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OPINION
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ENVIRONMENT
Batu Uprety

INTERVIEW
Herta Däubler-Gmelin

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FORTNIGHTLY

FLOOD
Politics of Geography

INSIDE

NEPAL-INDIA
Irritations In Relations

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Root To Root

PESTICIDE POLITICS
Proxy War

नेपालको संविधानमा अपाङ्गता भएकाहरूका लागि भएका व्यवस्थाहरूको कार्यान्वयन गरौं।

नेपाल सरकार
सञ्चार तथा सूचना प्रविधि मान्त्रालय
सूचना तथा प्रसारण विभाग

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Notes From The Editor

Monsoon rains and floods are twins and, therefore, floods playing havoc this time around is nothing new. As Nepal lies in the upper riparian side of the region, it receives rain that drains out to India crossing the plains of Nepal. However, we see the same complaints and statements being generated in the wake of each monsoon. On the other side of the border, newspapers come out with headlines that the flood in their territory is the result of opening of the dam gates in Nepal. Nepalese side blames Indian embankments for flood and water inundation. Minimizing the effects of flood needs understanding and cooperation between the two countries. Living in the same geography and topography, people on both sides of the border have to face a big suffering. Centuries of experiences have shown that there is the need of a different approach to deal with the geographic boundaries, which are not created by political boundaries. By virtue of living in the same geography, divided by political boundary, people on both sides of the border need to understand the pain of each other. That is where one can find the solution. With the onset of monsoon, the flood has wrought havoc all over Nepal. Dozens of people have died and dozens are still missing. Tens of thousands of people have lost their property. Annually, all media cover the news narrating the suffering of the people. What is now required is an approach based on reality rather than rhetoric. Although there are many issues to write about for this edition, we have decided to highlights flood as our cover story. If one looks at the actions of the current government, they raise various questions regarding its intentions on foreign policy, domestic policy and ability to govern. Although prime minister K.P. Sharma Oli has not spared any time to claim that he will pursue the policy of friendship to all, his government's actions and reactions show that he is doing the opposite. Whether it is handling the issue of pesticide testing at border, clean feed policy, raising water inundation issue and so on, the government's move, knowingly or unknowingly, has targeted one country. In the domestic front, all its actions are directed to majority of the common people. Introduced without intense consultations with different stakeholders, Guthi Bill, Press Council Bill, Human Rights Commission Bill and Electronics Transaction Bill have already created a distrust of people against the government.

Keshab Poudel
Editor

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NEPAL-INDIA

Irritations In Relations

Some of the recent actions of Nepal will likely irritate India further

BY A CORRESPONDENT

Although the cabinet has withdrawn the unilateral decision to introduce the mandatory test of India's vegetables and fruits, it has badly damaged the relations at the grassroots level.

Although the government's decision to introduce clean feed policy benefits a few hundred people, the decision will harm the interest of a large number of common Nepalese making it impossible for them to watch Indian Television and entertainment channels, which are popular in Nepal.

Similarly, the direction of parliamentary committee not to organize Indian Film Festival Award is another irritating decision taken by the committee headed by a leader of Prime Minister Oli's party.

Water inundation and floods are common problems faced by the two countries. The government and its supporters are squarely blaming India for flooding and inundation of Nepal's southern plains.

Flood and water inundation issues are technical issues. Nepal as an upper riparian discharges the water naturally to southern border and India as a lower riparian naturally receives a high volume of water inundating its vast land.

As geography has put Nepal and India in such places, the solution of flood, embankment and inundation needs to be found through amicable technical consultation.

As the government has withdrawn the Guthi Bill, this also hints at a hidden agenda. Had the bill passed, more than 10,000 bigas of land in Rupandehi, Dang and Kapilvastu owned by Gorkhapur Math would have been snatched by the tillers.

Knowingly and unknowingly, Nepal's recent actions are targeted at India. Not only these known actions, prime minister Oli's advisors openly blame foreign elements, indirectly targeting India for destabilizing Oli's government.

After the withdrawal of Guthi Bill, Prime Minister Oli's foreign advisor Dr. Rajan Bhattarai said that the internal and external forces are trying to dislodge the government. Dr. Bhattarai's accusation was also understandable. Dr. Bhattarai in his interview indirectly made India responsible for the current internal turmoil.

Moving one step ahead, prime minister K.P. Sharma Oli's principle secretary Bishnu Rimal in his tweet accused opposition and ruling party members, who have been criticizing Oli government, as spirits of external power and anti national.

Although Prime Minister Oli is yet to open his mouth, he is said to hold similar views as Dr. Bhattarai and Rimal. Groomed in anti-Indian school, Nepal's communists, including the present ruling party members, always see foreign power as evil spirit whenever they are in power.

Whether current Co-chair Prachanda or Prime Minister Oli, they don't mind to blame external elements to cover their incapacity and incapability to handle the party.

As Co-chair Prachanda and Prime Minister Oli are now moving ahead with a compromise for power, there is a lull in the political terrain now. Once Prachanda starts raising the question on power sharing, he will be labeled a foreign stooge again.

Unlike expectations that Nepal will maintain good and warm relations with Prime Minister Narendra Modi in his second term, the relations between the two countries are not moving smoothly.

Nepal's political actors, particularly Prime Minister KP Sharma Oli's party, expressed the displeasure from the day one of the appointment of Subramanian Jaishankar as an External Affairs of India.

While heading South Block as secretary, Jaishanker came to Nepal as a special envoy of Prime Minister Modi suggesting Nepal promulgate new constitution acceptable to all.

PM Oli

During his stay in Nepal, he also met then CPN-UML leader K.P Sharma Oli and later he also welcomed Oli as a prime minister of Nepal. Career diplomat and trusted foreign policy advisor of Prime Minister Modi, bitterness expressed by NCP lots against Jaishanker will not serve Nepal's own interest.

Similarly, the recent moves of Nepali ambassador to India Nilamber Acharya to lobby for submitting the draft report of the Eminent Persons Group to India have not been taken in a good spirit. Last week, ambassador Acharya invited three members of the group including Bhagat Singh Kosiyari, ambassador Jayant Prasad and professor Mahendra Lama at his residence for dinner.

In his recent comment, India's prominent figure Sukh Deo Muni has indicated that India would not accept it because the report is inferior, insufficient and non-academic.

All the recent trends indicate that Nepal India relations are not heading towards the right directions.

Paropakar, Bir Hospital Buildings Inaugurated

Prime Minister K.P. Sharma Oli inaugurated the new building of the Paropakar Maternity and Women's Hospital in Kathmandu.

Similarly, Deputy Prime Minister and Minister for Health and Population Upendra Yadav inaugurated the new building of Bir Hospital.

The events were attended by Ambassador of Japan Masamichi Saigo and the Chief Representative of JICA Nepal Office Yumiko Asakuma.

The Government of Japan supported the project on reconstruction of Paropakar Maternity & Women's Hospital and Bir Hospital. The project has been completed and the new buildings were handed over to the Ministry of Health and Population at an official handover ceremony in the respective hospital premises.

Through reconstruction of the infrastructure, Japan aims to support the provision of safe and quality health services to the public in Nepal. The project was based on the concept of "Build Back Better" for creating a resilient society to cope with future disasters.

The Paropakar Maternity and Women's Hospital building is for multiple medical services and educational purposes whereas the new 3-storey building of Bir Hospital is for various functions including ICU and cardiology department. The new buildings are equipped with different back-up systems that will allow the hospital to continue its operations without disruption in post-disaster emergencies. Furthermore, compared to the old building, various functionalities have been enhanced, so that a seamless flow of obstetric care can be provided.

The new structure of Paropakar Maternity and Women's Hospital is expected to provide effective and efficient services to more women, mothers, and babies receiving standard medical facilities from this hospital and will serve as a model hospital for Nepal, which combines quality medical services and disaster preparedness, a model that should be adopted by other hospitals as well.

COAS General Thapa Attends Meeting In UN

Chief of Army Staff General Purna Chandra Thapa attended a first Women Peace and Security CHODS Network Meeting at UN headquarters in New York. Organized by British Armed force, high-level military delegations are attending the program.

COAS Thapa also met deputy Secretary-General of the United Nations Amina Jane Mohammed, Chief Director of Military Support, Korean Armed Forces, Lt Gen Boo, Sukjong, Under-Secretary-General (USG) for Department of Political and Peace building Affairs (DPPA) Rosemary A Dicarlo, Under-Secretary-General for Peace Operations, Jean Pierre Lacroix and United Nations Military Adviser for Peacekeeping Operations (MILAD), Lt Gen Carlos H Loitey separately.

During the meeting matters of bilateral interest and mutual interest were discussed. According to a press release issued by Public Relations and Information Directorate of Nepal Army, COAS General Thapa will attend the third Chiefs of Defense Conference.

Nepal-India Oversight Mechanism Concludes

The Seventh Meeting of Nepal-India Oversight Mechanism reviewed the status of implementation of all ongoing bilateral projects between Nepal and India in the areas of cross-border rails, petroleum pipelines, roads, integrated check posts, bridges, energy, irrigation, inundation, agriculture, post-earthquake reconstruction, among others.

Both sides agreed to address the problems and obstacles for the smooth implementation of the projects. They also agreed to expedite works in order for early completion of the projects. The meeting was co-chaired by Foreign Secretary Shanker Das Bairagi and Ambassador of India to Nepal Manjeev Singh Puri.

The Nepal-India Oversight Mechanism was set up after the State Visit to India by the Prime Minister of Nepal in September 2016 to oversee the implementation of bilateral projects and take necessary steps for their completion in time.

According to a press release issued by Ministry of Foreign Affairs, the eighth meeting of the mechanism will take place on a mutually convenient date.

Germany Provides Over 3 Billion Rupees To Nepal

Secretary Rajan Khanal at the Ministry of Finance and German Ambassador t to Nepal Roland Schäfer signed a financial cooperation agreement of Euro 24,3 million (equivalent NPR 3.02 billion) of grant assistance on behalf

of their respective governments.

The total volume of bilateral technical and financial cooperation from Germany since cooperation began in 1959 amounts to around Euro 979.6 million of grant assistance.

According to a press release issued by Embassy of the Federal Republic of Germany Kathmandu, the grant assistance committed by the Federal Government of Germany in September 2018 will be used for the projects implemented by the German Development Bank KfW on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ).

The projects include Promotion of Solar Energy in Rural Areas, Improvement of Mother and Child Care in Urban Areas - Paropakar Maternity and Women's Hospital Kathmandu and Sustainable Economic Development in Rural and Semi-Urban Areas–MSME Finance/Phase 2.

The Promotion of Solar energy aims to support solar energy technologies such as solar pumping systems for drinking water and for irrigation, solar systems for public institutions like schools, health centers and government offices.

Korean Ambassador Inaugurates Health Posts In Nuwakot

Park Young-sik, Ambassador of the Republic of Korea in Nepal, inaugurated six health pots in Nuwakot. During the inauguration, Pranaya Upadhaya, Under Secretary, (unit Chief of Reconstruction of MoHP), Sunghoon Ko, Country Director of KOICA Nepal Office, Ayshanie Medagangoda-Labé, Resident Representative of UNDP, Min Ho Choi were also present.

CDO Armani Ghimire, Chief of Nuwakot Health Office and Chairpersons of Likhu, Panchakanya, Shivapuri and Dupcheswor and community people also attended the program.

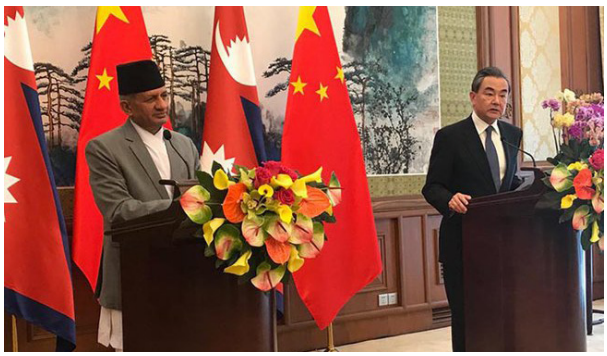
Along with the construction of these Health Posts, KOICA also provided necessary medical equipment with an objective to recover the public health service in Nuwakot District by reconstructing health facilities and normalizing health services.

The Government of the Republic of Korea implemented "Post-Disaster health Service Recovery Program in Nuwakot District" through Korea International Cooperation Agency (KOICA), including the construction of 10 health posts in Nuwakot.

Six health posts were inaugurated and handed over to the MoHP on 26 June 2019 situated at Suryamati, Likhu, Ghyangfedi, Thaprek, Chaugada and Panchakanya. Other 4 health posts were already handed over in 2018 and since then they have contributed to the better access to the health facilities for community people.

This project is the genuine response of the Government of the Republic of Korea to support the earthquake affected people. Since Nuwakot is one of the heavily affected districts, through this project, KOICA is aiming to provide quality and safe health care services to people of Nuwakot by constructing District Hospital and 10 Health Posts.

Gyawali Exchanges Views With Chinese Foreign Minister



Minister for Foreign Affairs Pradeep Kumar Gyawali held bilateral talks with State Councilor and Minister of Foreign Affairs of the People's Republic of China Wang Yi at the Great Hall of the People in Beijing.

At the meeting, the two sides exchanged substantive views on further strengthening and consolidating the ties of co-operative friendship and mutually beneficial partnership subsisting between the two countries, and agreed to further strengthen these relations for mutual benefit, including through the regular exchange of high-level visits.

Foreign Minister Gyawali interacted with Nepali scholars, academics and practitioners based in Beijing at a program held at the Embassy of Nepal in the afternoon. He briefed them on the Government's policy of involving and engaging the Nepali Diaspora for the country's all-round development through the campaign of the 'Brain Gain Center', and urged the Nepali Diaspora to contribute to the noble task of nation-building by utilizing their talents and experience in their respective fields of expertise. Around 30 Beijing-based Nepali scholars and practitioners attended the program and shared brief introduction of their research work and practice in China.

WB Provides Rs. 12B For Fiscal Reforms

The World Bank has renewed support to the Government of Nepal to strengthen the country's efforts towards fiscal federalism and improving public financial management under the Second Programmatic Fiscal and Public Financial Management Development Policy Credit Project.

The $100million project is geared towards the accomplishment of reform actions coordinated by the Ministry of Finance which was built on reforms supported under the first Development Policy Credit project. The agreement was signed at the Ministry of Finance by Secretary Lal Shanker Ghimire and the World Bank Country Manager for Nepal Faris H. Hadad-Zervos.

"We are thankful for the support of the World Bank and development partners in the ongoing and dynamic process of federalism in Nepal," stated Secretary Lal Shanker Ghimire. "Coordination and capacity are one of the primary pillars for the success of Nepal's three-tier government and it is important we build accountability with responsibility in our pursuance of the country's development objectives."

This project supports reforms to advance Nepal's federalism agenda, under two pillars. The first pillar supports measures to establish fiscal federalism through various legislations, policies and regulations. An umbrella legislation, enacted at the federal level, will guide budget execution and improve the accounting and financial reporting framework, and will form the basis of model laws to be adopted by local governments, to govern their budget processes.

"Nepal's transition to a federal state is an ambitious agenda and the World Bank Group is committed to support the government in fulfilling this goal," stated Faris H. Hadad-Zervos, World Bank Country Manager for Nepal. "The sustainability of the proposed reforms under this budget support is a critical aspect. The partnership between the government and development partners will further enable strengthening of public institutions, inclusion and resilience as Nepal progresses with the federalism agenda."

