century*.

Although Prime Minister Narendra Modi did not have a meeting with foreign minister Gyawali, he directed his government to deliver COVID-19 vaccine to Nepal.

Speaking to the media, Gyawali said he would inform them “later” about the possibility of meeting the Prime Minister, indicating he had expected the meeting would materialize. However, it was declined.

According to former Ambassador to Nepal Rakesh Sood, the Prime Minister’s decision was a signal that despite a thaw in ties, all is not well between New Delhi and Kathmandu yet, given Nepal’s refusal to reconsider its new map.

“I think the fact that there was no call on the Prime Minister [Modi] during Mr. Gyawali’s visit is a message to the Oli government that India is still looking for more signs of flexibility, and that it isn’t all hunky-dory,” Sood told *The Hindu*.

India Nepal Cooperation

Talking to journalists upon arrival at the Tribhuvan International Airport, Minister Gyawali said five areas of cooperation were primarily discussed during the meeting of the Nepal-India Joint Commission.

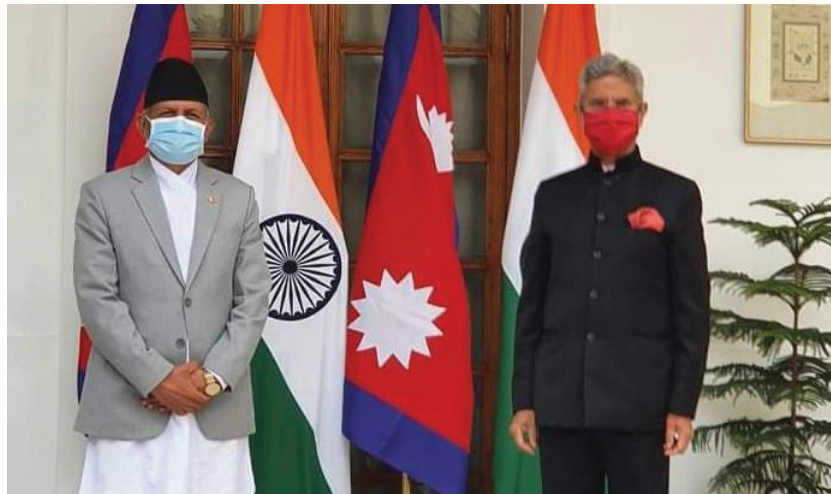
“Meeting of the Nepal-India Joint Commission has reviewed issues like political, security and border; connectivity/infrastructure and economic cooperation; trade and transit; energy and water resources; tourism and education and agreed to promote bilateral cooperation in these areas,” he added.

Likewise, discussions were held on

opening the aviation and land routes that were closed due to the pandemic, expediting the process of handing over 11 sections of the Postal Highway and completing its remaining three sections, in addition to expanding the railway line from Kurtha to Bardibas. Currently, the railway line connects only two places -- Jaynagar (India) and Kurtha (Nepal).

“Sixth Nepal-India Joint Commission meeting comprehensively reviewed all aspects of multifaceted cooperation between the two countries and explored ways to further strengthen the traditionally close and friendly ties,” said Gyawali.

Embassy of India, Kathmandu confirmed that the Joint Commission comprehensively reviewed all aspects of multifaceted cooperation between the two countries and explored ways to further strengthen the



traditionally close and friendly ties.

Both sides discussed several areas of cooperation including connectivity, economy and trade, power, oil and gas, water resources, political and security issues, border management, development partnership, tourism, culture, education and capacity building. The significant and concrete progress made since the last meeting of the Joint Commission in taking forward several bilateral initiatives was acknowledged.

The Joint Commission emphasized the need to facilitate cross border movement of people and goods. It was noted that the recently inaugurated Integrated Check Posts at Birgunj and Biratnagar have helped in seamless movement of people and trade between the two countries. Both sides welcomed the commencement of construction of

third ICP at Nepalgunj. India conveyed that construction of new ICP at Bhairahwa would be initiated shortly. Discussions were held on expediting joint hydropower projects, including the proposed Pancheshwar Multipurpose Project, which have numerous benefits for the people of both countries.

India conveyed that it would undertake two more cultural heritage projects in Nepal, namely, the Pashupatinath River front Development and the Bhandarkhal Garden Restoration in Patan Durbar, with grant assistance.

Both sides also exchanged views on international, regional and sub-regional cooperation. Nepal expressed support for India’s permanent membership of an expanded UN Security Council to reflect the changed bal-

ance of power.

