

# The Nepal Digest

The First Nepali e-Magazine

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## About The Nepal Digest

The Nepal Digest (TND) is a publication of TND Foundation, global not-for-profit information and resource center (registered in New York, USA) committed to promoting issues concerning Nepal. All members of [TheNepalDigest.org](http://TheNepalDigest.org) will get copy of [The Nepal Digest \(TND\)](http://TheNepalDigest.org). Membership is free of charge and is open to all.

The Nepal Digest is the first Nepali electronic e-magazine in the Internet. The Nepal Digest hopes to create a free and democratic electronic platform -- free of all political views, free of cultural biasness, against prejudices and unjustness of all kinds.

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## Editorial: "Proud to be a Nepali"

By Ujjwal Bhattarai

Most of us are familiar with the dialogue between Ghashi, the grass-ripper, and Bhanubhakta Acharya, who hailed from the elite class of then Nepal.

[Scene: Hot summer day]

[Dialogue: Not verbatim]

**Bhanubhakta**- "What are you doing, Ghasi?"

**Ghasi**- "I am cutting some grass, which I plan to sell and with the money that I earn, I intend to dig a well for pedestrians."

**Bhanubhakta**: Oh! Why do you want to dig a well with all this work when you are yourself poor?

**Ghasi**- "I am doing this so that coming generations will remember me for my little contribution."

**Bhanubhakta**: [Amazed] "Look at the wisdom of this grass- ripper! And look at me - though belonging to an elite, I have achieved nothing."

[In Nepali,

*"Bharjanma ghans tira mana di dhan kamayo,  
Nam kyai rahosh pachhi bhanera kuwa khanayo,  
Ghansi daridra gharko tara budhhi kasto,  
Mo Bhanubhakta bhaikana aaja kina yasto."]*

So inspired, Bhanubhakta gave birth to Nepali Literature by writing Ramayana in Nepali language thus earning the title of "Father of Nepali Literature".

This was also the scene of a short drama performed at 191st Bhanu Jayanti in Mansfield, CT by two enthusiastic school kids - Sanjeev and Pradeep Keshary in an event organized by Connecticut chapter of International Nepalese Literary Society (INLS).

**The true investment of INLS and other similar organizations is kids like Sanjeev and Pradeep who despite growing and living in the United States of America could proudly display their Nepalese heritage, value language and culture, and proudly stand in front of the world as a Nepali. Bravo!**

Ujjwal Bhattarai

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## Who said what?

**TND Research**

**"I humbly decline the Gorkha Dakschin Bahu IV medal, on the light that its selection criteria are not transparent and hence it will be against my principle to accept it."**

- **Yubraj Ghimere**, a journalist, who refused to accept the Gorkha Dakschin Bahu IV medal from King along with other journalist Sharad Adhikary.

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**"I'm very aware I was in the right place at the right time."**

- **Tim Berners-Lee**, who is considered the father of World Wide Web(WWW), after being knighted by Queen Elizabeth II for his revolutionary invention of WWW

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## News: "Yankee Go Home"

**TND Research**

**Maoists ask Americans to leave.**

The Maoists have taken up the strategy to harass the Americans with queries and check their belongings and ask them to leave immediately.

Maoists are writing slogans like "Yankee go home" alleging that the Americans are traveling in the Maoist controlled districts as regular tourists and collecting information. Such slogans are written in districts like Rukum, Rolpa, Pyuthan, Salyan, Jajarkot and Surkhet.

According to tourism entrepreneur Subodh Humagain in Dang, tourists have stopped coming to the area after Maoists' sloganeering. The Maoists' began their campaign after finding out that Americans go to Holleri through Dang and study the geographical, economic and political situation of the region, a Maoist area secretary told.

Maoists have also warned Americans from traveling around Nepalgunj. They have written similar threatening slogans in the Karnali bridge. In Pokhara, tourism entrepreneurs pay Rs. 1,000 minimum to the Maoists monthly. If the rebels know that the tourists are American they come and ask them to leave...

(Source: Madhyanha, vernacular daily)

## Interview: "Dinesh Adhikary"

By Kamala Sarup



Dinesh Adhikary is considered one of the most prominent poets of present day Nepal. Kamala Sarup talked with him for TND on important issues recently and presented is the excerpt of the interview.

श्री दिनेश अधिकारीको जन्म २०१६ साल मंसिर २२ गतेका दिन काठमाण्डौको बानेश्वरमा भएको हो । सानै उमेर देखि नै साहित्यमा रुची राख्नु हुने श्री दिनेश अधिकारीज्यूले हाल सम्म मदन पुरस्कार लगायत अरु थुप्रै थुप्रै विभिन्न किसिमका पुरस्कार पाइसक्नु भएको छ ।

प्रश्न: तपाइको लेखन कहिलेदेखि प्रारंभ भएको हो र किन लेख्न थाल्नु भएको हो ? आफैले आफूलाई चाँही तपाईले पहिलो पटक कहिले देखि कविका रूपमा आत्मसात गर्नु भयो ?

उत्तर: कहिलेदेखि लेख्न थालें भन्ने कुरा तिथिमिति तोकेर भन्न सक्तिन । धमिलो संभना छ, कक्षा ४ मा पढदा स्कुले प्रतियोगिताकालागि कविता लेखेको थिएँ जस्तो लाग्छ । छापिने अर्थमा भने "रत्नश्री" नामक त्रैमासिक साहित्यिक पत्रिकाको २०३२/३३ सालको चैत्र-वैशाख अंकमा मेरो दुई कविताहरु अधीर उपनामबाट छापिएका हुन भने दिनेश अधिकारीको नामबाट चाँही २०३३ सालको असोज १२ गते मातृभूमि साप्ताहिकमा शुभकामना शिर्षकको कविता छापिएको हो । जहाँसम्म , मैले आफैले आफूलाई कहिलेदेखि कविको रूपमा आत्मसात गरे भन्ने प्रश्न छ, यसको एकिन जवाफ अहिले पनि मसंग छैन । मलाई लाग्छ २०३७ सालमा अन्तरका छिटाहरु शिर्षकको कविता संग्रहको प्रकाशनसगै मैले आफूलाई शायद कविको रूपमा आत्मसात गरेँ कि ?

प्रश्न: तपाई आफ्नो लेखनलाई कसरी परिभाषित गर्नु हुन्छ ?

उत्तर मलाई अनुभव छ, शुरुमा यसका विविध पाटाहरु थिए । समय संगसंगै यसमा पनि परिवर्तन आउदै गयो । अहिले मलाई लाग्दछ, म आफूलाई अभिव्यक्त गर्न कविता र गीतहरु लेख्छु । लेख्नु, अब मेरोलागि एउटा बानी हो । त्यो पनि फेर्न वा छोड्न नसक्ने बानी ।

प्रश्न: तपाइलाई मन पर्ने साहित्यकारहरु को को हुन ?

उत्तर: मन पर्ने कुरा, मलाई लाग्छ, सापेक्षतामा हेर्नु पर्छ त्यसैले कुनै एकाध लेखक-कविका नाम लिनु सायद ठिक हुदैन । मैले पढेका थुप्रै स्वदेशी विदेशी साहित्यकारहरु मध्ये केहीका धेरै केहीका थोरै रचनाहरुले मेरो मन छोएको छ । यस अर्थमा धेरै-थोरको यो भिन्नतालाई मन पर्छ वा मन पर्दैन भन्ने किसिमबाट वर्गीकरण गर्नु मलाई उपयुक्त लाग्दैन ।

प्रश्न: तपाईले आफ्ना पाठकहरुबाट कस्तो किसिमको प्रतिक्रिया पाउने गर्नु भएको छ ? के उनिहरुको प्रतिक्रियाले तपाईको लेखनलाई प्रभावित पार्ने गरेको छ ?