Nepal's transition to a federal state aims to bring services closer to the people and to increase the government's effectiveness in the delivery of social and infrastructure services.

Global IME, Janata Bank Singn MoU For Merger

Even before the announcement of Monetary Policy by Nepal Rashtra Bank to push the commercial banks into merger and acquisition, Global IME Bank Ltd and Janata Bank Nepal have found each other to partner.

In line with the recent advice of Governor Chiranjibi Nepal, who had asked banks to find partners to fall in love prior to the Monetary Policy announcement, two commercial banks vis-a-vis Global IME Bank (GBIME) and Janata Bank Nepal (JBNL) have decided to merge.

According to the preliminary report, the swap ratio has been set at 1:0.85. This means that investors holding 100 unit shares of JBNL will receive 85 units of GBIME post the merger. However, the final swap ratio will be determined after the Due Diligence Audit (DDA).

According to the third quarter report of FY 2075/76, the paid up capital of GBIME and JBNL stand at Rs 10.31 billion and Rs 8 billion respectively. Post merger, the joint entity's paid-up capital will stand at Rs 18.39 billion. Similarly, the reserve and surplus of GBIME and JBNL stands at Rs 5.12 billion and Rs 1.75 billion respectively. Therefore, post merger, the joint entity's paid-up capital will stand at Rs 17.11 billion. Likewise, their net profit stands at Rs 1.87 billion and Rs 1.02 billion respectively.

BoK To Finance 8.5 MW Solar Plant In Butwal

With a lead of Bank of Kathmandu, Citizen Bank International Ltd and Nepal Bangladesh Bank Limited signed a co-finance agreement with Ridi Hydro Development Company to develop Nepal's largest solar energy plant in Butwal.

Under the project, the company will build 8.5 MW solar plant in Tillotama Municipality Ward 4 at the cost of 654.6 million rupees. The plant will be built in 26 Bigaha of land with 32000 solar panels.

The electricity will be connected through 33 kV transmission line to National grid. According to a press release issued by Bank of Kathmandu, the plant will generate 145,105,84 units of electricity. The electricity will be directly connected to national grid.

BoK also financed 3 MW hydropower project in 2001 in Piluwa Khola to Arun Valley Hydro Company. It was the first private sector promoted hydropower project.

Hyatt Regency Kathmandu Supports Child Protection Home

Caring for our communities is core to our purpose. Every April, Hyatt hotels around the world come together to make a positive impact in our communities. This year, the Global Month of Community Service was scheduled for the month of June.

With activities both large and small, our colleagues volunteer their time to impact the issues that are most important where they live and work, in line with Hyatt Thrive pillars: Edu-

cation and Career Readiness, Environmental Sustainability, Health and Wellness and Economic Development and Investment.

According to a press release issued by Mohini Shrestha, Marketing Communications Manager, to celebrate the NINTH Global Month of Community Service, Hyatt Regency Kathmandu extended its voluntarily work to Child Protection Home, situated in Siphal, a nongovernmental organization committed to improving the lives of children in Nepal and helping them succeed. The organization was established in 1964 as a not-for-profit organization and has developed into one of the most extensive childcare and development programs offered throughout the Himalayan Kingdom.

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The projects include Promotion of Solar Energy in Rural Areas, Improvement of Mother and Child Care in Urban Areas - Paropakar Maternity and Women's Hospital Kathmandu and Sustainable Economic Development in Rural and Semi-Urban Areas–MSME Finance/ Phase 2.

The Promotion of Solar energy aims to support solar energy technologies such as solar pumping systems for drinking water and for irrigation, solar systems for public institutions like schools, health centers and government offices.

Improvement of Mother and Child Care in Urban Areas - Paropakar Maternity and Women's Hospital Kathmandu helps to construct and rehabilitate the extension of health facilities to up to four satellite centers. These satellite centers will provide both in-patient and out-patient services to women and children closer to their residencies. The satellite centers will be run and managed under the well-established label of Paropakar Maternity and Women's Hospital.

Similarly, sustainable Economic Development in Rural and Semi-Urban Areas–MSME Finance/Phase 2 is a continuation of earlier support to improve access to sustainable and target-group oriented loans, predominantly in rural and semi-urban Nepal and in particular for loan sizes which go beyond micro finance but remain below traditional corporate finance (so-called 'missing middle').

Both governments expressed their commitment to ensuring a successful and timely implementation of these key projects.

NIBL's Support To Nepal Police's Women's Basketball Team

Chief Executive Officer of Nepal Investment Bank Ltd. Jyoti Prakash Pandey handed over a chequ of Rs.1.8 million to women's basketball team of Nepal Police. This would support the team's overall management of sport facilities, logistics, equipment etc.

According to a press release issued by Nepal Investment Bank Ltd (NIBL), NIBL will continue to support various sports events that promote active and healthy lifestyle and enhance cohesive participation of women and youth in the community by inculcating values like discipline, teamwork and fair play.

As part of its ongoing CSR initiative to support variousssporting activities that promote participation of local and national communities, NIBL extended a financial assistance on Rs. 18 lakhs to the women's basketball team of Nepal Police Sports Council.

NIBL has been catering its customer from 80 branches,115 Atms,14 extension counter,10 revenue collection counter and 51 branchless banking counters.

The bank has also won"Nepal's best bank" award from Euromoney Awards for Excellence -2018. It is the only bank in the country to have received the "Bank of the Year Award" five times from Financial Times Group's The Banker, a UK based Bank magazine and has received a credit rating [ICRANP-IR] A+ from ICRA Nepal (International Credit Rating Agency- Nepal).

Similarly

Nepal Investment Bank Ltd. (NIBL) commenced joint operations with Jebil's Finance Ltd. after its successful acquisition, raising the total paid-up capital to NPR 12.89 billion, highest amongst the private sector commercial banks. The total deposit has reached NPR 147 billion and total loans NPR 132 billion.

At the commencement of the new entity as its 81st branch at Pyukha, Newroad Jyoti Pandey, CEO, NIBL indicated that mergers & acquisitions will be part of the bank's strategic plan for the next financial year as well.

Environmental Assessment

Mitigating The Adverse Impacts

By BATU UPRETY

Nepal has practiced project-level Environmental Assessment (EA, Initial Environmental Examination, IEE or Environmental Impact Assessment, EIA) since the mid-1980s. The EA is mandatory for the prescribed projects after the enforcement of the Environment Protection Act (EPA, 1996) and Environment Protection Rules (EPR, 1977). Number of IEE or EIA reports of the prescribed projects has been approved legally to provide 'environmental clearance' for project implementation. The proponents have made several commitments in the EA reports, including effective implementation of the environment protection measures (EPMs) and 'voluntary' monitoring. The proponents have further legal commitments to mitigate project-induced adverse impacts on physical, chemical, biological, social, economic and cultural aspects of the environment with allocation of necessary budget and human resources.

A recent field study of four hydro-electricity projects (HEPs), located between Birethanti and Doubilla, in the Modi Khola has confirmed that EPMs of the approved 'EA reports' have not been implemented to mitigate adverse environmental impacts to the extent required. The construction contractor(s) consider that EPMs and environment management plan (EMP) should have been in detail design. The contractor(s) are responsible to construct structures such as intake/headwork or tunnel or open canal or powerhouse or protection walls as per the design. Based on discussions, contractors were unaware of the environmental requirements (both EPMs and EMP, which are integral parts of IEE/EIA) that need implementation and compliance. It indicates that 'once EA report is approved, environment is automatically managed', with no need to implement measures included in the legally-binding IEE/EIA reports.

In Modi Khola basin, private sector has operated Upper, Middle, Lower Modi and Lower Modi-A (United Modi) and NEA has implemented Modi HEP. The Modi HEP has prepared EIA report (in 1996) before the enforcement of the EPA and EPR in June 1997. Other projects have complied with EPA and EPR to get 'environmental clearance'.

Projects have financially supported local communities to construct village road, school building and drinking water supply or create public awareness. Projects have compensated the project-affected families for land and property acquisition, including lost resources as a part of site clearance, and 'blasting-induced' house damages or cracks. Project-induced environmental impacts such as drying of water sources, seepage or change in water flow from stream to tunnel outlet, disposal of tunnel 'muck' and site rehabilitation, impacts on fish species and their population, 'ghat' (cemeteries) development, and compensatory plantation are yet to be attended. In the operational stage, officials working in and around the power generation site urgently need ear plug, noise attenuation measures, or sound-proof cabinet to minimise 'hearing ability'.

Long stretch of the Modi Khola is 'dewatered' and this reduces opportunities to maintain and/or improve aquatic habitat, in particular of fish species. The proponents have made number of commitments through EIA report, in the form of mitigation measures, such as release of 'environmental flow' (10% of the total flow), construction of 'fish ladder' for upstream-downstream movement of fish species, early warning system to reduce casualties in the dewatered zone due to sudden release of water from headwork and so on. Two projects have constructed 'fish ladder'. However their location and design are inappropriate. This compliance is 'ineffective' and indicates for no investment in future similar projects having long section of 'dewatered zone'.

The Modi Khola was a good habitat for 'asala' fish and was rich in fish diversity and productivity. Local people in Ambot (with few hotels offering fish dishes) informed that only one-tenth of the fish quantity is produced as compared to few years back. Hoteliers are trying to meet the fish demand by purchasing fish from Thado Khola or Kali

Gandaki river. 'Fish lovers' would not find required 'fish to eat' from the Modi Khola which experiences 'complete dewatered zone' (except for about 500m in four projects) from Birethanti to Doubilla.

The water diverted from Modi Khola in Birethanti will generate 15.1 MW (installed capacity) in the Middle Modi HEP and this water will be diverted to generate 14.8 MW in the Modi HEP. Water released from powerhouse at Dimuwa will be diverted to generate 20 MW in the Lower Modi HEP. The released water will be diverted in the 'open canal' to generate 10MW in the United Modi HEP. It means, dewatered zone is devoid of fish species from Birethanti to powerhouse site of the Lower Modi-A HEP in the winter and dry seasons.

High content of sand particles in the Modi Khola, geological fragility and inadequate conservation of its watershed has accelerated damage to turbine and has perennially increased maintenance cost.

The EA, introduced as a planning tool for ensuring people-centred environment-friendly development in early 1970s, has been used by almost all countries in identifying, predicting and evaluating environmental impacts of the proposals and selecting measures for avoiding, mitigating and compensating adverse impacts and enhancing beneficial impacts. It is carried out at project, strategic, sectoral or thematic levels to attain the goals of sustainable development. This tool is also extensively used by the donor communities and the multilateral agencies such as the World Bank and other regional Banks to make the development policies, plans, programmes and projects environment-friendly and sustainable.

This short field-visit calls to understand the benefits of EA tool, and prioritise development projects that require different types of assessments. In the cascade HEPs, it might be useful to carry out 'beyond project-level assessment'. Many countries have practiced project- and strategic levels of assessments to address environmental impacts. Sector level and cumulative assessments are equally important to reduce project-level assessments.

The new Environmental Protection Bill (2075) has included brief environmental study, IEE, EIA, supplementary EIA and Strategic Environmental Analysis (widely used terminology is Strategic Environmental Assessment). Other assessment tools should also be opened in the new Bill. The Bill trusts the proponent for environmental scoping, and auditing as well. In principle, scoping and ToR preparation, monitoring and auditing should belong to the competent authority. Implementation of EPMs or EMP for all project-induced impacts is the responsibility of the proponent. The situation in Modi Khola is different and contractors are unaware on mitigating project-generated adverse environmental impacts. Understanding about the usefulness of EA significantly differs between Singhdurbar and field levels. The EA is a comprehensive tool and additional effort is required to help understand its benefits at the implementation level.

Former Joint-Secretary (Tech.), then Ministry of Environment and also served as the Chief of Environmental Assessment Section in ministries from 2003 to 2008. E-mail: upretybk@gmail.com

PESTICIDE POLITICS

Proxy War

Starting from a decision on making mandatory pesticide tests for Indian vegetables and fruits and its withdrawal, the dispute has become a proxy war among ministers

BY KESHAB POUDEL

Nepal's leading daily newspaper Kantipur published the news with a headline on July 6 that pesticide mixed vegetables reached the kitchens of Nepalese consumers. This populist reaction of the daily newspaper was published following the cabinet decision to withdraw mandatory test for vegetable and fruits imported from India.

However, it has sent a message that Indian vegetables and fruits containing poison were reaching Nepalese kitchen. With this headline, users of social media like Twitter and Facebook reacted loudly, to the level of stupidity.

Some social media users, mostly communists representing the ruling communist party, and extreme rightists used this event to fan anti-Indian feeling, calling on people to boycott Indian goods.

Whatever the intention may be, the populist reaction against the cabinet decision by a leading daily newspaper and people from different walks of life, disseminated a completely wrong message that India has been exporting vegetables and fruits in Nepal mixed with pesticide residues.

This is not a new thing in current politics. Foreign Relations adviser of Prime Minister KP Sharma Oli Dr. Rajan Bhattarai earlier, on the issue of withdrawing Guthi Bill, sharply reacted blaming that external and internal forces used the bill to destabilize the government.

Sources close to Prime Minister Oli said that the Prime Minister also toed the line issued by his foreign advisor. Prime Minister Oli is privately complaining about subversive acts by external forces against his government.

As all the sections of the people jumped to criticize Oli, including ruling party leaders like Bhim Rawal, Ram Kumari Jhankri and Ghanshayam Bhusal, Prime Minister Oli's principal secretary Bishnu Rimal in his tweet criticized political critics of Oli as evil spirits of external element in disguise.

Groomed in anti-Indian schooling, everyone knows which country they are pointing to as an excuse for their own internal failure. The testing of vegetables issue thus turned into a proxy war between the prime minister and other leaders within his party and outside to prove loyalties. Although Prime Minister Oli did not issue any statement publicly, he used his advisors and sympathizers to point out the external elements.

Sequel Of Decisions

Although the proposal for lab test of vegetables and fruits was prepared a long time back, the cabinet took a decision to make pesticide tests for vegetables and fruits mandatory on May 24 and the government published the decision on June 17 in

Rajpatra with immediate effect. From June 18, all the custom posts started mandatory test for vegetables and fruits imported from India.

Following disruptions of export and decaying of perishable vegetables and fruits in the border, Indian Embassy wrote an official letter through Ministry of Foreign Affairs expressing concern on the damage of fruits and vegetables at border point on June 29.

On June 30, Ministry of Foreign Affairs forwarded the letter of Indian Embassy to Ministry of Industry, Commerce and Supply and Agriculture.

Following the letter, Ministry of Agriculture and Livestock Development sent a letter of recommendation to Ministry of Industry and Commerce to stop mandatory test due to lack of infrastructure in border on July2.

On July 03, Ministry of Industry, Commerce and Supply forwarded a proposal to halt the test till the establishment of adequate infrastructure. The cabinet approved the proposal of the Ministry on July 4 discontinuing the test till the establishment of new infrastructure.

National Plant Protection Organization and Agriculture Proceeds and Food Products Export Authority have been issuing the certificate for the vegetables and fruit products exported to Nepal and Nepal has been accepting it for long. India claimed that conducting test at border is a non-tariff barrier which stops trade between the two countries.