The sixth meeting of the India-Nepal Joint Commission was co-chaired by the External Affairs Minister Dr. S. Jaishankar and the Minister of Foreign Affairs of Nepal Pradeep Kumar Gyawali in New Delhi on 15 January 2021.

The two delegations included Foreign Secretary of India Harsh Vardhan

Shringla and Foreign Secretary of Nepal Bharat Raj Paudyal and other senior officials from both sides.

With changed context, India has shown its interest to reach to the people agreeing to donate COVID-19 vaccine, and do the renovation work in Pashupatinath Temple and Patan Durbar square. Although State-to-State relationship is on track now, the existing narratives prevailing in Nepal can create the situation unfavorable again.

As the relations at the people to people level are still close and in harmony due to the common civilization, culture and religion, there is the need to change the current narrative to make state-to-state level discourse at par with the existing relations at people to people level.

Public Support Is An Essential Element In Maintaining Aviation Security



BY BHARAT RAJ DHAKAL

Safety on the Air begins with the prevention on the ground

Of course the safety of an aircraft in flight relies on the effectiveness of preventive measures put into practice on the ground. Chicago convention and International Civil Aviation Organization - ICAO are the source of all these preventive measures for all of its 193 contracting states.

Creation of Chicago Convention and ICAO

The foundation of aviation history was laid down in 1903 which began with the invention of the flying machine by the Wright Brothers – Wilber and Orville Wright in 1903. The first historical flight lasted 12 seconds and had completed a distance of 120 feet at Kitty Hawk, United States of America. Wright brothers had opened the door of aviation and had let the people work upon its improvements. Consequently, the credit of achieving a second successful flying went to Bleriot who crossed the 50 Kms distance of the English Channel on 25 July 1909. Since then remarkable progress in aviation has been achieved. Over the last 117 years of aviation history, from monoplane at the beginning, people have enjoyed flying supersonic aircraft. People of the present global village do not have time for a months-long journey, if they have their breakfast in New York, they need their lunch in London and dinner may be in another part of the world. Air transport is facilitating their current need.

In the course of the development of aviation, states are more concerned with maintaining their safety and security as they are essential for its sustainable development. Further in fact these two elements are pre-requisite for the growth of any kind of industry. An instrument acceptable to the states and an organization to look after the implementation of such an instrument was required to be created for the constant growth of global aviation by preventing unhealthy competition between the states.

As a result, the Chicago Convention as an international instrument and the International Civil Aviation Organization - ICAO the organization responsible to adjust the instrument according to the need of changing environment as well as monitoring its implementation

was created in 1944 in Chicago, United States of America. Later, ICAO was recognized as a United Nations specialized agency of International Civil Aviation. To date, 193 states are the contracting states of ICAO. Nepal became a member of ICAO

in 1960. ICAO formulates all aviation-related standards to meet the requirements of the Chicago Convention and ultimately to maintain the safety, security, regularity and efficiency of international civil aviation. All 193 member states follow these standards. That is why there is uniformity in all the states in all aspects of aviation. However, because of a lack of resources, it is difficult to manage high-tech security gadgets in some countries. All 193 member states have an international obligation towards aviation safety and security in addition to the National obligation of protecting the lives of travelers. ICAO is actively engaged in developing guidance materials to assist its member states in combating safety and security-related challenges.

Offense against the safety of civil aviation:

The offense against the safety of civil aviation began with political reason. A small plane was hijacked in Peru in 1931 to distribute anti-government pamphlets from the air. Over the years of offense against air transport, the nature of crime has been changing from hijacking at the beginning to sabotage of airplane and aviation infrastructure, armed assault, suicidal attack, etc. September 11, 2001 incident (known as the 9/11 incident) had shaken the whole world aviation community and compelled to restructuring the prevailing aviation security system in a more effective and efficient manner.

In addition to maintaining law and order within the state, states also have their international obligation in aviation under the Chicago Convention. States, therefore, enact appropriate legislation to implement international requirements. There are various kinds of such provisions to be incorporated in the act. Civil Aviation Act of Nepal in which aviation security provisions were incorporated first time in 1973 contains information that must be known by all personnel involved in aviation operation as well as the general public. Like one of the examples

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as required by ICAO and contained in the act which is “communicating false information by intention which may endanger the safety of aircraft in flight has been declared as a crime punishable with life imprisonment” Shall be known by all. There is other various information to be known by all. The act defines a crime against civil aviation operations and the punishment thereto. The act requires the declaration of airport restricted areas and control of unauthorized access to these areas, violation of which shall be subjected to the punishment. Act also requires the security search of persons and goods before being allowed to board or approach aircraft. Taking under consideration the civil aviation act of Nepal which includes aviation security provisions, section 10A (10 Ka) of the act has the provision of airport restricted area and access control to such area, unauthorized entry to which leads legal penalty. This provision must be made aware to all the people specifically those of surrounding communities. Section 9E of the act authorizes passengers, airport staff and visitors as well to take any suspect under custody and detain till handed over to police. The things considered as a minor that may be developed later as vulnerable. The presence of large numbers of meters and greeters present at the airport may create pressure on aviation security.