उत्तर: लेखन, मेरो पेशा नभएर सौख हो । पेशामा मान्छे कहिलेकही अपेक्षित रूपमा इमान्दार नहुने परिस्थिती देखा पर्न सकछ । यस अर्थमा, म आफ्नो लेखनप्रति सधै इमान्दार छु । संभवत यहि कारणले होला मैले आफ्ना पाठक वा स्रोताबाट प्रशस्त माया र सद्भाव पाएको छु ।

पाठक वा स्रोताबाट माया पाउनु भनेको आफ्नो लेखनलाई प्राप्त भएको सामाजिक स्वीकृति त हो नै । यही विन्दुमा यो, लेखनको निरन्तरताकालागि प्रेरणा पनि हो र सामाजिक स्वीकृति वा पाठकको माया एउटा साहित्यकारकालागि लेखनको उर्जा पनि हो । मैले, त्यो मायाको अभाव महसुस गर्नु परेको छैन । जहाँसम्म पाठकको प्रतिक्रियाले लेखनलाई प्रभाव पर्ने वा नपर्ने सन्दर्भ छ, मलाई लाग्छ, कुनै पनि लेखकले त्यसलाई इन्कार गर्न सकदैन । तर यसको अर्थ यो होइन कि उसले पाठककै इच्छा अनुसार मात्रै लेख्छ । पाठकबाट प्राप्त हुने प्रतिक्रिया एउटा लेखकले आफ्ना कमी कमजोरी र त्यस उपर सुधारका संभावनाहरूलाई पहिल्याउने अवसर पनि हो र यसको महत्व लेखनको सन्दर्भमा अहम् रूपमा रहेको हुन्छ । कारण स्पष्ट छ, लेखक पुग्ने ठाउँ भनेको अन्ततः पाठकसम्म नै हो । यदाकदा पाठकले लेखकप्रति खबरदारी जताउने गरेको पनि पाइन्छ । यस किसिमको खबरदारीलाई पनि म मायाकै रूपमा लिनु पर्दछ भन्ने धारण राख्दछु । कारण, पाठकको स्वार्थ भनेको सधै उत्कृष्ट सिर्जनाको खोजी नै हो भन्थान्छु । यस्ता खबरदारी एकाध पटक सुभावाका रूपमा मैले पनि पाएको छु र मैले चाही यसलाई आत्म-मुल्याङ्ककालागि प्राप्त भएको अवसरको रूपमा लिएको छु ।

प्रश्न: के तपाईं विषयको छनौट मात्रै लेखन बस्नु हुन्छ ? आफ्नो लेखनले जनतालाई प्रभाव पार्ने कुरामा कसरी आशावादी हुनुहुन्छ ?

उत्तर: कमलाजी १ सरल हुँदाहुदै पनि प्रश्न यति जटिल छ कि मेरो संक्षिप्त जवाफले तपाईंको जिज्ञासालाई पूर्णरूपमा सन्तुष्टी नदिन सकछ र यसलाई विस्तृत रूपमा चर्चा गर्न थाल्नु अन्तरवार्ताको सन्दर्भमा संभवतः अस्वभाविक हुन जान्छ । छोटोमा भन्ने हो भने, लेखनको सन्दर्भमा, मलाई लाग्छ, विषयबस्तुको छनौट एउटा अपरिहार्य आवश्यकता हो । उद्देश्यहीन लेखन, मेरो अर्थमा लेखन होइन । मेरो लेखन, विषयबस्तुको छनौटबाटै शुरु हुन्छ । मान्छे, मेरो लेखनको विषय त हो नै । थपमा मेरो लेखनको आग्रह र उद्देश्य पनि मान्छे नै हो । जब म कविता वा गीत लेखिरहेको हुन्छु, त्यति बेला मान्छे, संग जोडिएर आउने आर्थिक, राजनैतिक, सामाजिक वा सांस्कृतिक सन्दर्भहरूलाई पनि स्वभाविक रूपमा आफ्नो लेखनको उर्जाको रूपमा ग्रहण गरिरहेको हुन्छु । तर, यसको अर्थ यो पनि होइन कि, म कुनै वाद को फ्रेमभित्र आफ्नो लेखनलाई अटाउन वा राख्नु रुचाउँछु । यस अर्थमा, स्वतन्त्रतालाई म आफ्नो लेखनको पहिलो चरित्र हो भन्न रुचाउँछु । आफ्नो लेखनले पाठक वा जनतालाई प्रभावमा पार्ने जहाँसम्म सन्दर्भ छ, म के मात्रै भन्न सक्दछु भने पाठकलाई प्रभाव पार्छु नै भन्ने दावी म गर्दिन । हो, म आफ्नो लेखनप्रति पूर्ण इमान्दार छु, प्रस्तुति प्रभावकारी होस भन्ने कुरामा सजग छु र त्यस आधारमा हृदय वा मस्तिष्क वाचिरहेको मान्छे (पाठक) लाई मान्छेको कुरा (विषयबस्तु) ले हुन्छ होला भन्ने आशा गर्छु । एउटा कविका हैसियतले म मान्छेको मनलाई अधीनमा राख्नमा होइन छुनमा नै बढी आनन्द अनुभव गर्छु । यो, मेरो मान्यता हो । यदि मेरो मान्यता व्यवहारमा उत्रन सकिरहेको छैन भने चाँही त्यो मेरो कमजोरी हो । तर, संगसंगै के पनि भन्छु भने सबैको मनस्थिती एकै समय, एउटै किसिमको नहुने कारण एउटा रचनाले सबै पाठक वा स्रोतालाई एकैसाथ, एकै पटक र एकै किसिमले नछुनुलाई पनि म उतिकै स्वभाविक ठान्दछु ।

प्रश्न: तपाईं दैनिक कति समय साहित्य-सिर्जना वा पठन-पाठनकालागि छुट्याउने गर्नु हुन्छ ?

उत्तर: साहित्य, मेरो दैनिकी होइन । कमलाजी १ जीवन यति विश्रृंखलित ढंगबाट गुज्रिरहेको छ कि धेरै कुराहरू चाहेर पनि योजनाबद्ध रूपमा अगाडि बढाउन सकिएको छैन । इमान्दार भएर अर्को शब्दमा भन्ने हो भने बाँच्ने वा भनौं यसकोलागि भौतिक आवश्यकता परिपूर्ति गर्ने जिम्मेवारीले नै अहिलेसम्म मेरो जीवनमा प्राथमिकता पाइरहेको छ । साहित्य सिर्जना, मेरो लागि, त्यसपछिको प्राथमिकता भित्र पर्दछ । त्यसैले दैनिक रूपमा निश्चित समय साहित्य सिर्जना वा पठन-पाठनकालागि छुट्याउन सकेको छैन । जब जब अनिवार्य किसिमका अन्य जिम्मेवारी वा दायित्वबाट फुर्सद पाउँछु तब तब प्रायः हतारिदै म साहित्यिक जीवनमा फर्कन्छु । यो मेरो प्रेमको क्षेत्र हो । त्यसैले आफुखुसी खर्च गर्न पाउने समय पाउँदा त्यसलाई सकेसम्म म अन्यत्र खर्च पनि गर्दिन ।

तर तपाईंले सोध्नु भए जस्तो दैनिक रूपमा निश्चित समय साहित्यकालागि भने छुट्याउन भने अझैसम्म सकिरहेको छैन ।



## Immigration Questions and Answers

**By Ramesh K. Shrestha, Attorney-At-Law**

(Ramesh K. Shrestha is a practicing attorney in New York City. His office is located at 377 Broadway, Suite 801, New York, NY 10013. Tel: (212) 625-3394, Fax: (212) 431-4460, Email: [Rshresthalaw@aol.com](mailto:Rshresthalaw@aol.com). His practice concentrates on Immigrant and Nonimmigrant Visas, Business Immigration, Extraordinary Ability, National Interest Waivers, Labor Certification/Permanent Residency, Detention/Bond, Removal/Deportation Defense before Immigration Courts/Executive Office for Immigration Review, Department of Justice.)

He will answer TND reader's immigration related questions. Questions can be asked by visiting our submit page or simply by emailing at [contact@thenepaldigest.org](mailto:contact@thenepaldigest.org). TND sincerely thanks and appreciates Mr. Shrestha's contribution. - Editor)

**There are 3 questions and answers in this issue.**

**Question 1:**

**Apu from USA asked:**

Ramesh dai, here is my problem.