Minister's Row

For the politicians, the simple agenda of vegetables lab test became the agenda of loyalty and disloyalty. At the climax, a blame game among prime minister K.P. Sharma Oli, Minister for Agriculture and Livestock Development Chakrapani Khanal and Minister for Industry, Commerce and Supply Matrika Yadav began.

Although the issues involves multiple ministries, Ministry of Industry, Commerce and Supply Yadav sent a file to the cabinet. After controversy, he accused his secretaries and bureaucrats for misleading him. Addressing the upper house, minister Yadav accused three secretaries, including his own for misleading him in the agenda.

Next day, Minister for Agriculture and Livestock Development Chakrapani Khanal expressed that his ministry was not consulted before sending the proposal to the cabinet. He accepted the fact that the border point does not have adequate labs to conduct the test.

All this did not end here. Prime Minister K.P. Sharma Oli disclosed that he was not informed by the officials regarding the letter sent by India on the lab testing issue of vegetables and fruits.

Talking to a Television program Jantasang Pradhan Mantri (Prime Minister With People) broadcast by Nepal Television, Prime Minister Oli claimed that he knew the letter sent by Embassy of India to Ministry of Foreign Affairs with reference to Ministry of Agriculture and Food

Minister Yadav

Technology and Quality Control Department regarding the pesticide test.

He complained that the government offices did not inform him. "I did know after a long time that India has started diplomatic efforts and dialogue regarding the pesticide test," he said.

Market Short Supply

With the scarcity of vegetables in the market and concerns expressed by Government of India over disruption of entry of Indian fruits and vegetables to Nepal, Nepal's communist government has withdrawn the decision to test the vegetables and fruits before entering Nepal. However, the prices of vegetables have gone high.

Implemented without adequate preparations, the decision of Nepal government to impose mandatory lab test for imported Indian vegetables and fruits had created a lot of complications for the Indian exporters and Nepali importers.

Since none of the custom points have lab testing facilities, the exporters have to come up to Kathmandu for testing certificates, leaving their perishable vegetable products in the border.

Angry with the long process, many angry exporters have thrown their products at the roadside losing money. Nepali officials are saying that Indian farmers use excessive volumes of pesticide in their project and making mandatory testing will reduce the risk to human life.

Indian products will be allowed to enter Nepal only after securing the green signal from pesticide control labs of Nepal. In Nepal-India borders at Sunauli, Nepalgunj, Birgunj, Biratnagar and Kakarvita, hundred of trucks carrying vegetables and fruits are waiting for a green signal to enter Nepal.

As a member of World Trade Organization, Nepal's unilateral decision is also against the WTO regime. "Nepal should not have taken such a major step without adequate preparation and without informing other countries," said a former Commerce secretary. "The decision was also against WTO regime."

Coming from Karnatak, MP, Maharashtra, Kanpur, Basti, Varanasi, Gorakhpur, Kushinagar, Debriya and Maharajgunj, the trucks need two to three days to receive clearance.

In the wake of short supply of India-imported vegetables and fruits for a week in the name of mandatory testing by Nepalese authorities, the prices of those items have increased by five folds.

As sensational reactions continue with the short supply of vegetables and fruits, the consumers have suffered. As Nepal government announced the decision for mandatory test of India imported vegetables without establishment of adequate test centers in border points, the farmers and vendors suffered a huge loss due to damage of perishable items worth millions of rupees.

With the increase in pressure from farmers, Indian central government, through Indian Embassy, sent a formal letter seeking the reasons for implementing the decision without prior information.

Although this letter was a formal letter sent to the government through formal channel, it was again leaked by a daily newspaper creating another scandal that the opposition and ruling party MPs criticized the government's bowing down to India withdrawing the decision.

Nepal has been regularly monitoring the level of pesticide in domestically produced and imported vegetables and Nepal Integrated Pest Management Act and Regulations have set the standard for the level of pesticide.

Minister Khanal

Nepal is not an immune from consuming pesticide-used fruits and vegetables. Nepal's Pesticide Management Act and regulations set the standard but nobody understands the reason why the cabinet approved regulations making it mandatory to lab-test at this juncture of time.

Artificial Intelligence (AI)

Rewriting Genetic Codes and Defying Death: Will This be Humanity's Pinnacle or Nadir?

BY OMKAR SHRESTHA

Hinduism promises that human beings can achieve **anything** they want - but do humans know what they truly want? Humans seem to have concluded that what they really want in life is comfort, pleasure, and happiness – however fleeting and frivolous as they may be. In these pursuits, humans have invented, refined and further advanced machines and their applications without adequate focus on their unintended side effects. In their unfinished search for more and more happiness, human beings have been continuously upgrading their inventions from the steam engine (during the first industrial revolution) to electricity (second industrial revolution), to internet (third industrial revolution), and now to the artificial intelligence during the fourth industrial revolution (IR4) enabling machines to perform nearly everything better, cheaper, faster and safer than human beings.

Experts are warning nearly in unison voice that within a short period of a mere few decades or sooner, labour of all collars (blue collar and white) will be reduced to unemployable "useless class" as there would be literally zero demand for their services. They will be expensive at any costs. Future job vacancies may even come with a tag, "humans need not apply". Just a handful tech giants (like Facebook, Amazon, Netflix, Google (FANG), Baidu, Alibaba and Tencents (BAT)) are likely to be the big economic winners creating pathological inequality in income distribution between them and the rest in the global society. Meanwhile flagship enterprise of tech-giants like Google is aiming to defeat death and grant the minority super-rich-humans eternal youth as reflected in the launching of its sub-company called Calico in 2013 whose stated objective is "to solve death". A genome-editing tool known as CRISPR now enables complete rewriting of genetic codes and can alter human DNA structures altogether. A relentless war against death seems to be inevitable. There are some experts who believe that humans could indeed overcome death by 2200, while others say 2100. Indeed, over the years, death is already being defied on an installation basis. In that sense, the future is already here – only in different degree in different places. Silicon Valley superstar and Pay Pal co-founder Peter Thiel shamelessly proclaims that "(income) equality is out and immortality is in" – just a matter of time.

For humanity, whether to celebrate such achievements (rewriting of genetic codes and attempted victory over death etc) as pinnacle praising the power of the modern technological developments, or to lament the economic miseries of the masses resulting from the winner-take-all gain distribution system as nadir leading to a world devoid of ethics, aesthetics, morality, and compassion, would remain an unresolved puzzle. Whether there would be a rise of realization that the market is not just invisible but also blind left to itself, and hence scientific research and discoveries ought to be regulated, monitored and guided, and that the financial and other benefits emanating from technologies need fair distribution system for maintaining social stability and rescuing humanity, remains yet another unsolved puzzle.

For humanity, whether to celebrate such achievements (rewriting of genetic codes and attempted victory over death etc) as pinnacle praising the power of the modern technological developments, or to lament the economic miseries of the masses resulting from the winner-take-all gain distribution system as nadir leading to a world devoid of ethics, aesthetics, morality, and compassion, would remain an unresolved puzzle.

If such understanding and realization is not forthcoming, and if human greed continues to be the Capitalism's sole driving force behind technological advancements, will humanity ultimately resort to spiritualism, introspection, and meditation for finding inner peace, life's larger meaning, and discovering transcendental contentment? Whether such yearning would come not only from the hopeless and helpless masses, but also from some (not all) superrich class as well would remain as yet another mystical question.

Shrestha work over 27 years of service with the Asain Development Bank in various Capacities

NEPAL RUSSIA RELATIONS

Healthy Note

Since the establishment of bilateral relations 63 years ago, Russia has supported Nepal by offering higher education opportunities to Nepalese engineers and doctors

BY A CORRESPONDENT

Since the establishment of diplomatic relations 63 years ago, Nepal has continued to benefit from technical universities of Russia. At one period, Nepal's medical and engineering fields were dominated by engineers and doctors trained in Russia.

After the dissolution of Soviet Union, the number of Nepalese going to Russia for higher education has declined due to various reasons. However, a formidable number of Nepalese younger generations are still studying in Russian Federation.

At a function organized by Nepal-Russia Friendship and Cultural Association, various speakers highlighted the importance of Nepal's relations with Russia. The talk program aimed at strengthening and promoting Nepal-Russia Friendship and Cooperation.

At the event inaugurated by Charge d' Affairs of Russia Yury Yuzhaninov, various speakers highlighted the importance of Nepal Russia relations at the present global context and stressed the need to further promote the bilateral relations.

Delivering the greetings, Charge d' Affairs Yury Yuzhaninov said that the two countries had always enjoyed substantial and fruitful partnership ties in different areas. He said that he is pleased to note gradual development of economic and cultural cooperation between the two countries.

Bhagawan Ratna Tuladhar, chairman of Association, chaired the function. Charge d' Affairs Yuzhaninov said that Moscow and Kathmandu have very close positions on many international issues that share the basic principles of goodwill, non-interference into internal affairs of sovereign states and supremacy of international law.

Addressing the program, joint secretary of Ministry of Foreign Affairs Ghanshyam Bhandari said that Nepal government has been giving high importance to relations with Russia. He said that Russia has been supporting Nepal in the areas of training high skilled Nepali technicians.

Presenting the activities of Russian Center of Science and Culture, director Julia Androsova said that this year is a historically important year for the center as it is celebrating forty years of establishment in Nepal.

She said that the center has been working to boost its activities in the sphere of culture and education. She said that the center has already concluded agreements with a number of Nepali institutions regarding the incorporation of Russian language classes.

In his welcome address, chairperson Tuladhar said the objective of the program is to identify the viable areas of trade and tourism promotion with Russian Federation. He also said that the association is ready to facilitate the reopening of Soviet assisted Janakpur Cigarette Factory, Birgunj Sugar Factory and Agriculture Tools Factory.

In the seminar, Professor Dr. Mohan Lohani presented a paper on strengthening Nepal Russia Relations. In his paper Dr. Lohani said that Nepal and Russia have worked together in the UN and other international forums to maintain international peace and security and to promote international cooperation for development, particularly in the interest of all developing countries including the least developed countries like Nepal.

He also reminded Russia's support to train Nepalese technical human resources required for the all round development. "Nepalese students, in their thousands, have received higher education in reputed Russian universities particularly in technical fields like medicine and engineering," said Dr. Lohani. Pushkar Man Singh Rajbhandari, president of Former Ambassador's Association, commented on the paper.

As Nepal and Russia are celebrating 63 years of establishment of diplomatic relations, the workshop gave an opportunity to review the bilateral relationship existing between the two countries.

FLOOD

Politics of Geography

Annually floods create havoc in Nepal's southern plains and adjoining Indian states. It requires geographical approach rather than petty political lenses to resolve the routine problems

BY KESHAB POUDEL

Nepal's leading newspapers came with headlines in recent days blaming India's embankments for flood and inundation in bordering areas of Nepal. Even social media like Twitter and Facebook handles viewed the flood in the same perspective as the leading daily news papers.

On the other side of the border, the story is not different. India's leading newspapers, published from close to Nepal border, have reverse headlines. Dainik Jagaran, Nawbharat Times and The Times of India reported that India faced flood due to opening of dam gates in Nepal.

Although hundreds of people have died and tens of thousands of people have lost their homes on both sides of the political boundary, the coverage in newspapers published from both the sides and reactions in social media have shown their ignorance of the real issue.

First of all Nepal does not have big dams which will produce such floods and India too has not built embankments throughout its border areas that can prevent water draining from Nepal to India. Of course, both the countries have constructed some infrastructure to intervene the flow of waters.

Politics of Flood

JP Gupta, former minister and political leader from Saptari, a flood prone district adjoining Kosi, in his tweet writes neither geography of Bihar or UP can increase height nor our mountain and Himal can reduce their size. However, water always flows downstream. India might have the capability to build parallel dams in Nepal India border but blocking the water is not like air strike. Nepal has to make this an agenda and Pahad and Madhesh need to work together.

JP Gupta is more reasonable in the sense that he is very mild in his blame to India. NCP leader Bhim Rawal questioned whether one can term national and anti-national when I questioned the embankment built in Rautahat violating the international law.

Most of the communist and communist sympathizers are using the flood to denounce Madhesh based leaders. An NCP leaning editor of a leading paper, in a tweet, asked Madheshi leaders, who blocked the border in 2015, to repeat the same against the Indian dam?

Other side of the border too has a very antagonistic view on Nepal side. They condemned Nepali authorities for

not cooperating with India to prevent this kind of crisis. As usual, politicians based in Patna urged the central government to start talks with Nepal to build high dam in Kosi River and other rivers.

Politics and Geography

Politics brings the agenda of nation and national boundary, which was the creation of last 300 years. But geography is different. The rivers, with rain floods, have been part of nature from time immemorial.

The geography of the region is such that Nepal lies in upper riparian and India is a lower riparian country. Since million of years, the monsoon rain floods out to India as it lies in the southern slope and all the rivers and streams of Nepal drain to Ganga before reaching the Bay of Bengal.

Rain and floods are natural phenomenon of geography of this region. As the region is divided on the political boundary, there appear intervention strategies to protect their citizens from hazard.

With rampant deforestation, construction of infrastructure like roads, airports and growing human settlement, the floods are intensifying. With the expansion of urban areas with modern sewerage, there is no space to retain water. Rain water almost reaches the rivers as soon as it drops from sky.

However, there are few technical experts taking part. Either chauhanist politicians, media persons and hard core engineers are leading the debate. Engineers with social background are taking the back bench knowing that their realistic approach may be termed anti-national in both the parts.

Nepal's Flood

This year the torrential rain has badly affected 23 districts, mostly in southern plain. According to Nepal Police Twitter handle, 67 people including 26 women and 41 men were killed in flood and 43 got injured, including 20 women and 23 men till 15 July. Thirty persons including 18 males and 12 females are missing.

Nepal Police also rescued 1446 people from different areas. Tens of thousands of people were displaced. The figure of casualty will further increase till the last minute. Even this is the month of July only and more floods are likely in August or till end of monsoon rain.

For the victims of the flood, it will take years to recover from the loss incurred. However, they live in the same geography and the situation will repeat again in the future.

The damage to the nation will be much higher as the flood has swept away bridges, roads, transmission lines and other infrastructure. However, people will forget the pain in the winter.

Compared to Indian citizens, Nepalese have a relative advantage as they live in higher places.

Nepal Disaster Capacity

Facing chronic disaster annually, Nepal Army, Nepal Police and Nepal Armed Police, civil society organizations, including INGOs, have developed a very strong rescue capability.

Rescuing over 2000 people in a matter of 12 hours, Nepal Army has shown it is capable to take the rescue mission effectively. Nepal Police and Nepal Armed Police are also handling the disasters in a coordinated manner with Nepal Army.

Civil society organizations and international humanitarian INGOs have been supporting rehabilitation.

Similar is the situation in India. They too have strong capacity for rescue and rehabilitation.

Bihar's Situation

As Nepalese have been suffering from flood, the situation of Bihar and Utter Pradesh is not different. Flooding created havoc in Bihar after several rivers breached their mud embankments, inundating new areas in around a dozen districts.

The floodwaters have damaged roads, railway lines, uprooted electricity poles and brought down many homes. Bihar chief minister Nitish Kumar conducted an aerial review of the flood-affected areas to examine the overall situation.

Hapless villagers have fled to higher ground and are taking shelter along railway lines or river embankments after floodwater entered their homes. Although the administration claims to have put 14 motor boats and 170 boats into service to evacuate villagers trapped in their flooded homes, this is proving to be insufficient.