There are various instances that the traveler and airport visitors had to face shameful and even panic situation sometimes because of not being aware of security-related provisions. Many instances are there that the airport operators have to face difficulties in managing airport security because of public ignorance in aviation security. It is therefore essential to make the public aware of the importance of their cooperation in strengthening aviation security and create an environment to get their support rather than to blame them.

Public Support in enhancing and maintaining aviation security:

Public support of course is an essential ingredient in the course of sustainable development of aviation. People may perceive it to be a more balanced facility and of course business approach to their economical and social objectives. People therefore could not be kept separated from the aviation industry. In each step of its sustainability effort, development, safety and security, aviation needs peoples’ support and cooperation. Considering this ground reality, the aviation authorities should

launch various notification and awareness programs to gain public support and cooperation.

When compared with other modes of industry, the aviation industry faces organizational complexity as aviation operators are not only the user of the facility, there may be hundreds of users and the aviation operator often have limited influence over them and obviously difficult to convince. Without the cooperation and support of tenants, it is not possible to launch any new developmental program.

The issue is more challenging in under-developed and developing countries where literacy level is very low, it is difficult to gain public support in ensuring the security of civil aviation because of lack of awareness. People may misunderstand aviation security as to make them trouble instead of realizing the reality that it is for the protection of their lives.

Today’s global issue is to manage the challenge of sustainable development in the aviation industry.

Sustainability not only means development but considers economical viability and social responsibility. For these reasons, stakeholders and public support and cooperation become more crucial.

Some aviation security-related information may be considered sensitive information and must be kept confidential to those only who actually need the information in maintaining safety and security. Of course, most of

this information is sensitive but not all. In fact, some of such information as mentioned earlier should be made available to the general people to make them aware and creating a friendly environment to get their support towards the implementation of preventive measures.

Conclusion:

People’s support and cooperation towards the development of the aviation industry by maintaining its safety is one of the most crucial components which could be achieved by making them aware of the vulnerability of industry, by making them aware that some of the provisions needed to maintain the safety of civil aviation could not be comfortable to them but are essential for the protection of lives. An effective mechanism should be established by the states for launching a regular public awareness program.

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NEPAL COVID-19 Vaccine Launched

Administering first doses to medical workers, Nepal has finally joined the global campaign to provide vaccine to reduce the risk of spread of COVID-19. Nepal is currently administering one million vaccines to over 450,000 in a month. Although there is a debate over the efficacy of the vaccine, it has already proved safe

By KESHAB POUDEL

At a time when the countries around the world have been facing scarcity of COVID-19 vaccine, Nepal has launched the campaign to administer the vaccine to the people. Thanks to India for providing one million doses of vaccine under a grant assistance, Nepal is in a position to immunize over 3 percent of the population in the first phase.

According to spokesperson at the Ministry of Health and Population Dr Jageshwar Gautam, these vaccines were now kept in cold stores all over Nepal and the second shot will be provided a month after the first jab.

Gautam added that the vaccines have reached all districts from all the respective provinces. Three hundred hospitals across the country would manage to provide the vaccination services. Similarly, over 10 hospitals will manage the vaccination services in the Kathmandu valley.

The Ministry shares that health persons, security personnel, ambulance drivers, workers involved in managing the dead bodies of COVID

infected, among other front line workers, would be prioritized for the vaccination for the first round.

The vaccine is completed in two rounds between a gap of four weeks. The Ministry has made preparations to complete the first round within a week.

The Ministry has said that 430,000 people will receive the vaccine during the first phase of the COVID-19 vaccination drive in Nepal, which will last for about ten days. Second phase will also require a similar period.

When Is the Second Phase?

Although the government has been using different channels to import more vaccine for second round, it is yet to announce the date-line. Officials in health ministry are expecting to procure more vaccine from India.

“We are working to bring more vaccines as soon as possible to cover more population,” said Minister for Health and Population Hridayesh Tripathy. “We administer almost 30 percent of the population which in-

clude over the age of 50 within a short period of time.”