I have my OPT valid until 08/17/04 but the H1B doesn't start till october 2004 since they ran out of quota for this year. My Company's lawyer thinks that the best way is to change my status to F1 until October. But some of my friends suggest that I should just rush apply which only takes a week to get approved instead of wasting my money.

I need a suggestion regarding this. Your suggestion would be greatly appreciated. Thank you.

**Answer:**

Dear Apu:

If your OPT expires on August 17, 2004, you will have additional 60 days grace period (duration of status) to either change your status to any other nonimmigrant status, leave the country or continue your F-1 by enrolling into a new academic program. Since your grace period goes beyond October 1, 2004, it appears that you will be able to obtain H-1B without changing your status. Therefore, it is recommended that you file your H-1B application immediately.

Good luck.

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**Question 2:**

**"Name Withheld" from USA asked**

Dear Ramesh dai:

I recently came to US on a sports visa for 6 months. My tournament is over and I am thinking of legally staying here in US. Is there any way to change my sports visa to student or other legal visa.

Thank you.

**Answer:**

You did not mention the category of your visa. (such as B, P, etc.). As you stated, your visa is valid for 6 months, it appears to be a B-2 visa. A change of status is possible to either F-1 or any other nonimmigrant visa.

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**Question 3:**

**Abhi Pradhananga asked:**

I am currently in USA and applying for a green card on exceptional ability category. I am planning to marry a Nepali girlfriend who is also in USA on a B1/B2 visa, but her visa has just expired by over 90 days.

How is that going to affect to my Greencard? How can I help her and convert her status as mine? Do I have to wait until I get a US citizenship (5 yrs!!) to make her a legal alien? I appreciate any advices. Thanks.

**Answer:**

Abhi ji:

Your girl friend's out of status will not have any effect on your visa petition. Even if you marry her and she is out of status, this will make her ineligible for adjustment of status, but it will not have any adverse effect on your petition. If she has been illegal for 90 days, it is recommended that she leave the United States before her unlawful presence reaches 180 days. She can wait in Nepal and pursue consular processing.

If she leaves after 180 days, she will be subject to 3/10 year bar for admission into the United States depending on the period of unlawful presence.

Even if you get your petition approved, you will not be able to reinstate her status either as a nonimmigrant or immigrant as long as she is in the United States illegally. Once you become a US citizen, it will be possible for her to apply for green card based on your visa petition. But it is a long way to go.

Since there are a number of issues in your case, it is recommended that you seek a competent professional help.

Good luck.

**Ramesh K. Shrestha, Attorney-At-Law**

**(Disclaimer Notice: Legal answer provided must not be construed as a legal advice rather it is an answer general in nature. One must seek legal advice from an immigration attorney for his or her particular legal matter.)**

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## Politics: "Immediate Ceasefire Please"



**By Kamala Sarup**

Dee Aker is the deputy director at the Joan B. Kroc Institute for Peace and Justice at the University of San Diego, California, recently spoke to weekly paper in Nepal "Negotiating is a very hard thing. It is not just about going there and stating one's position and then going to the press to release one's statements. It should be very subtle. It takes a lot of work. I think here the lack of experience complicated the matter – no matter how good-hearted the persons were. The actual work is very difficult. I think that last year's ceasefire had been very successful in many ways for quite sometime. But not all people were that inclined for justice as power plays were still being made. And, yes, there was outside negative influence.

The negotiating parties must understand what the other side thinks. With that one could see if there is any common ground. It is not a matter of compromise. It is not a matter of saying 'Ok, you do this much we will do that much'. It is all about finding out what is the real need and asking civil society and the victims what they need and letting that inform parties negotiations. Anywhere the negotiations have been successful and lasting, civil society and human rights are included. There has to be a plan for transition from authoritarian to a more democratic system.

She further said "The third party mediation issue is a difficult one. I do think that what's needed is similar, real and grounded training for all the negotiating Nepalese parties in how to negotiate. I think in Nepal, the parties here can do this. It is just that they haven't had opportunity to sit down and think through the process of what happens in the negotiation. It is not just about signing some agreements. I guess I don't think third party mediation is necessary here. Even if you invite a third party, they and the Nepalis still have to learn a lot about addressing the underlying issues that will cause another and another conflict even when this is solved temporarily. And in most cases, third parties do not pay attention to these issues; they simply focus getting leaders to sign a paper that does may not be a solution that will last. In fact, equal training opportunities to negotiating parties could help a lot,

especially training that looked at how to include the voices of civil society and addressed underlying human rights concerns".

Even recently, Deputy prime minister Bharat Mohan Adhikari has called on the Maoists to give up violence and come to the negotiating table. Even on the other hand, according to a central leader of the Maoists Bam Dev Chhetri, The Maoists have set a precondition for declaring a ceasefire and holding talks with the government. It is that the government must first be ready for constituent assembly elections under the aegis of the UN. Chhetri also repeated his party's line that the Maoists would not surrender arms during any negotiations. CPN-UML general secretary Madhav Kumar Nepal has also asked the government to declare a ceasefire and invite the Maoists to the negotiating table. He also said that pressure from the political parties and the international community could oblige the Maoists to come to the table.

Speaking during a program in the capital Sunday PM Deuba also said that since the calls for initiating peace process has come from all sectors, the government is ready to talk to the Maoists. He however said, " The government is ready to hold talks with Maoists if they do not betray us or run away from the peace talks again." Speaking to this scribe at Philadelphia Mary C. Carroll is currently, a member of the Board of Directors, 1979-present, of the Philadelphia Suburban Corporation, Senior said "The political conflict in Nepal has hurt business there greatly. Most obviously in the tourist industry, but also in exports, manufacturing and other areas of business. American markets demand guarantees of shipments on time and in the quantity ordered. Nepalese industry can't credibly make such guarantees. So, US and European businesses go where there is no risk of short supply. Nepalese businessmen and women are resourceful and smart. They will be able to overcome obstacles to increasing their present share of the market when the conflict is resolved. It appears the 3 conflicting parties are now aware that the country's economy is being destroyed and that their power struggle will leave little left to struggle for if the situation isn't changed soon".

Recently in Kathmandu, Rights activists and political leaders stressed on the immediate need to form a peace commission in order to restore peace in the country. Former Speaker of the House of Representatives, Damannath Dhungana highlighted the need to form peace a commission. He said, "People's pressure is vital for creating an appropriate environment for establishing peace in the country." Even according to the Council of Ministers, the government is looking forward to holding peace negotiations with Maoists abiding by the norms of constitutional monarchy and multi-party democracy.

The Nepalese people abroad say " Nepalese are yearning for peace and they must all work together to give a peace a chance. The whole of society, including non-governmental organisations, civil society, should also be involved, so that an effective peace can quickly become a reality in our country. The crisis right now is very serious and is challenging our limits. The difference between the people can be resolved through dialogue on the basis of nationalism".

The Nepalese people abroad remain deeply concerned about how the Nepalese politics is becoming increasingly polarized and unstable governments are destroying the country. The Nepalese people want the war to come to an end and their urgent essential problems addressed immediately. Cease-fires, negotiations, meetings, though are most acceptable ways of conflict resolutions of maoists insurgency, and it is essential to restore peace and improve security and human rights situation. The government and the Maoists must feel as if they will win something from the talks. The government as well as all the political parties, including the Maoists, must recognise this possibility and work to prevent it through peaceful resolution of the conflict.

Even recently Nepal's National Human Rights Commission has urged the government and Maoist rebels to begin peace talks to resolve the long-running insurgency. The European Union has also called for an immediate ceasefire between the warring parties and to create an environment for dialogue without any preconditions. In a statement released on Tuesday, the Danish Embassy urged the government and all democratic forces to work towards early negotiations with the insurgents.

The embassy was speaking on behalf of all the EU based missions in Kathmandu. The EU also urged the government to integrate the rebels into the political mainstream, which would be the only way to conduct free and fair elections in the country. The Commission called for an immediate ceasefire by both sides to create an atmosphere conducive to dialogue. May an immediate cease-fire, together with a renewed sense of humanity, in respect of international laws, silence the arms and make the voice of reason be heard.