A peculiar scene was witnessed in the Forbesganj block of eastern Bihar's Araria district where a newly-wed couple had to use a makeshift boat made of empty drums and bamboo logs to reach their home from the wedding venue as the village road was washed away.

Local TV grabs showed the couple getting down from the flower-bedecked car midway and hopping on-board the makeshift boat along with their belongings. The footage showed the couple sitting on the makeshift boat and other relatives moving side by side wading through the waist-deep water to support the couple.

A report from the water resources department said major rivers such as Bagmati, Kamla Balan and Bhutahi Balann breached their mud embankments at seven places in three districts of Sitamarhi, Jhanjharpur and Darbhanga, inundating many villages.

Meanwhile, all 56 gates of Kosi barrage at Birpur in Supaul district have been opened following the rise in water levels of the Kosi river, caused by heavy rains in catchment areas of Nepal.

The flood situation has also turned critical in Sitamarhi, Muzaffarpur and Sheohar where water has entered several villages, prompting residents to flee their homes with their cattle and belongings.

Chief minister Nitish Kumar held a meeting with officials of the water resources, disaster management and road construction departments on Sunday and ordered them to keep a watch on rising water level of rivers, discharge from barrage and condition of river embankments round the clock to respond to any kind of emergency, before leaving for aerial survey.

Water resources minister Sanjay Kumar Jha said his department has built a massive network of some 3,800km of embankments, so far, to contain and regulate flood water in the state.

"For the Kosi, Baghmati-Adhwara basins, we have already installed a 72-hour early flood warning facility. Next in line is the Gandak basin," the minister said adding they were also close to putting up a Real Time Data Acquisition System in 5 river basins and 18 reservoirs in the state.

Bihar's man opposition the Rashtriya Janata Dal (RJD) slammed the chief minister for the prevailing flood situation in Bihar and alleged the ruling regime didn't take adequate preventive measures to contain floods, rather it continued on blaming "Nature and rats" for this situation.

"Many districts of Bihar are facing floods but instead of launching relief and rescue measures, the ruling government is working on the plan to blame Nature and rats for the

floods," alleged former chief minister Rabri Devi. She also asked chief minister Kumar to reveal how much amount was spent on chalking out long term plan to contain floods during his 14-year-old tenure.

At least 88 people have died and tens of thousands have been displaced after torrential monsoon rains triggered floods and landslides across Nepal and parts of South Asia.

At least 64 people have died in Nepal, with a further 31 people identified as missing and more than 2,500 rescued, Ministry of Home Affairs said. Search and rescue efforts have been stepped up, with multiple federal agencies, the Nepalese Army, and paramilitary forces mobilized.

In neighboring India, 14 people have died on the northeastern state of Bihar, which lies on the India-Nepal border. The death toll there is "bound to increase," said Pratyaya Amrit, a senior official at the Bihar Disaster Management Department, as flood waters retreat and reveal the true extent of the damage.

A total of 19.6 million people across 12 districts have been affected by the flash floods, Amrit added. About 46,000 people in Bihar have been shifted to temporary shelters, and national and state disaster relief teams have deployed in the region.

Already, 16,520 households in Nepal have been displaced, according to the Ministry of Home Affairs. Rescue teams continue to evacuate residents, pushing inflatable dinghies through flooded streets and helping children and the elderly to safer areas.

The monsoon rains began to inundate low-lying towns and villages, with tens of thousands evacuated after major rivers swelled to dangerous levels, according to the Nepalese Ministry of Home Affairs.

Regions of Nepal on the southern border, like the Bara District, have seen more than 400 millimeters (15.75 inches) of rain in the past few days, according to satellite estimates. The rain is still pouring, with some western areas expected to receive up to 250 millimeters (9.84 inches) in the next 48 hours, said Nepal's Department of Hydrology and Meteorology.

The monsoon rains bring both relief and disaster every year -- they bring much-needed water to drought-hit regions, but the sudden downpours also trigger floods and landslides, especially fatal in areas without sufficient water storage infrastructure.

In 2017, Nepal had some of the heaviest monsoon rain in recent years, with floods killing at least 143 people and damaging nearly 80,000 houses. Another severe monsoon season in 2014 killed over 100 people in Nepal, and displaced more than 17,000 families.

Politicians have been taking the flood to blame opposition and some elements are taking flood to fan nationalism. Officials are pursuing enhancement of rescue capability and capacity.

However, people need remedy and people need the protection from the flood. They don't want to see loss of life. For this, countries have to start talking on geography keeping aside the petty political issue.

Flood and rain do not have anything to do with politicians. Floods do not come to make a politician nationalist. This is neither an issue of India bashing nor Nepal bashing.

Flood and rain have their geographical dynamics which has nothing to do with politics or political boundary. Flood and rain are part of the nature, the entire geography of the region existed with this reality. To minimize the effect, the experts need to sit together for minimizing the damage and human suffering.

Photos Courtesy by Nepal Army

Flooding And Political Economy

BY DR. PRABIN MANANDHAR

A much-awaited legislation on Disaster Risk Reduction and Management (DRRM) was endorsed in 2017 replacing the Natural Calamity Relief Act of 1982 that focused primarily on rescue and relief efforts. The new Act has covered the broader spectrum of diversity of disaster and disaster cycle management – preparedness, response, recovery and mitigation. The Act has promoted proactive DRR towards resilience building.

What have been done in the spirit of this Act in the past two years in terms of preparedness and mitigation? In line of the federal structure, what have been done to establish institutional set-up and to strengthen role and capacity of the local government, and local and community disaster management committees?

And, what is the status of establishing a National Disaster Risk Reduction Management Authority (NDRRMA) for DRR and Management in the federal context. The authority is critical for the overall disaster operation including coordination, facilitation, research and studies, database management and mobilization of international assistance.

Nepal is exposed to multiple recurrent hazards. Due to climate change, monsoon patterns are changing that add further complexity in the preparation for more extreme weathers. Every year, the monsoon rains have caused floods in the Terai and landslide in the hills causing significant damage and loss of lives, livelihoods and properties.

Over the past week, rains have hit 30 districts including the capital. Hundreds of villages in have been affected in the Terai and the hills. Dozens of people have died and thousands have been displaced from their homes in Provinces 1, 2 and 3. The problem in the Terai is largely the matter of flooding and inundation.

The durable solution to flooding and inundation lies in geopolitical relationship between Nepal and India. The successive governments in Nepal has failed to prevent construction of embankments by India on the side of Nepal border while the rapid construction of roads and infrastructure without DRR consideration on Nepal side is also a concern.

Nepal and India have had joint committee and joint studies to address the inundation issues along the Nepal-India border. It's a high time that both India and Nepal take the flooding and inundation problem seriously by either demolishing or adjusting embankments. Can we resolve it through bilateral discussion or we need arbitration?

Let us not further delay in establishing National Disaster Risk Reduction Management Authority. Unfortunately, the house is adjourned at this time due to the dispute between the government and the opposition parties at this time of national crisis.

Meanwhile, let us support every victim to save her/his lives with dignity. Let the provincial and local governments provide opportunity to respond at the local level in a more decentralized way without needing multiples approvals from the government.

Learning from the past, there must be total transparency in terms of sources and uses of funds of Central Level Disaster Management Fund, as well as other resources mobilized by national and international agencies. They must be subjected to public audit.

Further, there must be functional complaints handling processes to address grievances from the affected population. Finally, this is not to forget that the community people are the first responder to any humanitarian crisis. They must be consulted in all aspect of DRR and disaster management.

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CHANDRA PRASAD DHAKAL

Root To Root

With high success in business and banking, Chandra Prasad Dhakal, chairman of IME Group, has been contributing to his roots through tourism and education

By A CORRESPONDEN

"You can't connect the dots looking forward; you can only connect them looking backwards. So you have to trust that the dots will somehow connect in your future. You have to trust in something - your gut, destiny, life, karma, whatever," said Steve Jobs, a pioneer of the microcomputer revolution and founder of Apple.

As said by Jobs, destiny guides individual's life knowingly or unknowingly. Banker Chandra Prasad Dhakal is not an exception. Achieving high successes in business and banking one after another, Dhakal has also pushed work to the roots by his destiny.

Chandra Prasad Dhakal

With over two decades of journey in business, Dhakal entered into the banking sector through International Money Express (IME), the first remittance company, to bring foreign remittance to Nepal with it.

Established in 2001 in Nepal and Malaysia, the aim of IME was to facilitate the migrant workers in Malaysia to send their earnings home. This arrangement has not only become productive, but also paved the pathway to institutionalizing the formal means of remittances.

Dhakal has now turned IME as a business house with banks, enterprises, trading, hydropower, service industry and infrastructure.

As he has been marching ahead, Dhakal has also moved to serve his roots. Initially, he did not know that he was also going to contribute to history and his root. After the completion of construction of Chandragiri Cable Car and recreation park, entrepreneur Dhakal has realized that he needs to do something to promote the history of Chandragiri Hill and its dreamer.

Constructing the statue of Prithvi Narayan Shah, founder of Nepal at Chandragiri Hill as an important portion of the Hills, Dhakal added important things at the recreation center and tourism hub.

After the construction of the statue, his next move was to support the construction of class buildings for Prithvi Hiranya Secondary School, which is situated at his hometown Amalachaur of Balewa in Baglung.

Whether it is just a coincidence or a matter of destiny, his support went to the name Prithvi in both areas. These two works are connected with his roots as well. Prithvi Hiranya Secondary School has helped his brother, sisters and other relatives of his village to get education at the door step.

After the construction of the new building, his father's name has been inserted in the middle of the school's name, which is now Prithvi-Hiranaya Secondary School.

Dhakal's support to the con-

President Bhandari Inaugurating Statue of Prithivi Narayan Shah

struction of the school building has reasons. At 16, he lost his father and the school played an important role to transform the fate of his brother and sisters.

In his journey to contribute to the historical and national cause, along with his younger brother Hemraj Dhakal, President of Republic of Nepal Bidhya Devi Bhandari also backed him.

It might be a historical coincidence that President Bhandari is from the family of Kazi Kalu Pande, equivalent to prime minister's commander-in-chief of Prithvi's unification force. Remaining in isolation in the history for long, local people have also constructed the statue of Kazi Kalu Pande in the northern Indrasarovar hill.

School Construction

The school building was commissioned by Dhakal, and his younger brother Hemraj Dhakal as a tribute to their late father, Hiranya Prasad Dhakal. Late Dhakal was a known philanthropist in Baglung.

The 16-room school building offering disabled-friendly infrastructure, a computer lab, science lab and e-library was constructed at the cost of Rs. 62.4 million. The school, the sole secondary school of Amalachaur, runs up to class 12.

"The school has a great attachment with my family. Because of this school, my brother and sisters were able to secure higher education and become a success in business. The school has also helped educate people living there and contribute to the nation," said Dhakal.

With the construction of the new classrooms and new labs, the school is now at par with the school buildings of urban areas of Nepal. Chandra's contribution has helped revive the school.

Chandragiri's History

At a time when Chandragiri Hill, which has connections with founder of Nepal Prithvi Narayan Shah, was virtually in ruins, Dhakal's move to construct the statue has not only boosted his own business but revived the glorious period of Nepal's history.

Along with the construction of modern cable car to connect the top of the hill and well built resort, Dhakal also constructed a statue of Shah and the Bhaleshwor temple, where it is said that Shah was blessed for his success in conquering different principalities.

Destiny of Dhakal seems to have fixed where to connect him. Although there are other mountains which are equally potential for his cable car venture, his eye was fixed at Chandragiri.

Initially, Dhakal did not know that one of his Dhakal kins advised Prithvi Narayan to march for unification from the point he was considering to build a massive venture.

Historically, Chandragiri was a hill from where Shah had got the inspiration for unification of Nepal. Ludwig F. Stiller, in his English translation of Dibyaupadesh, also highlighted the importance of Chandragiri.

Frustrated and angered by his father-in-law in Makwanpur, Shah left

President Bhandari Inaugurating School Building in Baglung

Makwanpur to his state Gorkha with a group of advisors through Chandragiri. At the top of the hill, two of his advisors Bhanu Jyotisi and Kulannda (Dhakal) Jyotisi showed the green and big valley and suggested he make the valley a part of Gorkha. In his Dibyaupadesh Shah revealed that he had made the determination to launch the march for the unification of Nepal from the hill.

"Companions to me were Bhanu Jyotisi, Kulandnda Jyotisi, and others of my family. From Chandragiri's top I asked which is Nepal? They showed me saying, that is Bhadgaon, that is Patan, and there lies Kathmandu. The thought came to my heart that if I might be king of these three cities, why not let it to be so. At this same time, these two astrologers said to me, O King, your heart is melting with desire. I was struck with wonder. How did they know my inmost thoughts and speak to me?

Hemraj Dhakal

"At the moment your gaze rested on Nepal you stroked your moustache and in you this came to pass. You will be King of Nepal."

Kulananda Dhakal was one of the advisors who inspired Prithvi Narayan Shaha. Although Kulananda Dhakal hailed from Gorkha and Chandra Dhakal hailed from Baglung, they represent the same cast and clan.

"When we decided to build a cable car with all recreation facilities and resorts, there were options before us. However, we chose Chandragiri for our venture," said Dhakal. "Only after visiting the venue, we found so many things of historical importance with the hill."

Whatever the relations, Chandra Dhakal's dream not only promotes a destination but also helps to preserve a history of founder of Nepal. For a businessman like Dhakal, enlisting the historical figure was risky for his business as constructing the statue when there was a hostile political group in power. Taking a bit of a risk, Dhakal constructed the statue at a low profile. However, one powerful media group continued a campaign to drag his venture into controversy.

However, he found some like-minded persons in his mission. President Bidhya Devi Bhandari, who was also a great admirer of history, encouraged him in his mission. Despite opposition from the group, President Bhandari unveiled the statue, which is one of the major attractions of Chandragiri Hill.

Modest and innovative, fifty-

Shah Pointing to kathmandu valley from Chandragiri hill

four years old Dhakal has been promoting business as well as contributing for social and historical cause. As it is said destiny is no matter of chance. It is a matter of choice. It is not a thing to be waited for. It is a thing to be achieved. Although both the choices were not easier for a businessman like Dhakal, he chose a difficult decision but in favor of his roots.

Dream To Develop Chandragiri

The construction of Chandragri Recreation Center and Resort project was conceived in 2007 by Chandra's brother Hem Raj Dhakal. He shared his vision with him to set up an integrated tourist destination in Kathmandu, which would create countless memories for millions of Nepali families.

Chandra Dhakal backed his brother Hem Raj Dhakal's dream to construct a venture with a great retail and food outlet, exciting play zones for children, and a cultural and historical experience within the beautiful valley of Kathmandu and an international standard resort with halls to hold international conferences.

As junior Dhakal was in Malaysia, he was inspired from the Genting Highlands of Malaysia. After returning from Malaysia, he registered with Department of Industry an ecotourism industry.

"During our stay in Malaysia and visiting Genting Highlands several times, we had some sort of feeling why not we develop this kind of fun park close to Kathmandu," said Chandra Dhakal.

On 11th July 2010 this project was recognized as national priority project from National Planning Commission. On 7th September 2011, 36 hectares of land was leaseheld from the Government of Nepal for 40 years.

This made way for a detailed techno economic feasibility study by Mahindra dated 8th June 2012. Eventually, on 5th September 2012 the environmental impact assessment (EIA) study report by Ness was approved by Nepal Government.