Although the government has planned to administer COVID-19 vaccine to 73 percent of the population, it is in the process of searching for financial resources from multilateral banks and bilateral donors.

Covishield in Nepal

Covishield is the Oxford-AstraZeneca vaccine which is being manufactured locally by the Serum Institute of India, the world’s largest vaccine manufacturer. Oxford-AstraZeneca vaccine has been found to be 62-90 percent effective, while two dosages of the jab has to be administered between four and 12 weeks apart.

When the efficacy of the Oxford/AstraZeneca vaccine was announced in late 2020, there was some confusion. The overall efficacy of the vaccine at stopping people developing symptomatic Covid-19, two weeks after the second dose, was 70%. But this was not the whole picture.

This figure was based on averaging the results from two groups. In



one group, which was given two full doses, the vaccine was 62% effective at stopping people developing symptoms. But in the second group, a dosing error meant that volunteers received a half dose followed by a full one. This ended up being 90% protective against developing Covid-19.

This was intriguing. Why would giving people less of the vaccine lead to a more effective immune response? The answer to this may lie in the design of the vaccine and could mean that there are ways to make this vaccine – and others that use the same design – more effective.

How The Oxford Vaccine Works

Vaccines work by exposing the immune system to recognisable parts – or “antigens” – of pathogens that cause diseases, such as bacteria or viruses. The immune system then mounts a response. Immune cells called B cells make antibodies to destroy the pathogen. Sometimes T cells can also be called into action, which eliminates our own cells that have been infected with the pathogen.

Some B and T cells then remember the antigens for the future. At some future point, if the person is exposed to the pathogen, these long-lasting memory cells can quickly order more antibodies to be made to destroy the pathogen and attack infected cells.

In effect, the principle of vaccination is to “mimic” an infection, but in a controlled way so that immunity is generated without causing illness. After a few weeks, once T cells and B cells have been generated, the person vaccinated will be protected. For certain vaccines, this requires two doses, as in some people the first dose alone will not generate complete immunity. The booster dose ensures as many people as possible acquire protection.

In the case of the coronavirus vaccines, a number of methods are used to present the virus’s antigens to the immune system. Some, such as the Sinopharm and Sinovac vaccines in China, simply present the body with a whole, inactivated version of the coronavirus. But others instead instruct the vaccinated person’s own cells to produce a specific

part of the coronavirus: the spike protein on its outer surface, which is a particularly recognisable antigen.

Some, such as the Pfizer/BioNTech and Moderna vaccines, deliver the code in the form of messenger RNA (mRNA). Others use a harmless virus to get the genetic code inside cells; the Oxford vaccine uses chimpanzee adenovirus, genetically altered so that it’s unable to reproduce, called ChAdOx1. These are

known as viral-vector vaccines.

How Design Could Affect Efficacy

It is not yet known why the reduced-dose regimen of the Oxford vaccine showed better efficacy in trials, but it could be down to the viral vector.

When a person is given a viral-vector vaccine, as well as generating an immune response against the coronavirus’s spike protein, the immune system will also mount a response against the viral vector itself. This immune response may then destroy some of the booster dose when it is subsequently delivered, before it can have an effect. This has





long been recognised as a problem.

However, a lower first dose might not allow for a strong anti-vector immune response to develop, which could leave the booster dose unscathed and lead to greater overall efficacy. If it turns out that this is the case, then future work will need to establish the optimum dosing regimen for generating the strongest immune response.

Britain is the first country to approve AstraZeneca and Oxford University's home-grown UK COVID-19 vaccine, adding an easy-to-manage shot to the arsenal of a nation desperate for pandemic relief.

Vaccine Efficacy

The AstraZeneca/Oxford vaccine's efficacy in preventing symptomatic infections was 70.4%, according to interim data, after 30 of 5,807 people who got the two-dose vaccine developed COVID-19, compared with 101 of 5,829 people who got a placebo.

That compares with the 95% efficacy of the two-shot vaccine from Pfizer/BioNTech, the other vaccine approved in Britain.

While efficacy with any dose after one dose was pegged at 52.7%, the UK's Medicines and Healthcare products Regulatory Agency (MHRA) also said an "exploratory analysis" of trial participants who got one full dose showed efficacy of 73% from 22 days after the first shot.

The UK regulator recommends a booster shot four to 12 weeks after the first dose, because up to 80% efficacy was reached with a three-month interval between shots, an official involved in the MHRA approval said.