Civil society can assist governments to advance policies that ensure the safety of people so civil society must now move forward on a clear path towards lasting peace and reconstruction based on democracy, the rule of law and respect for human rights. Civil society groups should be active and make preparations for public mobilization for peace. The Government and Maoists leaders want peace, then resolving the issues of the relationships between the people and the communities with equality, tolerance, and friendship is necessary. This is the right time for the initiation of peace talks.

The negotiation will be greatly helped by a clear, rational conception of what can be changed and what cannot be changed because the negotiation is about peace for all the peoples of Nepal. The peace talks should move ahead in a democratic and transparent atmosphere so let's hope that the peace talks will begin soon and all the major political parties and the civil society will be included in the process. Multiparty democracy, individual freedom, human rights are such issues which should be the focal points while initiating the peace process. Now we have question How conflict discourages long term investment and curtails opportunities for growth?. How conflict breeds disunity and mistrust which deepen the crisis and make its resolution progressively more difficult?. How conflicts are an overall negative and kills the entrepreneurial spirit in people? How to adopt confidence-building measures so as to create a conducive environment for the negotiation of a general framework for the resolution of the crisis in Nepal?.

While the Maoist leadership has been repeatedly stating its readiness to hold peace talks provided they take place under United Nations' mediation. However, Nepali observers, including the facilitators during the previous dialogues between the government and the Maoists, have split views about international mediation.

Even Human Rights activist Padma Ratna Tuladhar, said ""Maoists are sincere to resume negotiation. If the Prime Minister is equally sincere, negotiation is possible. In the previous rounds of talks, the Maoists were ready to endure monarchy but the government either did not understand it or did not want to make it happen. It could have been a historic achievement had it seized the moment and thus brought the Maoists to a conclusion on that point," he said.

Tuladhar also urged the government to take a firm line, clearly indicating the status of Janajatis, Madheshis, Dalits, women and the disabled before going in for another round of talks. Human Rights activists and members of the civil society urged both the government and the Maoist rebels to resume peace negotiations so as to prevent the nation from further decline. The industrialists also said they were ready to extend their cooperation for such a dialogue, if needed. The national and international environment is pushing both forces to the negotiating table. Civic groups accuse the leaders of both the government and rebels of profiting from the misery of ordinary Nepalese. Deuba government should think how to undertake concrete actions that would restore normality within Nepal and ensure the safety and security of its peoples through a peaceful settlement of the crisis.

The government and the insurgents must listen to the voices of the majority of the population and hence initiate overtures that bring peace in the country. We cannot forget how Industrialists and businessmen have raised serious concerns over the Maoist insurgency, which according to them, has crippled the national economy. They also pointed out the need for a fruitful dialogue with the rebels to resolve the crisis. Both the export and import have diminished resulting in an adverse impact in the national revenue collection.

Negotiating with Maoists for peace is a more reasonable way of reducing further killing than demonizing them. The peace process should be divided into three phases: a) Pre-negotiation - agreement to talk about talks; b) Framework & substantive agreement-a module devoted to hammering out a working document to pave the way to a lasting peace; and c) Final stage - implementation of the agreement.

A peace agreement in Nepal will make great demands on the international community in terms of assistance with reconstruction, demobilisation, mine clearance and the establishment of civil institutions.

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## Economy: "Demand and supply of development!"

**By Surendra R. Devkota**

In a very broad sense of economics, we live in two different worlds: developed and poor. Developed implies a high per capita income and subsequently a high living standard, whereas poor is just vice versa: low income and low living standard. This notion of division of the globe is incomplete because it considers only one factor - economy, and relegates other variables of human kind that are society and nature / ecology.

The word 'development' itself has a multidimensional potential, because of its diverse stakeholders. Whoever uses this word, tries to define or to perceive accordingly. For example, social scientists make use to indicate social and economic development of a definite area and people, biologists use to refer to a development of the cell, and business professionals again interpret it differently.

Here, development is discussed from socioeconomic perspectives, which implicitly extends to human welfare vis-à-vis socioeconomic structure, lifestyles, institutions, and attitudes. Sometimes, development is muddled with growth, which has a very different message. Literally, growth implies a physical or quantitative increment, whereas development means to expand to a better or greater: a qualitative improvement. Further, economic growth refers to the growth of an economy's total output of goods and services, but economic development suggests economic growth plus structural change of an economy. Structure of an economy means production, consumption, employment, distribution, as well as environmental endowments. Hence, even a country is economically poor it does not necessarily poor in other capital like social and ecological capitals. Nepal justifies this example.

In order to transform economic growth in socioeconomic development, many politico-economic philosophies are forwarded. The modernization theory is one of them, which according to John Peet is, "Modernization meant specialization of economic activities and occupational roles, and the growth of markets; in terms of socio-spatial organization, modernization meant urbanization, mobility, flexibility, and the speed of education; in terms of the political sphere, modernization meant the spread of democracy and the weakening of the traditional elite; in terms of cultural sphere, modernization meant growing different between the various cultural and values system, secularization, and the emergence of new intelligentsias". Nepal like other developed and poor nations also followed this complex philosophy since 1950s.

Nearly after 50 years of experimentation of different pieces of modernization theories, Nepal is gearing up to the bottom of the hill. Our economy is dependent up on the donors' kindness; our people are getting poorer day by day; our cities are inhabitable; social capital is eroding; ecology is deteriorating; and only a handful percentage of people are enjoying. Magnitude of demand for a genuine development is increasing though sprout of economic growth incurred in past. Demands for a good education system, health post, agricultural input, electricity etc. are nothing new since 1950s. Further, there is not much different in between the demands of the Maoist (40 point demand), and political parties (18 point agenda) in terms of socioeconomic development issues.

Who supplies the development? The illusion is that donors and bilateral agencies are the suppliers of development. That is simply untrue. Donors, of course, supply money (economic capital), and knowledge (human capital) to the extent. No one can export and import development. It has to be put together in the system. The gravity lies on the process. In past 50 years, Singha Durbar and Raj Durbar were the main suppliers of development based on the modernization philosophy, and as of now, we all can see the picture of modern Nepal - atrocities, fear, tear, uproar, trick, scarceness and so on. These Durbars can't import 'developed people' and substitute local ones, though they do export 'poor people'. Mass exodus of Nepali youth is a sheer example of negligence human capital by these Durbars. In past 50 years, lots of donors poured tons of dollars in Nepali soil, but we are still on the bottom of the global ranking. Hence today's primary requirement is to fix the supply side of development.

While discussing the means and end of development, Prof. Amartya Sen, a Noble Laureate in Economics, says "Development requires removal of major sources of un-freedom: poverty as well as tyranny, poor economic opportunities as well as systematic social deprivation. Human freedom is both the primary object and the primary means of development". If we further define this freedom as "rights", we could be able to find the supply-side of development. Right to people is the mantra of supply-side. Here 'right' includes not only simply voting rights; it comprises all: economic, social and ecological rights to people. For example, we don't need to look others for the model; simply examine the indigenous model of community forestry, and irrigation management system by local people,

where we find socio-ecological and economic activities. Our development model should be based on such indigenous system. The so-called drivers of development, albeit Durbars should grant "rights" to local bodies so that development will be built in the system.

I assume late B P Koirala had expressed his development vision of Nepal; forget his followers who are just exploiters of his name. Let's be honest to the people. If we are really interested in to uplift socioeconomic plight of fellow denizen, then we need to overhaul our socioeconomic development philosophy vis-à-vis economic structure. Let's believe in people's real power: strengthen the village and district bodies by establishing and enhancing socio-economic structure as well as by empowering them socially, economically, and ecologically. Accordingly, to move ahead a general demand would be a new constitution that grants such rights to people exclusively. The demand for new constitution is not for either power sharing or balancing between the Singha Durbar and the Raj Durbar. It is futile and deceptive to people to be rhetoric of 1990 constitution which is defunct, if not, raped by different stakeholders at different time periods. Sincerely facilitated by the government, it is people who drive demand and supply of development not the Durbars and donors.

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## Media Watch: "The legacy of tail wagging puppies in media"

*By Vidhu Prakash Kayastha*

Recently, a thought provoking article, The Panchayat Media, written by Pratyoush Onta was published in Nation, English weekly, one of number of weeklies that arrived at the news stands after the Royal takeover of October 4, 2002. The article, by all means, is useful to the students of the schools of journalism. It also makes an interesting reading to the practicing media persons and the researchers of a bygone era.