On 14th June 2013, the contract for building the cable car system was awarded to the world leaders in cable car manufacturing Austrian company, Doppelmayr.

In 2015, contractors broke ground and the construction was underway. Eleven towers were built along the 2.5 km stretch of wilderness, with a steep elevation of 1,000 meters from the bottom station to the top.

By the end of July 2016, the cable car installation and the construction of the parking areas, the bottom and top stations, view tower, restaurants & bar and the stunning Bhaleshwor Temple were completed.

On 8th August 2016 a soft opening of Chandragiri Hills Ltd was organized. On 24th September, 2017, it became another historic day for Chandragiri Hills Ltd, as well as the country, when President of Nepal, Bidhya Devi Bhandari unveiled the statue of Prithivi Narayan Shah.

In just a couple of years, Chandragiri Hills Ltd has become one of the most visited retreat sites in Nepal. With activities to entertain and amuse guests of all age groups, the location now stands as the ultimate fun destination. But the project has no intentions of stopping just there.

By the end of 2018, a 100-room boutique resort, an adventure park including two, 900 meter, ziplines and a natural history exhibition gallery, exploring the bio-diversity and the environment of the area, were to be inaugurated.

Dhakal's Journey

Born in a middle class family in Baglung district, Dhakal, a humble person, has by now established himself as a leading entrepreneur of the country in a relatively short span of time. Dhakal is the chairman of the IME Group and vice-president (corporate) of Federation of Nepalese Chamber of Commerce and Industry.

IME Group of Companies is one of the fastest growing business conglomerates in Nepal, which has its remarkable presence in banking, money service, IT, trading, hydroenergy, travel and tourism, cable car and infrastructures.

Dhakal is the Honorary Consul of the Republic of Indonesia to Nepal since 2010. He is currently looking forward to explore business expansion in association with Nepali as well as foreign companies

Although Chandra Dhakal has been marching on the path of progress, Dhakal has also been supporting the uplift of the country's sites of social and historical importance.

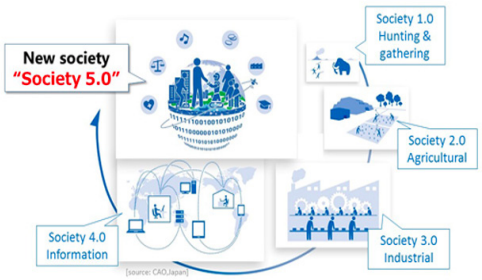
Society 5.0

BY DEEPAK RAJ JOSHI

Society has passed several stages of historical development - from the primitive order to the informational present. The next phase of globalization can be the so-called super intellectual society, that is, 'Society 5.0'. Human-centered society balances economic development and helps solve social issues by a system that integrates cyberspace (aka virtual space) and physical space (aka real space). We have to put society at the center rather than the industry so that having technology as a catalyst and transformer will take advantage of its benefits for the common benefit of citizens in an egalitarian way and create a super intelligent society.

Let's break down the evolution of society into the four stages, before entering the fifth stage. Society 1.0 (Hunting Society) was a society based on a life solely dependent on hunting and collecting animals and plants, thus working within a limited range. Society 2.0 (Farming Society) was a society where it was easy for people to settle in a place with farming, from which norms and communities were formed. Society 3.0 (Industrialized Society) was a society where industrialization began with the development of industrial social civilization and the manufacturing industry, thus the "industrial revolution" flourished. Society 4.0 (Information Society) is the society which deals with Information that has the same value as resources and a society that functions around them.

Society 5.0 is the ecosystem that provides sustainability to all stages- economic, environmental, social and political levels, focusing on the individual and on creating values. In Society 5.0, every person and thing around them are connected with 'IoT (the Internet of Things)' and various knowledge and information are shared, with Artificial Intelligence (AI) providing necessary information when needed.



The Japanese government has begun to introduce society 5.0 where digital technology is applied and centered on human life. But then, economic growth and technological development should aim for the entire citizenry of a country and not only for some groups. The development of education in the world is entering a very important period. Not only in an effort to provide quality and optimal education services, but also an important period that will determine the continuation of education itself.

Society 5.0 will help effective health services, simplify mobility, enhance infrastructure quality, and optimize financial technology. As we all know, Digitizing Society means the ability to solve problems. In Society 5.0, new values will be created through innovation and will eliminate gaps in terms of age, gender, and language and allow the provision of products and services that are subtly designed for a variety of individual needs. In this way, it will be possible to reach communities that can promote economic development and find solutions to social problems.

In society up to now, priority has generally been placed on social, economic and organizational systems with the result that disparities have emerged in the products and services received by individuals based on individual abilities and other reasons. True Society 5.0 will be a human-centered society and will aim to empower all actors in the community, placing special emphasis on active participation for a safe, comfortable and prosperous life.

Society 5.0 is a society that can solve various social challenges and problems by utilizing various innovations that were born in the era of the Industrial Revolution 4.0 such as the IoT (the internet for everything), Artificial Intelligence, Big Data, and robots to improve the quality of human life.

The society realized with Society 5.0 is that IoT (the Internet of Things) connects all people and things, sharing various knowledge and information, and creating new values that has never occurred, and issues and difficulties that have yet to be overcome. In addition, artificial intelligence (AI) makes it possible to provide important information when necessary, and technologies such as robots and autonomous vehicles that overcome problems such as low birth rate, aging population, depopulation in rural areas, and gap between the rich and poor. Through social reform and innovation, we have been able to overcome the sense of obstruction until now, living in a society with hope, a society that respects each other across generations, and a society in which each person can be comfortable and active.

Sustainable growth and autonomous development of local communities, ensuring the safety and security of the country and people, realizing a rich and high-quality life, responding to global issues and contributing to the development of the world and sustained creation of intellectual assets should all be incorporated in the new society.

Forming a new society is not an easy thing. We need a society where people will be able to enjoy life to the fullest. We should understand that technological progress and economic growth were created for that. The gap has diminished with the increasing quality of life of people in general, so that it is not only enjoyed by a few people. The society we are living in has reached its limits, thus, we need Society 5.0 which will liberate us. It is sad but true that the future is here and we Nepalese are late!

(The author is a lecturer and IT consultant. He also writes fiction under the name of Kapeed Joshi. He can be reached by email at info@dipakjoshi.com.np.)

BOOK

A Testimony Of Development

Having spent 30 years of bureaucratic career in Ministry of Finance, secretary Lal Shanker Ghimire has shared his firsthand experiences of development practices of Nepal in the book

BY KESHAB POUDEL

In 1965, an American scholar, Eugene Bramer Mihaley, published a book, Foreign aid and politics in Nepal: A case study with a comprehensive analysis. A number of scholars have already published books questioning the success and inner interests of foreign aid in Nepal since then. However, most of the articles and books represented the outsider's view.

Dealing with Nepal's development partners in different capacities in Foreign Aid Coordination Division (Currently International Economic Cooperation and Coordination Division) , Lal Shanker Ghimire, secretary at Ministry of Finance (Revenue) has his own experiences of the entire process.

Negotiating with different multilateral and bilateral agencies, Ghimire knows many ins and outs of negotiations on the country's major projects over last three decades. He has the firsthand knowledge of overseas development assistance.

One can find his experiences, encounters and events of long journey in bureaucratic career in the book. Although the book is a compilation of articles published in various stages during the last many years, they give insights and state of Nepal's development planning and process.

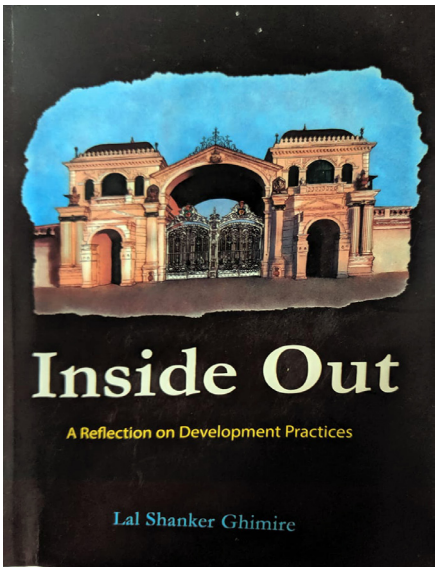
Although there are differences of opinion regarding foreign aid, Nepal has started to use foreign money for national development after the first world war. The construction of Tri-chandra Military Hospital , which was built using the money donated by allied power of first world war for the contribution of Nepali Soldier, is regarded as the first showcase of foreign assistance.

Formally, Nepal received the first assistance from United States of America under Harry Truman 's four-point agreement in 1950. After this agreement, Nepal has been receiving foreign assistance in different sectors of development from different countries as bilateral assistance and loan from multilateral agencies.

Apart from contributing in transforming Nepal's traditional institutions and setting of new institutions, Nepal's existing infrastructure, including roads, bridges, hydropower, drinking water, higher education and agriculture were also part of the foreign assistance. However, not all the foreign assistance has gone to contribute in a similar manner.

Ghimire's book looks at the shortcomings and strengths of foreign assistance in Nepal's overall development. As a person involved in decision making, secretary Ghimire's thought is balanced and he analyses foreign assistance maintaining objectivity.

In one of his articles on bureaucracy emasculated by foreign aid, he depicts how foreign aid is turning Nepal's bureaucracy ridiculous and non-perfoming. He said that



Inside and Out
A Reflection On Development Practices
By Lal Shanker Ghimire
Published by We Read, Kathmandu, Nepal
Price: Rs.400.00
Pages: 228

a huge amount of money is spent on training, consultancy and seminars.

Similarly, he also questions: Is Aid Working? He urges in his articles the need to review and evaluate foreign aid policy of Nepal and priorities.

Having joined the division as a new section officer in 1989, he also served as the head of the division for three years till 2012 before being transferred to the Council of Ministers and then National Planning Commission.

Ghimire's journey to economic cooperation division has taught him some bitter pills along with positive notes as is evident in articles: Does Aid Work, Rethinking of foreign aid and Problems of foreign aid. His articles showed how Nepal became an aid addictive over time.

At a time when Nepal's trade deficit is widening due to decline of domestic products, Ghimire also discusses the problems and recommends suggestions for closing the gap. Consisting of 36 articles, 6 in Nepali language, written by Ghimire, the author also expresses his concern on the weakness of public delivery systems and failure of institutions. He stresses the need to build effective and efficient institutions to improve the delivery system.

The book also has articles related to economic dynamics, international situation, economic policy, poverty alleviation and implementation of budgets. In his clear and concise analysis, secretary Ghimire, who has the hobby of reading latest books, discusses agenda of power devolution, revenue generation and weakness of state institutions.

Known for his frank and clear views in bureaucracy, Ghimire, who also served as the advisor to the board of director of Asian Development Bank and acted in the capacity of an Alternate Governor of Npeal for the Governing Board of International Monetary Fund, has frankly opened up the challenges of Nepal's current state of economy, including aid.

As another comprehensive book after Maheley's book of 1966, Ghimire's work will help newcomers in bureaucracy and people working in foreign assistance sector.

The End?

BY ABIJIT SHARMA

After much speculation, Indian Congress Party President Rahul Gandhi finally resigned from his post earlier this month. Gandhi announced his resignation on Twitter, saying he was stepping down because accountability is 'critical for the future growth of our party'.

The resignation came on the heels of Congress's humiliating loss in the general elections where the BJP led by Prime Minister Narendra Modi stormed to victory, winning a massive mandate. Congress now faces 'a real crisis' of leadership since there is no obvious front-runner to succeed Mr. Gandhi. With the party without a President and any clear political agenda, there have been claims that it is going through an existential crisis.

But is this really the end of the grand old party?

The surging popularity of the BJP and most importantly, the cult of personality surrounding its Prime Minister Narendra Modi makes it appear that the Congress is going to have to wait for a long time before it can come to the national forefront again. Modi has been hugely popular among the masses despite many claims that the minority groups, particularly Muslims, do not feel safe under his reign. The fact that the BJP managed to garner even more votes than the previous election is a sign of how the star Prime Minister's popularity has been on the rise. This cult of personality has hugely favored the BJP even regionally which is now ruling 15 of India's 28 states either alone or through alliance. Clearly, the Modi wave is a huge strength to the BJP which shows no stopping anytime soon.

Rahul Gandhi

On the other hand, the Congress has been plagued by a leadership problem since a long time. Ever since Rahul Gandhi has taken the leadership position, he has been subject to criticism for being out of touch with the Indian political scenario and being a rather 'reluctant leader'. The fact that his family, which has mostly been at the helm of affairs of the party ever since independence, is indeed a worrying sign for the party – no other leaders have been groomed to take up leadership position. Even if some leader does emerge, he is likely to face a lot of resistance from other seniors within the party.

However, it would be foolish to write Congress off simply after simply two consecutive defeats. In the past, the party has shown resilience to bounce back from crises. The example of Congress coming back to power in 1980s after a humiliating defeat just three years earlier should be vivid in the minds of many political commentators. While it is true that the scenario was different back then and Janata Party's infighting and bickering was the main reason for Congress to come back into power, it cannot be ruled out that the Congress can, in the same manner, come back stronger in 2024 elections – with a more strongly engineered political agenda and by tapping into the 'incumbency factor'. Many had written off Congress after the 1977 defeat and hardly expected them to be back into power, just three years later.

The story of Congress's own defeat in 1977 also provides some hope. It was the then Prime Minister Indira Gandhi's authoritarian tendencies that led to the party's defeat and the rise of Janata Party. Many of Modi's (and even BJP President Amit Shah's) current activities hint that authoritarianism has been on the rise in the country. Liberals from many corners, right from art to politics, have strongly criticized this. If this tendency grows at the same rate – one can expect a similar fate for him that Indira Gandhi met in the 1977 elections.

Moreover, Indian voters in past have produced rather surprising results despite the ruling party doing well. A recent example is that of the 2004 general elections when under the slogan 'India shining', the BJP had hoped that a bountiful monsoon, rising growth rates and a nascent peace process with Pakistan, would have persuaded voters to give the then Prime Minister Mr Vajpayee another five years in office. However, BJP received a rude shock when the Congress, headed by Sonia Gandhi, tapped into the rural voters – at least 300 million people – who felt that the BJP rule was only helping the big cities and not doing anything for the poor. Many farmers and rural voters have already started to make similar complaints and the in the next five years, if the Modi government doesn't do anything for them, a similar situation like that of 2004 can play out.

For now, the Congress needs to ensure a complete overhaul of their system and their agenda to make sure they survive and come back stronger. With legislative elections due in crucial states like Bihar, Assam, Delhi due in 2020 and 2021, the party needs to start soon.

The 60 Mw Upper Trishuli-3A And 37 Mw Upper Trishuli-3B: Lest We Forget!

BY SB PUN

Writer's Note: Recently Kathmandu Post (Money – March 20, 2019) headlined the news "Upper Trishuli-3A Slated to Begin Generation in April 2019". The commissioning of this 60 MW Trishuli-3A hydropower project is indeed very good news at a time when Nepal is resorting to heavy import from India. Another newspaper Republica also reported on March 28, 2019 "Prime Minister KP Sharma Oli secures 20 units of share of Trishuli IIIB (37 MW) hydropower project under the government's People's Hydropower Program." As institutions have no memory and public memory is short, the writer would like the readers to go back to July 2013 Hydro Nepal journal wherein the 60 MW versus 90 MW battle over Upper Trishuli-3A was chronicled in detail. If the government had stuck to its 90 MW decision for Upper Trishuli-3A then the cascading Trishuli-3B would have also been upgraded to 55 MW. The writer thanks Hydro Nepal for kindly giving their permission to reproduce that article.