"The first dose efficacy gives an indication of protection for a short period between the two doses, the second dose strengthens the immune response and is expected to provide a more durable immune response," the University of Oxford, AstraZeneca's partner, said.

Confusion over efficacy emerged after interim

late-stage trial results announced in late November when AstraZeneca acknowledged that people in its clinical trial accidentally got different doses.

Those who received a half dose of the vaccine, followed by a full dose, were shown to have 90% protection, the company said initially, while two full doses offered only 62% protection.

Technology, Price And Storage

The AstraZeneca shot is a "viral vector vaccine",

where a specially engineered virus that normally causes chimpanzees to get the common cold delivers genetic instructions to human cells to make the spike protein jutting out from the new coronavirus's surface.

The Pfizer/BioNTech and Moderna vaccines use a new technology which packs messenger RNA (mRNA) inside tiny fat droplets to instruct cells to make the spike protein.

AstraZeneca pledged the vaccine would cost just a few dollars per dose and be sold without making a profit, whereas Pfizer's vaccine costs \$18.40-\$19.50 per dose. A separate mRNA vaccine from Moderna, approved in the United States, costs up to \$37.

The AstraZeneca shot does not require deep freezing at minus 70 degrees like the mRNA vaccine from Pfizer and its German partner, BioNTech, and has already been produced by the millions of doses.

It can be kept in a standard refrigerator for six months. It is also cheaper to make, bringing hope to developing countries largely left out of the early vaccine haul.



HIMALAYA SHUMSHER RANA

Life At 94

Himalaya Shumsher Rana has shown that age cannot bar individuals from being actively involved in social and other professional activities

BY KESHAB POUDEL

Himalaya Shumsher Rana has recently celebrated his 94th birthday amid the COVID-19 pandemic. For Rana, the year 2020 turned out to be painful as he has lost his wife Vijayalaxmi Rana in the midst of pandemic this year.

However, he has personally found a great satisfactory moment as well. As an activist and founding member of Nepali Congress Democratic, which merged with Nepali Congress in 1949, he feels the most satisfied when his daughter-in-law Sunil Thapa, son of seasoned politician late Surya Bahadur Thapa, joined Nepali Congress and became its joint general secretary.

At a time when no member of his family is in politics, particularly at the leadership of a party, the moment of his daughter in law Thapa joining Nepali Congress gave him a joyous moment.

As he has entered 94, Rana remains active in his daily life. Waking up between 5-6 AM, he goes to bed at 10 PM, keeping himself active the whole time, taking some naps in between.

Like all others individuals, Rana remains in virtual isolation from the rest of his family, relatives and friends and confined to his home due to COVID-19 pandemic.

As he remains in physical isolation, Rana has found time to revise his autobiography, Reminiscences and Reflections, in a process to publish a book on Chronicle of Ranas, consisting of Rana life style,

literature, administration, architecture and foreign policy.

He is also planning to reproduce his book on Kunwar and Rana with a revision. "I have been utilizing my time in isolation for some productive contributions," told Rana. "Since many of my children including sons, daughters, daughter in laws, son-in-laws and grandchildren have been infected with COVID-19, I have been avoiding close interactions with them," said Rana.

Eye witness of many natural disasters including great-earthquake of 1934, the World War II and pandemics, Rana's experience with COVID-19 is very different.

"In my long memory, I have never experienced living in physical isolation from family, relatives and friends," recalled Rana, who also experienced the Great Earthquake in his childhood and another major earthquake in 2015.

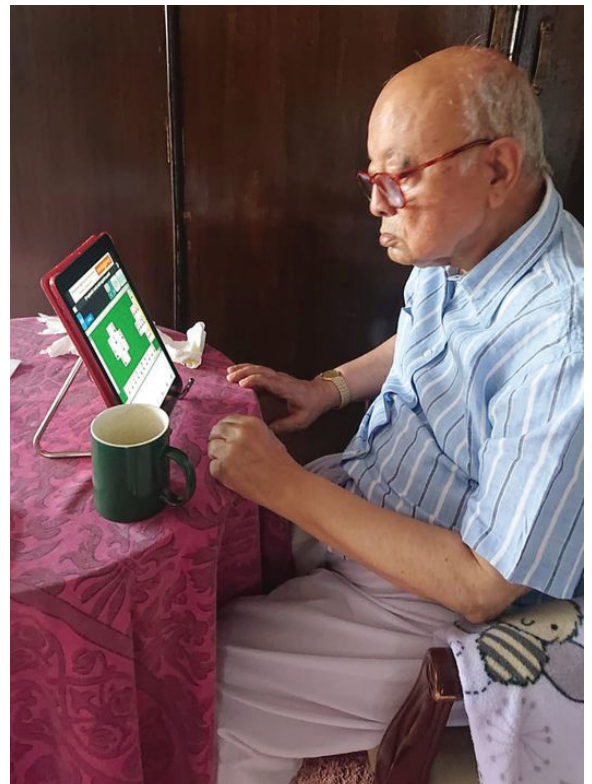
"Due to my age, I have to remain alert and careful not to get infected from COVID-19," narrates Rana. Thanks to careful and strict rule in his home and care of his family, Rana is safe. "I was very much afraid when my son Amar got infected with COVID-19 because he lives close to