The article states: After the imposition of Panchayat, media owned by the government were turned into the service of the regime. If today they are busy eulogizing the post-4 October 2002 'constructive dispensation' of our current leadership, then we need not be surprised.

Special mention has been to The Nepalese Perspective, an English weekly initiated by the government to make a special propaganda in favor of the Panchayat system and its rulers in the west. The founding editors of the weekly were none other than Dr Mohammad Mohsin, the incumbent minister for Information and Communication (MoIC) and Pashupati Shumsher Rana, the chairman of Rastriya Prajatantra Party (RPP).

Writer Onta, has not care to mention that the legacy of laptop puppy in media of the state-owned media continues even after the restoration of the parliamentary democracy in Nepal. The ruling parties have stepped ahead of the erstwhile system by ignoring rules and traditions in order to appoint party cadres in different layers of the government media. Party cadres were filled in posts ranging from top executives like chairmen, general managers and chief editors to the district level stringers by the NC government headed by G P Koirala. After the fall of the NC government, the successor minority government of the CPN-UML did not waste time to revoke all the appointment made by the predecessor government. Needless to mention that Pradip Nepal, the then information and communication minister, did not hesitate to replace 'the incompetent NC cadres by appointing the competent CPN-UML cadres' in the state-owned media. The ruling parties openly misused the state-owned media as per their convenience. In a way, they used state-owned media as recruitment center to feed the party cadres.

Tug of wars for MoIC were clearly visible among the partners of the coalition government during the hung parliament (2051 BS -2056 BS). The expansion of the present cabinet was delayed because of the heavy bargaining on distribution of portfolios of important ministries including (MoIC). NC-D and CPN-UML, the major coalition partners, by all means, wanted to keep MoIC under their grip. Ultimately adamant parties gave in to pave a way for a settlement. As a result Dr Mohasin who is one of the two nominees of the king in the present cabinet bagged the ministry. Dr Mohsin's appointment was a great disappointment to the journalists cum cadres of both the parties. Dr. Onta states in the beginning of the article: "When King Gyanendra's minister Kamal Thapa was admonishing our media not too long ago for being "too sympathetic towards the Maoists and too critical of the government," I was reading about how the Panchayat government had dealt with the media in the early 1960s.

Thapa's tenure as minister for home as well as information and communication in the predecessor government was criticized by one and all when media persons were mercilessly beaten in the streets under his instruction. However, Onta, as a media researcher, should not have ignored the misdeeds of the so-called democrats whose vested interest has ruined the values and norms of the fourth estate as well as that of democratic system in the country. Onta should not have forgotten that Koirala, during his fourth tenure as PM, attacked the fourth estate by arresting the owners and editor of Kantipur under the Act of State Offence for publishing an article written by Dr Babu Ram Bhattarai. Did Koirala not follow the Panchayat legacy of torturing the media persons misusing the state machinery?

Now, it is immaterial whether Dr Mohsin follows the erstwhile Panchayat legacy or post-Panchayat legacy, the morale of the state-owned media will not be boosted beyond that of a tail wagging puppy. Ironically, a bigger section of private media is also dancing in the same tune in front of their visible and invisible masters who do not have any regard for the interest of the country. Media, which should have been the mirror of the society, has remained as magic mirror even after the restoration of the democracy.

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## Law: "Under the Sun-The Nepalese Apex Court"

**By Bashu Dev Phulara**

In today's Nepalese calendar, either the handsome-guys corrupt or the judges. This aphorism is real. If you had an eagle eye, you surely would have noticed what stands out in the moral fiber of the two Supreme Court judges, Verma and Kumar, when they turned into be the recent ostracized "their lords" after their judgment in one famous case of a "heroin smuggling" here in Nepal. There are reports that they are simply the worst judges of the Apex Court. No wonder, the controversial verdict of the two judges to acquit the alleged British drug peddler William Robinson has made leading news in the media. It also came in for attention by the lawyers.

Simply put, it has been more than eighty days since the judges -Krishna Kumar Verma and Baliram Kumar- who were reportedly said to have fallen in love with GWR- abstractedly acquitted him from the huge penalties as such imposed by the Special Court. The judges are now in a tragic honeymoon period. In this solemn moment, one cannot put up with but wonder whether Nepal has been a dreamland for many criminals around the world. All the same, the new hopes have emerged with the latest revision order of the Apex Court.

### SC JUDGMENT CONTROVERSY

Robinson, an international drug-lord was arrested from Tribhuvan International Airport (TIA) on 17 August 2001 while he was trying to take off for Indonesia via Singapore. The police had arrested him with 2 kg and 300 grams of heroin from his shoes and suitcase. The Special Court had sentenced him to 17 years jail and imposed a fine of Rs 1 million on him 18 months ago. However, Apex Court justices Barma and Kumar reversed the decision on April 23, 2004 saying that there was no evidence to convict Robinson.

Since then, the controversy surrounding the judgment is deepening. Moreover, the verdict releasing him had produced a new upheaval among the judicial and legal groups. Many pundits from all quarters condemned the judgment, and this raised a storm, forcing the judges to go on a long leave. More than that many protagonists have been steadily questioning the attitude and leadership of the judges of Supreme Court after this case.

So far, it has been mostly by legal eagles. It is very promising to know that many governmental agencies are also in there. Robinson has been undetectable since his release, although his passport is still believed to be with the Supreme Court. The official immigration records confirm that he has not left the country by air. Whether he has slipped out by other means is totally unknown. Many lawyers, experts and even some of the former judges of the SC address that the acquittal of Robinson was full of errors. The major excerpts as well as a critical appraisal on the judgment, which was also analyzed brilliantly in the different issues of the Katmandu Post and The Himalayan daily, among others, would be synthesized in the following paragraphs that follow:

\* In the judgment, the justices Verma and Kumar speckled that the National Forensic Science Laboratory (NFSL) of Royal Nepal Academy of Science and Technology (RONAST) has not firmly

whispered that the narcotic confiscated from Robinson was pure heroin. The report presented before the court by the lab, however, has clearly pointed out that the tested material from the three samples given to the lab contained narcotic drug. As far as the question of purity of the detained narcotic, as raised by the judges, is concerned, the experts from the lab were of the view that, practically no sample could have one hundred percent pure heroin.

\* The duo justices further expressed their views that it was illegal to interrogate Robinson and prepare charge sheet in the absence of an interpreter. They have also expressed suspicions that the police could have forced him for doing so. Citing an Article 14 (3) of the International Covenant on Civil and Political Rights (ICCPR), they have argued that an interpreter was compulsory during the investigation proceedings.

\* However, it is clear that the covenant has a binding provision of interpreter only in the courts, not during investigation. The article of International covenant reads thus: "In the determination of any criminal charge against him/her everyone shall be entitled to the free assistance of an interpreter if s/he can't understand or speak the language used in the court." In this context, many experts point out that if the police had forced Robinson, he had option to report the issue to the representatives of the British Embassy who were in regular touch with him while his confessional statement was being prepared.

\* The judges have even suspected the police allegation that the bag containing the narcotic drugs that was recovered from the apron of the airplane belonged to Robinson. However, the police have already handed over the evidence that the tags Robinson was carrying. The police investigation, moreover, confirmed that Robinson had hidden some narcotics in his shoes. Commenting on the verdict, many police officers associated with this event have been arguing that the judges might doubt the owner of the bag but what about one of the Robinson's shoes from which some amount of drug was recovered?

\* The judgment has also queried that the narcotic samples tested in the lab were from the same three samplings weighing 3 gram that the special court had sent to the NFSL. The judges queried it founded on the variation of the weights of the three samples. According to the lab report, the three samples considered 2.31, 2.45, and 2.60 grams. Nevertheless, there are the reports that "the variation or difference in weights in this case was very natural since the lab uses an extra sensitive digital weighing machine, which is different than the ordinary one used in the court. The weights differ, even if minutely, in every weighing machine even in the digital balance".