The 60 versus 90 MW Battle over Upper Trishuli-3A
The Victors and the Vanquished
Classic Case of throwing the Baby with the Bathtub!

Abstract: The chronicling of Upper Trishuli-3A (UT-3A) controversy is necessary because it is a classic example of what ails our power sector and why we suffer such long load shedding. With a concessional US$ 120 million loan from China, UT-3A was tendered in February 2009 as a 60 MW project but with the *'alternative proposal'* caveat. Bids were opened in May 2009 and the lowest evaluated bidder, China Gezhouba Group Company (CGGC), also had the *'25% of the cost'* caveat for the '*90 MW option'*. NEA envisaged starting project construction *'from the dry season of 2009'*. However, a full two year lapsed before order to commence work on the 60 MW UT-3A was given in June 2011. This unduly long two year delay and the *'chalkhel'* therein could be another chronicle in itself. The 60 versus 90 MW controversies then spilled over to the public. The blistering partisan stands of the media were further compounded by the bureaucratic *'save your necks'* committees' recommendations. 20 months after commencement order for the 60 MW was given, Prime Minister Baburam Bhattarai's cabinet approved *'in principle'* the 90 MW upgrading in January 2013. This was lambasted for abuse of power '*for personal and party's benefit ..... no other motive than earning cash.*' Strangely, the cat was finally belled by Khil Raj Regmi's bureaucrat-led Interim Election government when the NEA Board on 31st May 2013 decided on the 90 MW upgrading to '*optimize available resources*.' The NEA Unions, in close unison with the political stalwarts, immediately rose up in arms. In a mere 12 days, the cobbled-up Interim government buckled and the NEA Board ate the humble pie by retracting its 90 MW decision to 60 MW for a '*more congenial environment'* in the supply of electricity. This article attempts to analyze this controversial issue by reconstructing the sequence of events and decisions so that latter-day researchers will judge who the victors and the vanquished are in the UT-3A controversy.

Upper Trishuli-3A 60 Megawatt Project:
Salient features of UT-3A Project:

Run-of-river hydropower
Headworks: 1 km downstream of Mailung/Trishuli confluence (19 km north of Trishuli town)
Access road: 2.3 km new and 11.3 km upgrading
Design discharge: 51 cumecs based on 70% exceedance flow
Gross head: 144.5 meter
Headrace tunnel: 4.095 km
Installed capacity: 60 MW (2x30 MW units)
Minimum Power: 43.75 MW
Gross annual generation: 489.76 GWh (average annual generation: 460 GWh)
Transmission line: 48 km to Kathmandu, 220 kV initially charged at 132 kV
Estimated project cost: 109.224 million US$
Specific energy cost: 3.03 US Cents/kWh
Estimated project completion date: 2014

Some important milestones of UT-3A:

January 22nd 2009: *Tender Floated for 60 MW with Alternative Proposal clause*
May 5th 2009: *Bid Opened*
May 28th 2010: *Contract Agreement (with subject to condition)*
February 28th 2011*: Nepal Government and China Exim Bank sign Loan Agreement*
April 15th 2011: *Nepal Government and NEA sign Subsidiary Loan Agreement*
May 18th 2011: *Loan Agreement Effective*
June 1st 2011: *Commencement of Work Order given to CGGC (completion in 35 months-May 1st 2014)*
January 3rd 2013: *'in principle' approval by Cabinet for 90 MW upgrading*
May 31st 2013: *654th NEA Board approves 90 MW upgrading for US$ 132.00 million*
June 12th 2013: *656th NEA Board retracts its 90 MW decision to 60 MW*

The August 2009 NEA annual report stated that the Detailed Project Report (DPR) of 60 MW, 460 GWh UT-3A was prepared in 2007 (FY 2064/065) by NEA using its own indigenous resources. Estimated cost of the project then was US$ 125 million and this was envisaged to be financed through a US$ 120 million concessional loan from China Exim Bank under the Engineering, Procurement and Construction (EPC) model. Based on the 2007 DPR, tender was floated on 22nd January 2009 with the Alternative Proposal clause and the Bid opened on 5th May 2009. The August 2009 NEA annual report also stated that evaluation was in final stage and 'actual construction of the project is envisaged to start in the dry season of 2009.'

As indicated above, UT 3-A was designed by NEA as a 60 MW project with an average annual energy generation of 460 GWh at a high 70% exceedance flow. NEA, unwittingly, planted the first seed for controversy by inserting the clause 'Alternative Proposals by Bidders' in the tender document. Media reports indicate that, of the four bidders, China Gezhouba Group Co. Ltd. (CGGC) quoted US$ 111 million for the 60 MW with an 'additional 25% cost' for the 90 MW 'alternative.' However, finding that its other competitor, Sino Hydro, had a lower bid of US$ 90 million, CGGC offered, on the last bid closing day, a discount such that its bid price came down to US$ 89.1179 million. Bids were evaluated and the EPC contract for major works of 60 MW UT-3A was awarded to CGGC with a 'subject to' clause at US$ 89.1178 million on 28th May 2010. This 'subject to' clause was 'contract will be effective once the loan agreement with the Government of China is accomplished.' It took a full one year for the loan to be effective and CGGC was given the work order to commence only on 1st June 2011. This meant the period between the tender opening date (5th May 2009) and the order to commence work (1st June 2011) took a full two year. This unduly long two year delay incubated and germinated various kinds of chalkhel/controversies in the urja sector.

Upper Trishuli-3A Controversies:

The media, as the nation's fourth estate, played an important role in highlighting the UT-3A controversies. With the benefit of hindsight, it may be stated that some got so carried away that they tended to be partisan highlighting only one side of the coin. The projected picture was, thus, blurred and the danger of mistaking the trees for the forests became very high. Some of the major arguments of the proponents for the 60 MW and 90 MW are highlighted below:

60 MW Proponents:

- UT 3-A was tendered and the EPC contract already awarded for the 60 MW project. An upgrading to 90 MW will violate the Public Procurement Act 2063.
- Construction works on the 60 MW project has already progressed by about 35 to 40%.
- Addition of third 30 MW Unit will entail a substantial project cost escalation of about US$ 43 million.
- Not only cost escalation but the 30 MW upgrading will result in two/three year commissioning delay.
- Such delay will further aggravate the existing dry season load shedding of 14 hours per day.
- Addition of third 30 MW Unit will add only wet season energy of about 150 GWh per annum.
- This annual energy of 150 GWh means a loss of about Rs 80 crores (*@ Rs 5.40 per kWh*) per annum which, over the project's 30 year life span alone, means a loss of Rs 24 arabs.

90 MW Proponents:

- 90 MW means optimal use of Trishuli river's flows. 60 MW is designed at Q70 while 90 MW is only at Q52 when the government has already approved the policy to design projects at Q40.
- Upgrades lower cascading Upper Trishuli 3-B (*about to go for construction*) from 37 MW to 55 MW, optimizing and increasing the present 296 GWh average annual energy by another 100 GWh.
- With 2x30 MW units, maintenance of a unit in dry season means loss of high value flows of about 14 MW. Installation of third 30 MW Unit prevents this spillage of valuable dry season energy. Both 69 MW Marsyangdi and 144 MW Kali Gandaki A have provisioned three Units.
- UT 3-A's US$ 132 million for 90 MW (*612 GWh*) means US$ 1,466/kW, far cheaper than the projects NEA is presently executing: a) *30 MW* ***Chameliya*** *(184 GWh)*

estimated at US$ 3,330/kW b) *14 MW* ***Kulekhani III*** *(41 GWh) estimated at US$ 2,140/kW* and c) *32 MW* ***Rahughat*** *(188 GWh) estimated at US$ 2,130/kW*.

- It is true that UT-3A's 90 MW would be available for six months during wet season. But this is the characteristics of all run-of-river projects in Nepal. Policy makers, in the nation's interest, need to devise ways and means to utilize this cheap energy. Export to India should not be the one and only option. Cheap energy to Nepal's own heavy industries like cement and fertilizer would make her goods competitive and provide employment opportunities for the teeming jobless youths in the country. Introduction of seasonal tariff could encourage electricity cooking thus offsetting the import of gas.

This 60 versus 90 MW debate became very contentious in the power sector. NEA carried out a number of in-house reviews but the recommendations were conflicting. The June 2011 Review of 90 MW Plant Option for Upper Trishuli 3A Hydroelectric Project recommended: '*immediately start negotiation with the Main EPC contractor CGGC in order to upgrade the plant capacity to 90 MW that will benefit the country.'* However, NEA's 23rd June 2012 (*2069/3/1*) Committee gave a categorical *'no… but'* worded bureaucratic recommendation: '*in the present context, upgrading cannot be called appropriate. However, in another context……concrete decision be taken only after detailed studies by concerned experts.'* Energy Ministry's Joint Secretary MB Kunwar's committee gave a similar *'either…or'* safe bureaucratic recommendation: '*either complete the 60 MW project within the stipulated time and cost or in the light of prevailing energy crisis upgrade the project to 90 MW.'* The Kunwar committee was well aware it was impossible for CGGC to complete the 60 MW project within the '*stipulated time and cost*.' The committee, therefore, shrewdly left the onus on the Cabinet's shoulders.

Based on the Kunwar recommendation, Prime Minister Baburam Bhattarai's cabinet chose and approved the 90 MW upgrading of UT-3A *'in principle'* on 3rd January 2013. Dr. Ram Sharan Mahat immediately went into tantrums charging that Prime Minister Bhattarai had abused his power '*for personal and party's benefit. There is no other motive than earning cash.*' These were indeed very serious charges. Furthermore, advocate Lekhnath Chapagain filed a writ at the Supreme Court arguing that the cabinet's decision to award the 90 MW upgrading to CGGC without competition was against the Public Procurement Act. The Court on 3rd February 2013 refused to issue stay order on the ground that the NEA Board is yet to approve the Cabinet's decision. Finally, on 31st May 2013, the cat was finally belled by the 654th NEA Board (*reshuffled by Interim Regmi government*) by awarding CGGC the UT-3A 90 MW contract at an inexplicable incongruous amount of US$ 132 million.

The following are the details of some of the key milestones in the 60-to-90 then back to 60 MW reversal decisions:

Letter to Energy Minister-cum-Chairman of NEA Board by NEA's 5 Unions on May 28th 2013 ***(Jestha 14th 2070)*****:** The five employees' unions of NEA (*Rashtriya Karmachari Sangathan NEA, Nepal Rashtriya Karmachari Sangathan NEA, NEA Karmachari Kalyan Parisad, NEA Karmachari Sangh and NEA Karmachari Union*) submitted a letter on 14th Jestha 2070 to the Energy Minister-cum-Chairman of NEA Board with the following warnings:

- The 60 MW UT-3A is being planned for upgrading to 90 MW by the NEA Board at the ***wrong time*** with the ***wrong intention*** and ***against the country's laws***;
- The 60 MW UT-3A, awarded to CGGC on Engineering, Procurement and Construction (EPC) model, has already completed about 35 to 40 percent of the construction works;
- Upgrading the project to 90 MW, at such an advanced stage, means not to permit the project to be completed within the stipulated time, facilitate huge opportunities for financial irregularities and excessively increase the project cost. This would, thus, mean failure of the project and the death of the EPC model;
- Upgrading is against Nepal's prevailing laws and blatantly overrules NEA's financial regulations;
- If this Upgrading procedure is not immediately stopped and decision taken contrary to our request, then in the interest of the institution the Unions will be forced to organize severe protest programs. The management itself will be responsible for all untoward incidents.

Note that while the Unions mention that about 35 to 40 percent of work has so far been completed by CGGC, the NEA Board maintains that only 21 percent work have been completed.

NEA Board's Decision to Upgrade UT-3A to 90 MW on May 31st 2013 ***(Jestha 17th 2070)*** **:** Exactly three days after the Unions' letter, the NEA Board on Jestha 17, 2070 in its 654th meeting decided to upgrade the US$ 89.18 million 60 MW UT-3A to 90 MW at an inexplicable incongruous amount of US$ 132.00 million. The Board defended its decision through a lengthy press release highlighting the following salient points:

- The 60 MW UT-3A is financed under China's first concessional loan of US$ 120 million to Nepal through the Exim Bank of China;
- The EPC model contract, awarded on June 1, 2011, envisaged completion of project on May 1, 2014;
- However, due to various reasons (*local demands/ objections, slow drawing approvals, problems in land acquisitions/access road construction/muck dumping site and various strikes etc.)* only 21% of the work has so far been completed;
- Thus, in June 2013, the contractor presented a new

Construction Program wherein the completion date of the 60 MW project was pushed by 21 months to February 2016;

- The 60 MW UT-3A has been designed at Q70 flow which is not an optimal utilization. Due to the prevailing '*energy crisis'*, the government has approved the policy to upgrade the various operational projects by permitting them to design at Q40 flow;
- To optimize the use of river flow, the contractor on March 23, 2011 presented to NEA a new proposal to upgrade the project to 90 MW at Q52 flow;
- With the 90 MW upgrading of UT-3A, the lower 37 MW Upper Trishuli-3B (UT-3B) will also get upgraded to 55 MW and this is one of the demands of the local villagers;
- 60 MW at Q70 and 90 MW at Q52 will provide an additional annual energy of 148 GWh of which 24.5 GWh will be during the dry season;
- A number of projects are presently being designed at Q40. One of them, Upper Tamakoshi, is designed at Q32 only;
- The contractor has proposed that the 90 MW upgrading will be completed within 35 months from the date of signing the agreement, that is, May 2016. This is a mere 3 months more than the newly proposed completion date of February 2016 for the 60 MW project. A 30 MW project normally takes about 4/5 years for completion.
- The 60 MW UT-3A contracted out at US$ 89.18 million has now been proposed for US$ 132.00 million for the 90 MW. This means US$ 1,466.00 per kW and an energy price of about Rs 2.70 per unit which is extremely low in comparison with the other generating or about to generate projects.
- For instance: *Upper Tamakoshi at Q32 has PPA of Rs 4.06 per unit escalated at 3% for 9 years which then becomes Rs 5.16 per unit;*
- *Private developers at Q40 have PPAs of Rs 4.80 per unit (rainy season) and Rs 8.40 per unit (dry season) escalated at 3% for 9 years which then becomes Rs 5.52 per unit (rainy season) and Rs 9.66 per unit (dry season)*
- *The 90 MW Upper Trishuli 3A with energy cost of Rs 2.70 per unit and no annual escalation is far cheaper than the purchases made from Khimti, Bhotekoshi and India.*
- Some capacity cost examples of ongoing and completed projects:

Project	Capacity	Estimated Cost per Kw in US$
Upper Trishuli 3A	90 MW	1,466
Rahughat	30 MW	1,700
Kulekhani III	14 MW	2,000
Kaligandaki	144 MW	3,500
Chameliya	30 MW	5,300
Middle Marsy-angdi	70 MW	5,500

- The addition of the third 30 MW turbine will provide flexibility in preventing spillage of dry season flows while performing maintenance of the power plants. 60 MW capacity means two 30 MW turbines and when maintenance has to be performed on a machine about 14 MW of valuable dry season flows would be spilled. Such would not be the case when there are three 30 MW turbines.
- In the light of the present grave energy crisis, every MW added to the system has an important role. The 30 MW addition to the 60 MW UT-3A is, thus, timely, necessary and justified. The NEA Board has, hence, decided on Jestha 17, 2070 to move ahead with determination to upgrade UT-3A to 90 MW.