me."

Given the government's proposal to administer next round of vaccine to old people over 80, there is a hope for personalities like Rana to get out of the self confinement.

Remaining physically and mentally active has been a big strength of Rana's life. He used to go for golf until a few years ago. Although he stopped playing golf, he continues his physical exercises, just roaming around his garden in the morning.

With COVID-19 confining him, he has been playing online bridge with his pair including former





chief of army staff General Pyar Jung Thapa.

“Despite COVID-19 and living in isolation, he has his own schedule and routine. He wakes up at 5-6 am and starts his regular walking inside the compound and goes to bed at 10 after completing online Bridge with his peer,” said Amar Shumsher Rana, who takes care of his father.

He has seen all the major events of the world and Nepal during his life time, working as the first governor and first finance secretary of Nepal, which makes him the oldest retired civil servant.

In his leisure times, he also watches movies and reads books. “As I remain in self isolation like in prison, books appear as a friend to pass time. I read a numbers of books during the pandemic,” said Rana, who has been connecting with his family members through internet.

Born on January 8, 1928, well respected Rana laid the foundations of Nepal’s institutions, including Nepal’s Central Bank and Ministry of Finance. He is the only living memory of Nepal’s political, social and economic transformations.

Founder of Himalayan Bank, the first private bank, Rana was also the founder of Gorkha Brewery, which brews and markets high quality Danish beer, Tuborg and Carlsberg, in the country. It was one of the largest foreign joint venture companies of Nepal at that time. Both Himalayan Bank and Gorkha Brewery stand as model joint ventures in Nepal.

Great great grandson of reformist and liberal Rana Prime Minister Dev Sumsher, Rana has not only seen long innings of Nepal’s transformation but also transformed himself to the modern context using social media, such as Facebook, to share his feelings.

Rana was small when he encountered a great earthquake of 1934 and saw the devastation of and destruction of Thapathali Durbar. Similarly, when he started his study in Bombay, he saw the World War II.

Born in a Rana’s family with liberal views, Himalaya Shumsher always followed the course of political liberalism. For holding these views, his great great grandfather Rana Prime Minister Dev Shumsher was

sent to exile by his brothers.

Himalaya Shumsher Rana also faced a kind of personal exile following dissolution of multi-party system in 1960 by late King Mahendra. He was out of the country for over 25 years serving United Nations.

He took part in the revolution of 1950 supporting Subarna Shumsher Rana and signing the letter to end the autocratic regime. Rana also witnessed the transformation of civil service and political system.

He was a part of Peace Negotiations with Maoist. As a civil society member, he is still active in his role to protect democracy and bring peace and economic prosperity of the country.

Born in a period of global isolation with traditional communication system, he is now facing self isolation due to COVID-19 pandemic. Rana is a living history of over 90 years and part of all the transformation and change of Nepal. At 94, he is still active.

Shut For Now

With no sign of revival of tourism industry in the near future, the management has shut Hotel Annapurna

BY A CORRESPONDENT

Operated by Nepal's highly successful and bold woman tourism entrepreneur and president of Hotel Association Nepal, Shrijana Rana, Hotel Annapurna, Nepal's premier five star hotel, has become the first to surrender before the COVID-19 pandemic.

With no sign of early recovery and revival of tourism industry any time soon and resistance from trade unions, Nepal's hospitality industry has been facing a big financial burden. Given no relief and recovery packages from the government, more hotels will announce similar actions.

"Annapurna is just the beginning. Many other hotels will follow suit in the coming days. With resilient trade unions in no mood to compromise on their benefits, hoteliers have no option other than to shut down their shops," said a renowned hotelier.

In the protracted lockdown following the COVID-19 crisis, Hotel Annapurna, the oldest of five star hotels of Nepal, has decided to shut down the hotel as it has not been able to afford for the employee's expenses, according to sources.