\* Above all, the peddler-GWR finally was released by the justices saying that since there was no explicit evidence that Robinson was guilty of the drug smuggling, he deserved to be released". The many legal eagles for this part even I advocate, "The cases involving the narcotic smuggling are comparatively different than other criminal cases. In a common criminal case, the burden of proof lies on the state, but in narcotic smuggling case, the burden of proof as per the section (12) twelve of Narcotic Drug Act 2033 BS, clearly lies on the accused. That is in this case, Robinson must have been able to prove that he was not guilty. He, however, has not been able to make a defense that he was not involved in trafficking of the detained narcotic. That is what- the reality of the drug scandal is - all about.

#### THE PETITION OF AG'S OFFICE

At a time when the release of Robinson has been dragged into controversy, the Office of the Attorney-General on June 21 filed a petition at the Supreme Court, calling on the latter to review the judgment. The Attorney's Office with its petition claimed that the Supreme Court judgment, issued on April 23 was against the facts and various precedents laid-down by the court. Referring as many as twenty precedents, the Attorney's Office blamed the both judges of releasing Robinson without examining the evidence presented by the prosecutors.

In the petition, the Attorney's Office also blamed Barma and Kumar of not examining the condition of burden of proof and documents prepared while arresting Robinson properly. It also urged that experts' opinions were abandoned and the statements given by witnesses were not considered suitably.

According to the AG's office, the justices did not follow the precedents set by the apex court on the cases like the "Joseph Aaklo vs HMG in 1997, Ravi Gurung vs HMG in 1994, Dik Bahadur Karki vs HMG in 1999, Hem Raj PK vs HMG in 1992, Dipak Arora vs HMG in 1992, Bharat Rai vs HMG in 1991, Rajesh Bajracharya vs HMG in 1999, Bimal Kumar Jha vs HMG in 2003 and Chandra Bahadur Nepali vs HMG in 1994".

The AG's Office claimed that there is no need to appoint any interpreter while taking the statement of any accused. "Since there is no legal obligation to appoint the interpreter, the justices have no right to acquit any of the accused on this ground," the plea states. AG's office also claimed that Robinson's statement was taken in English and translated into Nepali.

#### PENAL REPORT OF NBA

Meanwhile, the full committee of Nepal Bar Association, which was formed to study the controversial verdict, has made public its panel report, and delivered copies of it to the Parliament Secretariat, Supreme Court, Judicial Council and many libraries. Above and beyond, the NBA report has criticized the judgment stating that the SC's verdict on the discharge of Robinson was against the current criminal legal system and there were evidential blunders in it.

The report also affirms that "the judgment acknowledged liberal line while discharging Robinson and the verdict could not be supported since it is against current criminal legal system and various legal precedents developed by the Supreme Court during the last 10 years". In addition, the committee has suggested S.C. to follow the existing criminal laws and modern judicial norms established by the Apex Court precedents. Like a similar fashion, it recommends Supreme Court to strengthen the investigation system in criminal cases and the like.

#### REVISION ORDER OF THE APEX COURT

Regarding the controversy surrounding the Robinson's acquittal, the Supreme Court on June 24 formed a three-member full bench comprising the judges Dilip Kumar Paudel, Keder Prasad Giri and Chandra Prasad Parajuli in order to review the case formally. The SC took the step responding to a plea filed by the Office of Attorney General. As the issue became very sympathetic, the SC has formed the Bench in order to resolve the problem legally.

The Supreme Court in its three pages long order makes it clear that the judges have eroded in releasing the drug-lord Robinson and the verdict provided by them was against the set principles of the Apex court on narcotic drug cases. This is the first time ever in judicial history of Nepal that the Supreme Court handed over the review-case to different adjudicators other than those who were involved in its prime judgment.

#### LEGAL PROVISIONS REGARDING THE REVISION ORDER

Generally, the judges who decide the case are assigned for a review. However, it is not mandatory. As per the Clause 6(1) of the Supreme Court Regulation 1992, the same judges who have decided a case are included, if possible, in the bench for the review. The authorities of the Apex court claim that the Judges, who discharged Robinson, are on leave for a long period. As a result, the Supreme Court has formed the full bench without them. It is said that the Chief Justice has the right to form such a bench excluding judges involved in a prior judgment, if there is no possibility to comprise them.

Immediately after the bench was formed, it ordered the Supreme Court administration to produce copies of Robinson's original case, Judgment rendered by the Special Court, and the verdict rendered by judges Barma and Kumar, before the Bench. The full bench has right to uphold or reverse the preceding judgment of that case. With these above-mentioned developments, one could not wonder but admire the recent revision declaration of the Apex Court. It further indicates that Supreme Court is so much sensitive to the affairs at hand.

#### JUDICIAL COUNCIL'S REPORT

At a time when the review order has been given in the Robinson case, the three-member committee of the Judicial Council formed to study the controversial Robinson Acquittal verdict has, on July 5 submitted its report before Chief Justice and pointed out "incompetence" of Justices Krishna Kumar Verma and the Baliram Kumar while acquitting him from the charges. According to the Supreme Court source, the committee's report submitted to Chief Justice Govinda Bahadur Shrestha has pointed out the "incompetence" of justices Verma and Kumar as follows: This is synopsis of the report, which is also came out to the public in the Kathmandu post daily ,dated 6th July, 2004.

\* The justices had doubted that the material confiscated from Robinson was "pure heroin". In the verdict, they had also argued that no sample of material was available for test to clear the doubt. However, the committee has found nine grams of heroin attached with the file of the case. Their conclusion is that the material from Robinson was heroin.

\* Justices Verma and Kumar had questioned the legality of the report prepared by the Narcotic Drugs Control Law Enforcement Unit on August 17, 2001, when Robinson was arrested. They had questioned the report arguing it was prepared in the absence of an interpreter as required by international human rights covenants. The committee, however, concluded that interpreter was not compulsory since such a report has to be prepared instantly on the spot. The process of preparing report had met legal standard and its legality is unquestionable.

\*Robinson had denied the charges before the court and the justices had interpreted Robinson's denial as one of the strongest grounds for acquittal. Nevertheless, the committee has concluded that the justices should have ordered Robinson to furnish evidence to prove him innocent because the narcotic drug act requires an accused to produce evidence to prove his innocence. The burden of proof falls on Robinson in this case, a fact that the justices had forgotten while giving the verdict.

\* On the basis of Robinson's passport, the committee has found that he frequently visited Nepal since 1977. The committee led by Justice Min Bahadur Rayamajhi comprised of Justices Khil Raj Regmi and Anup Raj Sharma. It was constituted on June 10. The Supreme Court authorities claim that the chief justice would study the report and reach a conclusion.

#### TAKE AN ACTION AGAINST THE "IRRESPONSIBLE" JUSTICES

Though a new revision order of SC itself sets a precedent, where by any earlier decision of the court could be reviewed by other judges, however, some legal experts point out that it was not enough. Every reasonable man knows that the verdict was out of order, but the focal point is to take an action against the irresponsible judges since they have committed the mistake while rendering the judgment. Whatever may be the reasons in rendering the faulty verdict, the dim-witted judges should not be spared.

The report of Nepal Bar Association along with the Judicial Council makes it crystal -clear that legal action should be taken against the justices. But how? This is very important question. The committees recommend to the chief Justice "either demanding the resignation of the concerned judges or their relegation to having no work at all".

Even a member of Judicial Council- Minister of Law, justice and Parliamentary Affairs-Tek Bahadur Chokhyal reveals that the judges must go from their post. He was of the view that it was an unwelcome idea for the judges to hold office while unsavory stories circulate in the market about them. Since the committees of Bar and the Supreme Court found them guilty, they should resign. Therefore, resigning is the best way out. This is all the action can be initiated against them since there is no "House of Representatives"(HR) to impeach them.

Besides, no judges can expect to "make merry" in the absence of parliament. The constitution designates that a SC judge can only be removed by impeachment by a two -thirds majority of the House of Representatives. Some lawyers, therefore, still argue that the judicial council has no authority to take action against a SC judge. It can only do so against Appellate Court and District court Judges. The process, therefore, is likely to be an interesting one for future legal proceedings.