In the din and noise of this lengthy press release, the NEA Board unfortunately clubbed the upgrading of the lower cascading Upper Trishuli-3B from 37 MW to 55 MW as a minor sundry bye-product. This issue should have been stressed much and highlighted as the project is about to go into construction and the fate of UT-3A will determine UT-3B's fate. The press release deliberately ignored the cabinet's *'in principle'* approval and also failed to mention that the '*90 MW option'* was part and parcel of the tender documents.

By all accounts, the US$ 132.00 million award contract for 90 MW was an incongruous figure. The dispute between NEA and the contractor CGGC for the 30 MW addition was whether the *'additional 25% cost'* was of the contracted but discounted US$ 89.18 million price or the initial CGGC bid of US$ 111.00 million. Whereas, one gives an additional cost of US$ 22.29 million, the other gives US$ 27.75 million. This should mean the upgraded 90 MW UT-3A should be contracted either at US$ 111.47 million or US$ 116.93 million. Both the figures were thrown out of the window, when the NEA Board awarded the contract at US$ 132.00 million. The NEA press release appears to deliberately ignore this inexplicable figure. It should have gone at length to justify this incongruous figure.

***Gyapan Patra* of 5 ex-ministers to Khilraj Regmi, Chairman of Council of Ministers June 6th 2013 *(Jestha 23rd 2070)*:** Six days after the NEA Board's decision to upgrade UT-3A to 90 MW, five former ministers (*Dr. Ram Sharan Mahat-NC, Dr. Prakash Chandra Lohani-RPP, Surendra Pande-UML, Dr. Prakash Sharan Mahat-NC and Gokarna Bista-UML*) on Jestha 23, 2070 submitted a petition (*gyapan patra*) to Khil Raj Regmi, Chairman of the Council of Ministers requesting that the decision to upgrade UT-3A to 90 MW be retracted to 60 MW. The ex-Ministers pointed out that the 90 MW upgrading decision by the Energy Ministry and NEA Board is against the laws and is clearly in the interests of the contractor. NEA

will have to bear a huge loss from this decision and load shedding in the country will get worse. The ex-Ministers requested the Nepal Government to retract this decision putting forward the following six arguments:

1. UT-3A is an EPC contract wherein the contractor bears all the project risks and scope variation is not allowed at all. Clause 53 of the Public Procurement Act 2063 also does not permit variation orders. Energy Ministry and NEA Board's decision to upgrade the 60 MW UT-3A to 90 MW is clearly against the laws.
2. CGGC had in its tender attached ***a 3 page alternative design proposal wherein it had clearly stated that the 60 MW could be upgraded to 90 MW at an additional 25% cost.*** Three years after the contract agreement and two years after the work order was given, the decision to upgrade the project at nearly double (48%) the cost of what the contractor had given in writing clearly smacks of '*thulo chalkhel ra len-then'*!
3. The contractor is supposed to complete the project in the coming one year. Though there has been no obstruction in project construction, there is no possibility of the contractor completing the project in one year. This 60 to 90 MW upgrading will save the contractor from paying NEA a huge compensation for delay of the project.
4. Though it is being said that this 90 MW upgrading will mean an additional two years completion period, those acquainted with the project say it will actually take an additional 3-4 years more. This means, not only will the Nepalese people have to bear more load shedding, but NEA will lose 3-4 arabs of revenue annually.
5. The argument that upgrading the project will help alleviate load shedding is fictitious because the additional 30 MW is available only in the rainy season. No electricity will be added in the dry season. Once Upper Tamakoshi and other projects are commissioned, there are chances of electricity wastage during the rainy season and UT-3A's additional electricity will also suffer the same fate.
6. None of the various committees formed to upgrade the project have given their recommendation for project upgrading. The contractor's request for upgrading, after being awarded the 60 MW contract, was immediately refused by NEA. The contractor's *'again and again'* upgrading request clearly indicates that this is in the contractor's interest. All Energy Ministers ahead of Dr. Baburam Bhattarai had refused the contractor's request. It was in Dr. Bhattarai's time that the NEA Board refused to approve the Cabinet's *'in principle'* decision to upgrade the project.

In view of the above reasons, not stopping the upgrading will mean going along with those who break the laws and resort to corruption. The Cabinet cannot shirk its responsibilities by throwing it on the shoulders of Energy Ministry and NEA Board. It is the responsibility and duty of the government to stop the decision of the institutions under it that go **against the laws, the nation and its people!**

Public memory is short. The two Energy Ministers ahead of Dr. Baburam Bhattarai were Gokarna Bista and Dr. Prakash Sharan Mahat. It should be noted that Dr. PS Mahat manned the *Urja Mantralaya* from tender opening date (*May 2009*) to commencement of work order date (*June 2011*) – the two years wherein the *chalkhel* was intense! Such a *gyapan patra* by the stalwarts of three parties (*NC, CPN-UML and RPP*), with three of them hailing form Nuwakot district itself, added fuel to the agitation of NEA's unions. The Unions starting with the token pen-down strike escalated their agitation by obstructing management vehicles into the office then disconnecting the electricity supply at the Pulchowk Ministers' quarters. The last straw on the camel's back for the cobbled-up Interim government was when the Unions threatened to also disconnect the electricity supply of their Chairman of the Council of Ministers at Baluwatar.

NEA's Press Release Retracting the 90 MW Decision Back to 60 MW on Jestha 29, 2070 (*12th June 2013*): The following are the main highlights of NEA's press release of Jestha 29, 2070 while retracting the decision on UT-3A from 90 MW to 60 MW:

1. As per the 19th Poush 2069 *'in principle approval'* decision of Nepal Government (cabinet) to upgrade the 60 MW UT-3A to 90 MW, the NEA Board through its 654th meeting of Jestha 17, 2070, with the view to maximize the available resources, decided to upgrade the 60 MW UT-3A to 90 MW along with the required additional costs.
2. Before taking the Jestha 17, 2070 decision to upgrade the project, complete technical, financial and existing legal provisions were studied and analyzed.
3. Present design of UT-3A at Q70 is not the optimal utilization of the available river discharge;
4. With the government's announcement of *'energy crisis'*, the policy to allow various ongoing projects to upgrade their capacities at Q40 is still valid.
5. Upgrading UT-3A will also upgrade the 37 MW UT-3B to 55 MW.
6. Altering the existing Q70 design to Q52 provides an additional 148 GWh of which 24.5 GWh will be during the dry season.
7. This will support the Kulekhani power plants to fill up its reservoir for use in the dry season.
8. The 60 MW UT-3A, at a contract price of US$ 89.18 million, has been upgraded to 90 MW at US$ 132 million after negotiation with the contractor at various phases.
9. This 90 MW capacity will be at US$ 1,466 per Kw and the generated energy at Rs 2.70 per unit. Benefit/Cost ratio is 1.89 and payback period about 4 years.
10. With such good returns, to limit UT-3A's capacity to 60 MW and not optimize the available resources was not justified at all. If this upgrading is not done now, optimal utilization of the project site would not be pos-

sible in future. In the present context, upgrading was in national interest and there was, in NEA's long-term interest, no alternative to upgrading. *'Kalkhanda'* will definitely assess this issue.

11. But the trade unions of NEA opposed the upgrading and started phase-wise actions affecting not only NEA's normal activities but disrupting electricity supplies to vital areas. When the issue was already before the country's authorized authority and the Court, the trade unions escalated their agitations and through press releases threatened to affect the entire activities of NEA. This affected not only NEA's service delivery but also the under construction projects and created a non-congenial environment.
12. The NEA Board, bearing in mind that all problems could be sorted out through talks, called the Trade Unions for talks. However, despite repeated talks between NEA Board and Trade Unions, it was not result oriented. Besides demanding that the NEA Board withdraw its upgrading decision, the Unions showed no flexibility at all, refusing to discuss other alternatives.
13. Hence, bearing in mind the above poisonous environment created by the 60 to 90 MW upgrading of UT-3A and to bring normality in NEA's services to the general public, the NEA Board meeting of 29th Jestha 2070 withdraws its decision of 17th Jestha 2070 to upgrade the capacity.

Though many of the above points are repeats of the previous arguments put forth while approving the 90 MW upgrading, the NEA Board now deemed it a necessity to refer to the cabinet's *'in principle'* approval which was deliberately ignored in its previous press release. The Board, for face-saving purposes, attempted to give the message that it was merely following the dictates of previous government's cabinet decision. The press release of NEA Board cited just one and only one reason for its withdrawal of 90 MW upgrading: to create *'congenial environment in electricity supply'* as the NEA Unions had resorted to and threatened more disconnections of electricity. Electricity supply is categorized by our laws as essential services and existing Essential Services Act clearly outlines how to tackle such disruption cases. However, the cobbled-up Interim government preferred to take the path of least resistance and bowed down to the wishes of the NEA unions.

So finally the drama was over in a mere 12 days. Despite mentioning the upgrading *'issue was already before the country's authorized authority and the Court'*, the NEA Board or rather the cobbled-up Regmi government could not withstand the pressure and just crumbled to its knees. This confirms that the political parties were very much behind the unions' agitations. The lone scapegoat of this debacle was the Energy Secretary, Hari Ram Koirala, who was conveniently transferred from the ministry to the *'fly swatting'* Office of the Vice-President.

Four Unions' Press Release of Jestha 30, 2070 *(13th June 2013)*:

- The Trade Unions, asking the NEA Board to take back its *'untimely, wrong intentioned and against the laws'* decision of 17th Jestha 2070 to upgrade the under-construction 60 MW UT-3A, had undertaken a strong agitation from 19th Jestha 2070.
- Due to strong support from experts of power sector, intellectuals, former finance and energy Ministers, leaders from various political parties, entire employee friends of NEA, entire communication media, various professional organizations and entire general public, the 656th NEA Board of 29th Jestha 2070 withdrew its decision of 17th Jestha 2070 to upgrade UT-3A from 60 to 90 MW.
- This withdrawal indicates that the country's prevailing laws, rules and regulations were tampered with. This has put a stop to the huge naked financial irregularities. We consider this as being positive.
- The responsibility to pursue the project as fast as possible as per the rules and regulations has now fallen on the shoulders of NEA.
- Action must be taken against those who were responsible in the *'chalkhel'* to change the cost and capacity of the 60 MW project.
- We still feel the necessity to be 'on guard' against those *'matiyars/accomplice'* who want to prove this achievement wrong.
- There is the need to improve supervision on the works and contracts of Chameliya, Kulekhani III and Rahughat.
- We strongly demand that action be taken against those officers and others who were responsible in the wrong 90 MW upgrading decision of UT-3A with the corrupt intention. At the same time we warn the senior officers of NEA not to make the same kind of wrong decisions in the days to come.
- While thanking the experts of power sector, intellectuals, former finance and energy Ministers, leaders from various political parties, entire employee friends of NEA, entire communication media, various student organizations, professional organizations, local people at the project site and the entire general public for their encouragement and firm support, we withdraw our agitation programs against the upgrading of Upper Trishuli-3A.

Strangely, the Unions' have demanded strong action against those *'matiyars/accomplices'* responsible for the wrong 90 MW upgrading and even *'warned'* senior NEA officers not to make such wrong decisions in future. Yet, the Unions do not hesitate to state in the same breath that the responsibility has now fallen squarely on NEA shoulders to implement the 60 MW UT-3A in that *'timely, well-intentioned and as per the country's laws.'* Can a house

divided be able to do that? Only Time will tell.

Final Word: Throwing the Baby with the Bathtub?

So, finally, who are the victors and who the vanquished in this 60 versus 90 MW controversy? Basking in the immediate glow of hindsight, the writer enumerates below some of the principal actors who committed the cardinal sins in Upper Trishuli-3A's controversies:

- Unwittingly, NEA committed the first cardinal sin by planting the '*Alternative Proposals by Bidders*' seed in the February 2009 EPC Tender Documents. Why NEA asked for this alternative proposal could be an interesting debate in itself. Of the four bidders, only China Gezhouba Group Company (CGGC) offered the alternative proposal.
- CGGC quoted US$ 111.00 million for the 60 MW and as requested by the tender document offered the 90 MW option for an *'additional 25% cost'*. CGGC, on the last bid submission day, gave a discount so that its offer came down to US$ 89.1179 million. Whether the *'additional 25% cost'* for the 90 MW option was on US$ 89.1179 million or US$ 111.00 million became a moot point. CGGC, thus, committed the second cardinal sin
- NEA's 2009 August annual report states that tenders were submitted on May 5, 2009 and evaluation was in the final stages with work envisaged '*to start in the dry season of 2009'*. But NEA gave the commencement of work order to CGGC only on 1st June, 2011. It took two long years from tender opening of May 2009 to finally give the commencement order in June 2011. This lengthy period incubated and bred the environment for *'chalkhel and len-den.'* The Ministers manning the *Urja Mantralaya* in this period committed the third cardinal sin.
- NEA Board committed the fourth cardinal sin by awarding CGGC with the incongruous inexplicable contract amount of US$ 132.00 million for the 90 MW. The *'additional 25% cost'* for the 90 MW option should have been either of the discounted US$ 89.1179 million or the undiscounted US$ 111.00 million. When this additional 25% cost is added to the awarded contract price of US$ 89.1179 million, the contract award should have been either US$ 111.398 million or US$ 116.868 million and NOT US$ 132 million.
- And finally the fifth cardinal sin was committed by the five former Ministers and the five Unions at NEA in demanding that the government retract its decision to 60 MW. They should have, instead, demanded for a fair transparent independent enquiry into how the incongruous US$ 132.00 million was arrived at.

By retracting UT-3A's 90 MW decision to 60 MW, the lower cascading UT-3B's capacity has also been retracted from 55 MW to 37 MW capacity. So who are really the victors and the vanquished in this battle? One is not certain whether or not the five former Ministers and the five NEA Unions are the victors. If indeed victory, then, no doubt, Pyrrhic victory at a very high cost? As for the vanquished, it is the nation that lost the opportunity to optimize her resources not only at UT-3A but also at UT-3B. Vanquished are the people of Nuwakot and Rasuwa along with their children and grandchildren to come, tragically for no fault of theirs at all. They were deprived of crores of Rupees from enhanced electricity royalty that the upgraded capacities would have brought to their villages and districts for a good fifty to hundred years. That is why many, along with this writer, believe that the 90 MW baby has been tragically thrown with the bathtub!

It is indeed amazing that those at the helm of the nation have devoted so much time and energy (*from bid opening date of May 2009 to 60 MW reversal from 90 MW of June 2013*) for a tiny 30 MW upgrading. For a mere 30 MW capacity that is about 2.4% of the country's peak demand, we have wasted four valuable years fretting, frothing and even threatening to disconnect the electricity supply of the very Chairman of Council of Ministers we enthroned. Yet, we do not refrain from boasting from the top of Dharara that we would build 10,000 MW in 10 years and even 25,000 MW in 20 years. While we wail and beat our breasts about the 14/16 hours of load shedding per day that has become a religious ritual in the dry season, we are quick to resort to *gyapan patras* and strikes for a mere 30 MW addition. We are indeed a nation of seasoned politicians who eased out constitutional monarchy and ushered in republicanism in a well orchestrated manner. We are a nation where our Nepali Congress brethren, RC Poudel, unflinchingly stood 17 times for the post of Prime Minister and only then withdrew solely for the larger interest of our nation. We are probably the only nation where our CPN-UML comrade, MK Nepal, despite gamely losing the election from both his constituencies, was deemed the only personality fit to rule over us as our Prime Minister. And then faced with the misfortune of having run-out of politician Prime Ministers, we humbly beg a sitting (*but unwilling?*) Supreme Court Chief Justice to embellish the post of the Chairman of the Interim Council of Ministers.