Following the lockdown announced by the government in March due to the COVID-19 pandemic, hotels have been suffering badly.

"Many hotels in Thamel area have already been closed down and some more big hotels will close down like during the Maoist insurgency in 2005/06 given the uncertainty over the revival of tourism industry," said a hotelier on condition of anonymity.

With the decline in tourist arrivals, the hotels cannot afford the expenses of the employees any more.



During the last nine months, the hotel has not earned anything. As there is no regular income to pay the staff salary, the management has reportedly decided to lay off all the staffers and close the hotel.

The hotel has reportedly asked all the employees to tender their resignations and clear their accounts. Following the notice of hotel management some of the staffers have already resigned. "The management has asked employees to resign and clear our accounts."

Out of 300 hundred staffs, more than 50 staffs reportedly tendered their resignation and the management has already cleared their dues.

Shreejana Rana, executive director of the hotel, told *The Himalayan Times* that the hotel has been facing losses for the last nine months and there is no hope to recover the losses any time soon.

"There is no chance of any

tourist coming during this pandemic and the hotel cannot keep bearing expenses and accrue losses. Thus, we have asked the staffers to resign," she told the daily.

Rana further said that the hotel might be closed temporarily.

Since the hotel will not be in operation for a certain time, the management team will use that period to come up with new ideas to resume operations in the future. However, for now the hotel will remain closed.

Hotel Association Nepal (HAN) has stated that it is trying to sign an agreement with the workers' union regarding layoffs as most of the hotels are unable to pay wages at the moment.

At a time when a skillful entrepreneur like Rana cannot run the hotel and compromise with labor to reduce the financial burden, there is a very little chance for other hotels to continue their business without income.

CHANDA RANA

Call To Save Rhinos

With the growing incidents of death of rhinos in Chitwan National Park, conservationist Chanda Rana is raising the alarm bell

BY A CORRESPONDENT

For the last few months since the lockdown caused by the COVID-19, there has been the death of one-horned rhino almost once or twice a month. Mired by coronavirus and political uncertainty, the death of rhinos, an endangered wildlife, goes with just a small notice.

Showing concern and raising alarm whenever the country faced such a crisis, environmental and conservation activist Chanda Rana also raised the alarm bell over the series of death of rhinos in Chitwan National Park. She tweeted on January 22 her concern on death of growing numbers of rhinos in Chitwan.

Whenever the country sees environmental related crisis Rana is always there to blow whistle to raise alarm. Having personally taken the initiative to clear deadly plant Mikania Micrantha, locally known as banmara, in Chitwan National Park, Rana has been first to express the concern.

With tight security and patrol by Nepal Army, the incidents of poaching of rhinos are virtually under control. However, the incidents of natural death of rhinos have gone up recently. This is now new cause of concern.

Although official records showed that twenty-six rhinos had died of natural causes last year, official at Department of Wildlife and National Park are yet to come out with causes of the death on the basis of scientific study.

At a time when the number of death of rhinos increased in the pretext of COVID-19 health crisis, Rana, as a concerned citizen and conservationist, came to alert the authorities

and people involved in the area.

She tweeted, “deeply concerned about rising Death rate of Rhinos at CNP (22 deaths in 7 months Alarming) as I have been mentioning “Could it be due to Tuberculosis?” As I had been informed visiting zoo to see BIRAE ..few Rhinos at Zoo rescued had tuberculosis ! I was worried then too !!”

She tweeted just after the recovery of dead bodies of two rhinoceroses which had died of natural cause in Chitwan National Park (CNP). A

It is estimated that it died due to cold. The CNP said vets were trying to establish the exact cause of its death.

Similarly, a 30-year-old male rhino was found dead at the Park’s Belsaharghat area the following day. Adhikari said it might have also died due to natural causes. The horns and the hooves of both the dead rhinos are intact.

A three months old rhino calf was found dead in similar condition in Nawalparasi area last month.



calf was found dead at the location inhabited by wild buffaloes at Purano Padampur while a dead male adult rhino was discovered at Dumariya.

CNP Information Officer Lokendra Adhikari said the dead rhino calf, one and a half year old, was found with no wound seen on its body.

Twenty-two rhinos have died in the CNP so far over the last seven months. Of these, four were killed by poachers, CNP stated. Patrolling has been intensified in and around the Park in recent days after an increment in poachers’ activities.