#### WHY THE JUDICIARY IS SLIDING DOWN?

Despite the positive contributions of the Supreme Court in many occasions, over the recent past, some fallacious judgments along with this one, in the name of so-called Judicial Activism, have equally been eroding the conviction, image, status, authority and the democratic ideology of an independent judiciary. Though the judges are well aware with these annoyances, they have yet to ensure that no mall-function is made to the judiciary and the society as well.

There are several logics behind this argument. Take for instance, had Verma and Kumar decided or settled this case properly, it would have been indisputable. Therefore, it is a matter of grave concern that why the judiciary has been loosing credibility among the public. The open issue is; why can't it be more fair and efficient? It is indeed sad to see the nation's pioneer judicial institution is gradually sliding down.

#### HOPES FOR A SOCIO-ENGINEERING JUDICIARY

The recent history suggests that getting the fair justice in Nepal is only a nightmare. The tragedy is that the fair and equitable Justice is thousands of miles away for many poor. The rapid violence and deteriorating situation by the day have made it difficult further to pursuit rule of law in this very himalayan kingdom. At a result, this peaceful motherland has converted into a War-land.



in undemocratic manner, booth capturing, political murders and autocratic culture has become normal democratic practice. Rampant corruption was the root cause of Maoist uprising. Maoist also has outside base and support. The same forces that supported the pro-democratic movement of 1950, 1962 and 1990 are supporting these forces to destabilize Nepal .

If we study how democracy was functioning in Nepal , we will find that there was no democratic culture in any party who ruled the country. Left and Right both ruled jointly without any hesitation and nakedness in corruption, power misuse and enforced mafia-type management where human life became valueless. Many party cadres and leaders became billionaires overnight in the name of "serving people" and now they want power in the name of "regression" prior to election or even without election.

Undoubtedly, the politics of Nepal is influenced by the politics of independent India . The infamous pair Lalu and Rabadi Devi is also relevant in this context. Lalu had made well known but un-convicted criminals even union ministers by his grace. Is this the moral and ethics of India 's famous left and socialist parties? Politicians have long practiced corruption, sheltered criminals and even encouraged criminals by giving them party tickets have established "criminal" democratic culture? Lalu's reign was always protected by congress, neglecting the sufferings of the people and criminalizing politics of Bihar . The infamous Bo-force, Fodder scam etc. is still unresolved and Tahalka like incidence has become normal democratic culture

It is noteworthy to gaze factual Indian history of independence, which might be helpful to understand the current situation.

British gave freedom to India not just because the Gandhiji's wanted. They (British) were compelled to leave India due to shortage of manpower to control the colony as they faced great loss and heavy casualty in Second World War. That was the sole cause of giving freedom to India . Even Azad Hind Fauz of Netaji defeated British in Imphal. Gandhi and Nehru both vehemently opposed Netaji and supported British; in another word they openly denounced the freedom.

Sir Winston Churchill had clearly emphasized "if there would have been few more Gandhis' were born in India , we could have ruled that country for few more centuries." Nehru was so excited; he was even ready to take arms against Netaji. Who dedicated his life for the freedom of India . Nehru had an agreement with British to hand over Netaji whenever he will be arrested. That's the reason why British handed power to Nehru instead of Shardar Ballave Bhai Patel when they left India .

The only place in our 'planet earth' where slaves managed to enslave was India and established a slave dynasty that ruled the country for decades. It shows how India is unconcerned who ever the ruler may be. That's why Gandhiji's "ahinsa" was overly glorified and praised but it failed in Kashmiri context. They fought many bloody wars, why? Even in twenty first century when India became a Nuclear power (why & what for?) and had practiced democracy for more than half a century. Sonia a foreign born lady has become a central power, without any constitutional definition. Is this, not the uniqueness of Indian democracy? The most powerful person of the biggest democracy of the world is a pawn and responsible to only one person. Can this be glorified as a glittering example of democracy or a curse?

The politics and corruption between the two countries cannot be compared in equal terms, however there are similarities. Without violence and murder there is no history of any elections conducted in Nepal or in India . How can an election be free and fair when there is always murder and violence? The fate of Nepal , the only Hindu kingdom is very gloomy due to prolong Indian interference. Nepal is never allowed to choose its own path. The first intervention and naked aggression was from India . When handful of NC men who supported the theory of greater India , became the tools for aggression and launched armed conflict in the name of NC in 1950. Since then Nepal drifted below the poverty line from 27th position to 1st position. NC leaders always planned armed attacks from 1962 continuously for more than two decades from India . India wanted to make its first victim Nepal not Sikkim, due to diplomatic skill of late king Mahendra Nepal was saved, after him 'South Block' succeeded in its effort to have control on Nepal like Bhutan, through its henchmen.

The leadership emerged after 1990 revolution was not able to fulfill all the wishes of their masters even after they were elected many times and were in majority. That's why our mighty neighbor started supporting this new force. Time, practice and experience proved it to be correct. Otherwise, why India supports Kingship in Bhutan and opposes in Nepal, when millions of people are thrown out of their own country as refugees in India and India pushed them inside Nepal and fully supports Bhutanese King for his inhuman and ghastly acts for more than a decade.

For the present precarious condition of Nepal there are many responsible parties who cannot be excused or exempted from blame. India should think with a cool head not to disturb its neighbor politically or economically otherwise the volatile condition of the tiny kingdom would bring disaster for the region.

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## Analysis: "Tentative Political Coherence and Insurgent Consolidation"

**By P.G. Rajamohan**

There is qualified good news from Nepal, with the major democratic parties breaking through the political logjam that has persisted for nearly 20 months. Prime Minister Sher Bahadur Deuba's new Government has successfully convinced its allies, the Communist Party of Nepal - United Marxist Leninist (CPN-UML), the Rashtriya Prajatantra Party (RPP) and the Nepal Sadbhawana Party (NSP) to participate in his Cabinet. On June 30, the Government finally announced its 43-point Common Minimum Programme (CMP), which constitutes the basis for the allies' cohabitation.

The four constituent parties, including Deuba's Nepali Congress - Democratic (NC-D), were part of the 'anti-regression' movement directed against King Gyanendra's 'activism' and, in joining the newly formed 'all-party' Government, have declared that the 'regression' had ended. However, Prime Minister Deuba's chief political rival, Girija Prasad Koirala's Nepali Congress (NC), which decided to remain outside the Government, criticized the present arrangement as a 'continuation of regression'.

With Deuba's return to power, the country has, in one sense, come full circle. Deuba's elected Government had been dismissed by King Gyanendra in October 2002 on charges of 'incompetence' for its failure to resolve the crisis caused by the Maoist insurgency, and to hold fresh elections. It was succeeded by the Lokendra Bahadur Chand and the Surya Bahadur Thapa regimes nominated by the King under the disputed Article 127 of the 1990 Nepal Constitution, but the crisis has, if anything, escalated, and the very possibility of holding elections in the country today is minimal. The restoration of a Government under Deuba, though this action is also under the authority of the controversial Article 127, is significant not only in the sense that it appears to right a past wrong, but also in the fact of the present Government's coalition character and the presence of two major parties of the dissolved Parliament of 200 - the CPN-UML and the NC-D.

As with past regimes, the 'All-Party' Government has emphasized the seriousness of the Maoist insurgency and the need to resolve it. The CMP, consequently, states that, "peace talks will be prioritized with maximum flexibility for a dignified political solution that is acceptable to all in national politics on the basis of national consensus for restoration of sustainable peace in the country." Immediately after his appointment, Prime Minister Deuba made a public statement inviting the Maoists to come forward for holding 'honest talks', adding that his twin objectives were to restore peace through dialogue with 'maximum flexibility' and to hold election.

Significantly, when Deuba came to power for the first time in 2001, he brought the Maoists to the negotiating table with enormous expectations for a peaceful resolution of the insurgency. However, the talks broke down in November 2001 after the Maoists stuck to their demand for elections to a Constituent Assembly, which the Government rejected. The Government has now pronounced its willingness to form the Constituent Assembly on the basis of 'national consensus'. A second round of peace talks in 2003 began with high hopes but ended in escalated violence. Deuba has confidently claimed that he can get the Maoists back to the negotiating table.