We are an amazing nation. Having forced over 30 lakh young industrious Nepalese to become migrant job seekers in the torrid deserts of Arabia (*all due to selfish inter/intra party squabbles)* and despite the leaders' endless crowing of '*chunab ko bikalpa chhaina'*, no provisions were made for such a large number of Nepalese to exercise their '*fundamental voting rights*' during election. Thus, having resorted to all these gimmicks and antics in the last five years, do we really have the moral authority to demand that the 90 MW upgrading was '**against the laws, the nation and its people?**' This is our Nepal unfortunately. Time and only time, that great healer and truth teller, will judge who the victors and the vanquished are in the UT-3A controversy!

Additional Information (footnotes)

1. The writer was planning to have this article published in NEA's Vidyut Bhadra 2070 (August 2013). He was, however, 'advised' to write something else as the Upper Trishuli-3A had become too sensitive at NEA!
2. NEA, A Year The writer was planning to have this article published in NEA's Vidyut Bhadra 2070 (August 2013). He was, however, 'advised' to write something else as the Upper Trishuli-3A had become too sensitive at NEA!
3. NEA, A in Review – August 2011 (Bhadra 2068)
4. Many are not aware that this Alternative Proposal (90 MW option) was part and parcel of the tender document itself.
5. Balaram Baniya in Kantipur of Mangsir 30, 2069 (Dec. 15, 2012) and Poush 4, 2069 (Dec. 19, 2012).
6. NEA – A Year in Review, Bhadra 2067 (August 2010)
7. Op. cit. Footnote 4.
8. Op. cit. Footnote 4.
9. NEA, A Year in Review – Fiscal Year 2011/2012 (Bhadra 2069-August 2012). Generation Construction Business Group. Readers need to be careful that these figures do not tally with those given by the NEA Board in its press release!
10. Former Finance Secretary, Rameshwar Khanal, in his interview to Kantipur daily stated that 90 MW will be available for only one month. Secretary Khanal was either misquoted or he was misinformed.
11. Hari Bahadur Thapa's Trishuli-3A: Khula Bharastachar ko Model in Kantipur 23rd Jestha 2070 (6th June 2013)
12. Mukul Humagain's reporting in Kathmandu Post January 4, 2013 (Poush 20, 2069).
13. Kathmandu Post, Money, January 8, 2013.
14. On behalf of their Unions, Secretary General Dip Raman Adhikari, Acting Chairman Khagendra Shahi, Chairman Amrit Bahadur Khapung, 'Baristha' Vice-Chairman Indra Prasad Neupane and Chairman Ram Prasad Rimal respectively signed the letter to the Energy Minister.
15. Kantipur Jestha 18th 2070.
16. Note this was before June 1, 2011 when the work order to proceed was given by NEA. Around this time the writer, hearing of this 90 MW upgrading, approached the then NEA MD, Dr. Jivendra Jha, and requested him to go for this 90 MW proposal. Dr. Jha, raising both his wrists above the table, gave this unforgettable reply, 'Pun Sir, I have no desire to go to the CIAA with handcuffs to reply to their questions!'
17. Khimti and Bhotekoshi per Unitrates for 2068/069: Rs 8.0394 and Rs 8.0378. But the US$ rates for 2068/069 fiscal year varied from Rs 72/- to Rs 84/-. With the 2070 Asar rates for one US$ nearing the Rs 100/- mark, the Khimti and Bhotekoshi power rates have skyrocketed. There are 4 Indian rates: i) Kosi/2012 – IC Rs 3.51 (NC Rs 5.62) ii) Power Exchange/2012 – IC Rs 4.91 (NC Rs 7.86) iii) Power Trading Corporation/2012 – IC Rs 4.35 (NC Rs6.96) iv)PTC – 25 years' levelized tariff for 150 MW from Muzaffarpur-Dhalkebar 400 kV transmission line IC Rs 3.60 (NC Rs 5.76).
18. While Dr. RS Mahat, Dr. PC Lohani and Surendra Pande were former Finance Ministers, Dr. PS Mahat and G Bista were former Energy Ministers. Incidentally, Dr. RS Mahat, Dr. PC Lohani and Dr. PS Mahat all hail from Nuwakot district where the UT-3A is located. Posta Bahadur Bogati, who was Energy Minister after G Bista, alsohails from Nuwakot.
19. Energy Minister, Dr. PS Mahat, even squabbled with his Secretary, Shankar Prasad Koirala, and successfully shunted Secretary Koirala to cool off at the mundane inconspicuous Nepal Trust. The same Secretary Koirala now holds the important Finance portfolio in the Khil Raj Regmi Interim government.
20. Note that when the American IPP, Panda Energy, applied for license to develop Bhotekoshi as a 36 MW project, there was much debate at the Ministry of Water Resources with a group demanding that license for only 24 MW be issued. Surya Nath Upadhyay, the MOWR Secretary, approved the license for 36 MW with the convincing argument that the nation's water resources utilization should be optimized.
21. Note only four Unions signed this press release. The missing fifth Union, deliberate or by accident, is the Rashtriya Karmachari Sangathan NEA. Khagendra Shahi/acting Chairman Nepal Rashtriya Karmachari Sangathan, Amrit Bahadur Khapung Chairman NEA Karmachari Parishad, Janardan Bhattarai Chairman NEA Karmachari Sangh and Ram Prasad Rimal Chairman NEA Karmachari Union signed the press release.
22. A back of an envelop calculation indicates an additional generation of 250 GWh of energy per annum (150 GWh from UT 3-A and 100 GWh from UT 3-B). Present royalty rate increases from 1.85% to 10% of energy sold in 15 years which means an additional revenue of about Rs 2.5 crores in first year to Rs 13.5 crores per annum after 15 years even at the present sale price of Rs. 5.40 per kWh. Such revenues (Rs 2.5 to 13.5 crores) clinking every year continuously into the scarce coffers of Nuwakot and Rasuwa is a neat tidy sum for her badly needed development works!
23. NEA's Forecast of system peak demand and energy requirement for fiscal year 2013/014 is 1,271.70 MW and 5,859.90 GWh respectively. This means UT-3A's 148 GWh through 30 MW upgrading is a mere 2.5% energy-wise!

Nepal-France Relations

At 70

The French Embassy celebrated Bastille Day, National Day of France, marking seventy years of establishment of diplomatic relations between the two countries

By A CORRESPONDEN

Celebrating the Bastille Day, that is, the National Day of France has always been special. As Nepal and France have been celebrating seventy years since establishment of their bilateral relations, this year's celebration was more special.

French Ambassador to Nepal Francois-Xavier Leger hosted a reception at Hotel De l'Annapurna to celebrate the Bastille Day and 70 years of establishment of diplomatic relations.

Vice President Nanda Kishor Pun was the chief guest of the program. High-level government officials, ambassadors of different countries, business communities, French nationals living in Nepal attended the reception.

Addressing the program, Ambassador of France to Nepal Leger said that France and Nepal enjoy very good relations. He also said that France and Nepal have made enormous progress in the last seventy years and added that time was ripe to look into the future.

With a lavish food of diverse French taste with French wine, Hotel Annapurna has made the night on the French National Day special. Hosting the first national day reception, Hotel Annapurna has shown that it can offer best venue and best foods.

Langtang Region Revives From Earthquake Destruction

BY SABINE PRETSCH

The two earthquakes on 2015 have hit some regions of Nepal hard. One of the areas was the Langtang region in Rasuwa district. In the village of Brabal, which lies at 2,300 m altitude, away from the regular trekking route and above Shafru Bensi, 87% of the houses were destroyed.

The residents had to life under plastic tarpaulins for years and suffered further hardships, such as lack of supplies of materials due to the Indian border blockade, transport problems caused by land slide blocked ways and never-ending approval processes. As part of its earthquake relief project Sunaulo Sansar NGO, a local non-governmental organization was able to rebuild 24 houses in Brabal. The financial support and help were provided by the people of South Tyrol - Italy, Switzerland and Germany.

Each villager received materials such as sand, cement, steel and corrugated iron needed for a one-storied, earthquake-resistant house with 3 to 4 rooms, as well as transport and labor costs for qualified workers. On their own, the residents of Brabal had to allocate glass, wood, stones and materials for interior decoration (room insulation, floor, etc.). Additional costs for a two-story construction, had to be borne by the new homeowners also.

Stones and intact wooden windows, which were collected during the deconstruction, were often re-used for the new houses' construction. Particularly noteworthy are the solidarity and cooperation of the villagers. They helped each other in all kind of works such as fixing electricity, wood sawing or building window frames and doors. Those households who had damaged houses in Brabal, but intact homes in Shafru Bensi or Kathmandu were considered as not needy and therefore received no support from the organization. Well - after 4 years and 2 months, the inauguration of the rebuilt private houses took place in June 2019 during a festive celebration.

The ceremony was carried out in the courtyard of the monastery in Brabal. After serving snacks and introducing the guests of honor; the president of Upper Rasuwa, the mayor of Gosainkunda Rural Municipality Ward No. 5, the district representative of Langtang National Park, Brabal's mayor, representatives of German Nepalese Help Association, Chairman and the Buddhist Lama of Thulo Shafru as well as the donor and supporter Thomas Pfaender, who arrived from Germany, were presented with a khada and a guest of honor pin.

After the opening speech, all guests and villagers went to the entrance of the village. The unveiling of the project signboard and the slicing of the inauguration band were conducted by the President of Upper Rasuwa, who got a big round of applause. Back to the monastery courtyard further speeches were given by the guests of honor. The mentioned perspectives for village development, such as the approved budget for the complete asphalting of the road to Thulo Shafru, the implementation of a homestay project sponsored by Langtang National Park, the construction of a view tower and the promotion of regional apple growing, conjured a smile on the villagers lips.

Afterwards, a certificate of project participation and a symbolic lock were handed over to the new house owners. The celebration ended with a delicious Dal Bhat meal and subsequent photo session. About the organization: Sunaulo Sansar NGO is a non-governmental organization with its main office in Kathmandu, Nepal, and was founded in 2008. Sunaulo Sansar is Nepali and means "Golden World" This name is intended to express the preciousness of the world and of all people. Golden things are valuable and shine brightly. The world and all people are unique and "worth their weight in gold".

The organization aims to support children, families and needy people in remote areas, especially Langtang region. Projects are chosen carefully and concentrate mainly on the fields of education and health. "Help for self-help" is one of the main principles of the organization. Children from poor backgrounds get the opportunity to attend school through a sponsorship. As part of a village development project, a community shower house was built for all villagers. Students in public schools are supported with books, notebooks, pencils, and school uniforms. An environmental concept is intended to sensitize students and villagers in matters of environmental protection, sustainability and ecological thinking. The chairman and the members of the organization are committed to ensure that the donations reach the local people directly. They travel to the areas themselves and hand over materials to those affected. Transparency and regular information are provided by the annual sustainability reports.

"Sexual Violence Is One Of The Most Heinous Crimes"

HERTA DÄUBLER-GMELIN is a German lawyer, academic and a former politician of the Social Democratic Party. She served as Federal Minister of Justice from 1998 to 2002, and as a Member of the Bundestag from 1972 to 2009. She currently teaches as an honorary professor of political science at the Free University of Berlin, particularly on international relations and human rights. In 2011 she was the Hemmerle Professor at RWTH Aachen University.

Prof. Dr Däubler-Gmelin, during your tenure as minister of law Germany became party to the rome statute of the international criminal court in 2000. Nowadays, the work of International Criminal Court staff members is seriously hampered by different sides. Do we face a global crisis of accountability for serious human rights crimes ?

Well, in these days two main developments are evident: On one hand, the ICC gets more and more influence. Even the most arrogant and powerful politicians and military leaders realize, that ordering or committing crimes agains humanity in conflicts can take them to the ICC and then into prison. This threat is rather effective in conflicts as Syria, Yemen, Libyia and others. On the other hand, there are countries as b.e. the USA and Russia, rejecting to join the International Court for their own soldiers and leaders. Some of them equally reject the respect for human rights and international cooperation, more and more going for national egotisme. This is a dangerous development, weakening not only human rights, but as well the UN accountability. We all should learn from history: National egotisme mostly leads to war and more destruction. Today international cooperation is needed more than ever.

Another important mechanism of human rights protection is the Universal Periodic Review (UPR) of the UN Human Rights Council. Through UPR the human rights situation of all member states is reviewed every 5 years and recommendations are given. Is there evidence of this mechanism really improving the situation on the ground and how are the procedures if states are not willing or able to comply ?

The UPR is very useful. Governments have to give an overview on the improvements of human rights in their countries regularly. Of course, some governments don`t like this, as they lack respect for human rights. And, of course, you can find prettifying, even faking the real situation in government`s reports. On the other hand, national and international Human Rights Specialists and NGOs make amends – and all of that is discussed publicly in the Human Rights Council in Geneva. Countries with free media profit a lot of these procedures, others have to catch up.

Four years ago, the United Nations General Assembly proclaimed 19 June of each year the International Day for the Elimination of Sexual Violence in Conflict. Is it appropriate to speak of a rising awareness of the need to put an end to conflict-related sexual violence globally?

Sexual Violence is one of the most heinous crimes. One observes, that sexual violence, rape and sexual mutilation are used systematically as weapons in wars and military conflicts against women and children to demonstrate military power and to destroy the civilization of a group. That's why the International Criminal Court punishes severely these crimes as crimes against humanity.

Individual sexual violence is mostly directed against wifes, women, children by men, thinking they can do whatever they like with family members dependent on them or with other weaker persons. In most countries the awareness for these heinous crimes is rising; police and courts have to do more to bring those perpetrators to court.

Besides formal legal procedures what are the three most important things to bring justice to the victims of sexual and gender-based violence?

You are right: Many dependent women or children don't dare or simply cannot bring perpetrators to court. In some countries good laws condemning these crimes, prosecuting perpetrators and protecting victims still have to be introduced. Police force and judges have to know their business of protecting the weak.

That's why public awareness is so important to fight sexual harassment and violence wherever you`ll find it. That's why media, government people and spiritual leaders have to speak out in public against sexual violence. The have to support authorities and NGOs helping and protecting victims. Neighbours, friends, fellow workers and team mates – all of them are equally responsible to fight those crimes and help victims.

As an internationally renowned legal expert you have been contributing to democratic transformation processes in many countries. What is your general take on the relation between democratization and an accomplished transitional justice process ?

Democracy is a good way to put the interests and the problems of normal people into the middle of politics and political institutions by making citizens participate in institution building, introducing laws and deciding on the way of the country by free and regular elections. This includes training the police force to serve the community. And it requires an independent judiciary to serve the people respecting and protecting their human rights and caring for justice. And, of course, free and responsible media are essential. Throughout history one could observe: There is no peace without justice and a strong civil society.

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