With Sighs Of Relief

Cable News Network (CNN) has been airing all over the world constant streams of TV news reports regarding the storming of the US capitol by Trump supporters from all around the country. As one watches these visuals, one realises how mass fury can be whipped up by constant misinformation and encouragement over a period of time so that the receiver of such tirade messages takes it as 'Katu Satya'! It is estimated that around 3,000 people from all over the US descended on Capitol Hill of Washington DC, on Jan. 6th with the specific intention of preventing the confirmation of Joe Biden as the 46th President of the country. One sees Trump ranting and raving, exhorting his supporters to march down Pennsylvania Avenue and take matters into their hands as the election was 'stolen' from him. Perhaps in remembrance of his German roots, he even called it all 'A Big Lie'! One also saw the visual of a noose and heard the words 'Hang Mike Pence'. This mayhem, a symbol or the direct result of Trump tantrums has been the start of what has been labelled as domestic terrorism and depicts the level that unprincipled, brainwashed beings can descend to. What a spectacle for the world's populace to see.

Surprisingly it brought vaguely to my mind visions stored therein of Shakespeare's play Julius Caesar. I visualised Mark Antony, exhorting the mass of ordinary humans with his words 'Friends, Romans and countrymen, lend me your ears' in his attempt to do away with Brutus and his clique of murderers. The difference existing now in the USA, the beacon of Democracy is that Trump, a 'Chuppe Rustam' demagogue is misguiding thousands of US citizens against their own government. What a sight for the world inhabitants to behold in a country designated as the leader of a free world. Whereas Antony was enticing a mob to revenge a wrong, Trump was encouraging desperadoes radicalised by him to perform acts of anarchy. With all this background, I awaited with trepidation the events leading up to on 20th January 2021. My first sigh of relief, after Biden was sworn in as President of USA, was of assurance that truth and democracy has finally prevailed. After all we in Nepal are also awaiting an election in the next 4/5 months and subsequent events!

The November 2020 election in the fifty states of USA had demonstrated that each state has its rules and regulations and conducts its affairs as per the wishes of the people living there. Barring episodes, currently occurring there, it represented a somewhat ideal functioning of government. We in Nepal have now been toying with our new constitution of our Federal Democratic Republic for the last five years, trying to work out a direction that it should take.

To recapitulate what must be done in the context of Nepal our Motherland, we must all react in a sensible man-



BY HEMANG DIXIT

ner. During the course of Panchayat Rule, the country was divided into Development Zones, Anchals with the Anchaladish chiefs though the reality was that finances and power were firmly in the control of the Centre at Kathmandu. A little minimal power was given to the local authorities of the District or the Ward, but without adequate finances so that not much could be achieved.

Currently, with the establishment of the Democratic Federal Republic, we are trying to give power to the people in the areas where they live and work. With the implementation of decentralisation it is true that a new set of administrative officials and workers will have to work in the seven constituent Pradesh of our land so that activities occur and benefits provided to the people at large. All this requires finances from the Centre for as they say in the USA: "There is no free lunch". Everything has to be paid for in this day and age. What worries me is that a number of people say and spread the word around that we must revert back to a central based rule. We cannot just say that Federalism is a costly affair and as we cannot afford it, it has to be discarded or dispensed with. A fair trial has not been done in so short a period of time. As it is a system which will work as per the wishes of the people that it serves, the finances for it must be found. Though it will definitely cost more in the long run, it will give power back to those living in different parts of the country in matters concerning development, education and health in the areas where the locals live and work. It is, to say frankly, 'Taking Singha Durbar to the people.' If the recent debacle or fiasco in Washington DC, has given a message to the world at large, it is that people must not only be capable and encouraged but that they must also believe in themselves as per the democratic norms of the 21st Century. They must be able to think, act properly and not follow blindly what politicians, vying to be their future leaders tell them. Such individuals, lusting for power,

have vested interests at heart. The people at large must intelligently separate the wheat from the chaff!

Depending on the opinion our judges on the Constitution Bench of the Supreme Court, there is the question of whether there will be an election within the next five months. Although the conduct of democracy appears no longer to be ideal, the process of decentralisation and sharing of power is something we must adhere to. We are not sure what the future holds. Our country is at the crossroads. Only when the future course of action is decided then only can I do an encore and give another sigh of relief. God be with us at this hour of need.

The author is a retired medical doctor and writes fiction under the pen name of Mani Dixit also. Website: www.hdixit.org.np. Twitter: @manidixit



बर्गो आदर्श
ii गागारिक

बाइ बाइ

जसले अरुको भलाईमा आफ्नो खुशी खोज्दछन्
उसलाई वाइ वाइ सलाम गर्दछ ।



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