The inclusion in the Government of the CPN-UML, which has elements of ideological compatibility with the Maoists, is also a positive development. The Secretary of the CPN-UML, Madhav Kumar Nepal, has reiterated that elections are not possible without solving the Maoist problem and has stressed a solution through peaceful means. Madhav Kumar Nepal held a clandestine meeting at Lucknow in the Indian state of Uttar Pradesh on November 20, 2003, with the Maoists' 'supreme leader', Pushpa Kamal Dahal alias Prachanda, immediately after the collapse of the second round of peace talks. The CPN-UML has said that it is prepared to meet the Maoists demands for holding a roundtable conference, for the formation of an interim government and for the election of a Constituent Assembly to draft a new Constitution. The spokesperson of CPN-UML and its Central Committee member, Pradip Nepal, has asked for the declaration of a unilateral ceasefire to create a conducive climate for peace talks.

While the formation of the Deuba Government is a major and positive development in the country's unruly democratic politics, it is not clear that it will immediately advance the movement to resolve the crisis of the Maoist insurgency. The Maoists' first reactions to the Deuba Government have, at best, been mixed. Baburam Bhattarai, the 'second-in-command' in the Maoist hierarchy, had stated, "The main thing is that the dialogue should not be held just for the sake of holding it - it should be aimed at progressive restructuring of state power. We are not willing to hold dialogue just for the sake of it. However, if there is a credible effort for negotiation for achieving progressive restructuring of state power, we are always ready." Prachanda, who initially dismissed Deuba's appointment as a continuation of the 'imperialist regime', later demanded United Nations mediation in the peace process. Deuba has not ruled out this alternative, asserting that, "All options that can lead to a concrete solution are welcome".

The Maoists' sincerity in engaging in a 'peace process' must, however, remain deeply suspect. Not only have they already abandoned negotiation on two occasions, launching ferocious attacks on the security forces, Government installations and the civilian population, but the exploitation of negotiations as a tactic for consolidation is both an integral part of their ideological perspective, and a demonstrable element in their past practice. Given the success of this strategy, and the current and expanding sweep of their influence, there can be little reason to believe that the Maoists would bring anything less than maximalist demands to the negotiating table

The trajectory of the Maoist rampage since the beginning of the movement in 1996 is interesting. In the first five years, they were able to establish their strongholds in three districts of the Midwestern Region, Rolpa, Rukum and Jajarkot, at which stage the Maoists declared a cease fire in July 2001 and entered into negotiations with the Government. This 'peace process' ended with the attack on the military camp at Dang, and a phase of widening and escalated violence, with the Army engaging against the Maoists for the first time. When the Maoists returned to the negotiating table in January 2003, the entirety of the Far Western, Midwestern and Western Region had virtually passed out of Government control, and at least 68 of the country's 75 districts were severely affected by the insurgency. After talks 'broke down' on August 27, 2003, the insurgency entered its bloodiest phase, with the Government presence progressively reduced to the urban centers and district headquarters virtually across the country, and no single district - including the capital, Kathmandu - entirely outside the ambit of Maoist violence.

Over the past ten months of violence, the Maoists have engaged in a systematic and strategically coherent campaign to break down the country's administrative structure. Mayors, Village Development Committee (VDC) Chairmen and members, and Government employees have been targeted for intimidation and selective elimination. The insurgents have killed the Mayors of Birgunj, Butwal and Pokhara, and have forced the nominated members of a majority of VDCs and ward offices to resign from their posts. Reports indicate that the insurgents have destroyed more than 40 per cent of the total administrative infrastructure, especially in the rural areas. Virtually all rural police stations have been abandoned, and a majority of these have been torched by the Maoists.

In the absence of the Governmental apparatus, the Maoists have established their own 'People's Governments' and 'People's Courts' at the village, district and regional level. Reports indicate that at least 21 district level 'people's governments' and nine 'autonomous regional people's governments' have been established.

The Maoists are now levying 'taxes' based on personal income in the regions of their domination. So far, only teachers had been subjected to this rule, paying a month's salary in every four months, but now all salaried individuals will have to pay an annual 'tax' amounting to 13 days of their salary. Farmers are also required to pay tax according to the size of their landholdings. The insurgents have also ordered non-governmental organizations (NGOs), international non-governmental organizations (INGOs) and community-based organisations to pay tax to the respective 'district people's government', and to secure written permission to operate their projects in such areas.

Clearly, the Maoists are gradually transforming their insurgency into a self-reliant political movement with the establishment of enduring structures of administration. Militarily, the Maoists have graduated from crude home made weapons and arms snatched from the police and security forces, to a far more sophisticated arsenal, including a limited supply of AK-series rifles, and have acquired significant skill in the manufacture and use of a range of explosive devices and other small arms to sustain the war. The Maoists have also secured access to a high-tech communications network that comprehends wireless systems, cell phones and the Internet, to coordinate their activities in and around the country.

Since the collapse of the cease-fire on August 27, 2003, the escalated violence has killed an estimated 3,217 people including, 394 civilians, 529 security force personnel and 2,294 Maoists. While the disproportionate fatalities inflicted on the 'Maoists' may suggest increasing pressure on the insurgents, this is far from the case, and most of these fatalities have been peripheral cadres and sympathizers, with little of the core of the armed strength affected. The total fatalities in the eight-year-long insurgency have now exceeded 10,000, with the injured and mutilated numbering more than 50,000. There have been an estimated 250 bomb blast incidents across the country since August 27, 2003, with many of these located in markets and on public transport. At the same time, the insurgents have combined a programme of mass intimidation with indoctrination camps, where abducted civilians are forced to attend undergo training and 'corrective learning', and these have particularly targeted students, teachers and poor labourers from the Western, the mid-Western and the Eastern regions as a part of their 'People's War' strategy. Since September 2003 and till June 2004, more than 16,000 civilians, mainly teachers and students, have been abducted and put through such camps in various parts of the country. Further, the Maoists students organization, the All Nepal National Independent Students Union - Revolutionary (ANNISU-R) has organized a series of strikes in educational institutions and is also involved in the process of creating a combat force on its own, with a targeted membership of over 4,00,000.

Clearly, the Maoists cannot be expected to easily give away at the negotiating table what they have won in the war. There is, moreover, persistent confusion among the constitutional forces, including the King and the political parties, on how to deal with the insurgency, and the rhetoric of a 'negotiated solution' continues to militate against the realities of the sustained Maoist expansion. While the installation of an 'All Party' coalition at Kathmandu is, consequently, good news at the political level, there is clearly a very long struggle ahead before a working democracy can be restored in the insurgency wracked country. It is only after the country's constitutional leadership manages to raise itself out of its petty rivalries and personal animosities, and recovers the will and determination to confront the more intractable tasks of governance, that the possibility of the restoration of a democratic order can be conceptualized.

(Author is Research Associate for Institute for Conflict Management. This article was also published in South Asia Intelligence Review. - Ed.)

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## Healing: "The more you give, the more you get"

**By Hirokazu Kobayashi**

When I was 16 years old I had asthma and was very sick. I was worried about my life. I couldn't go to high school a lot. One day while I was laying in bed a ball of light suddenly appeared in front of me. This ball of light came from my closet and went into my body. This light ball could speak Japanese. It told me stories about my abilities in healing. It spoke to me for about 40 minutes. Then the light ball came out of my body and went back into the closet. I don't know what it is but the next day I got my healing power.

My body changed a lot. I could feel energy since then. I have been working in Japan and other countries as a healer. The light ball has been my energy source. Thai people call it Dewada, Angel or fairy, a higher being. But this is the source of my healing. Actually, this is not my power. Some people have recovered from serious illness, but there are many people whom I couldn't help. I can ask the light balls about the problems people have and they will send energy to me to heal illnesses. I don't know what these light balls are. They give me, and us, a lot of good things. So if you ask the Universe for help it is going to help you. I don't guarantee how much it will work, but I know the light balls want to help humans. They (the light balls) are interested in helping in human life.

### What I feel about Nepal & Nepali:

- + I am very much interested in Nepali culture and life of the people.
- + Try to heal more people to spread good vibration to whole Nepal. And from Nepal to whole world.
- + Nepal is holistic country (I feel that).
- + I believe that "God" take me to here to make good relation with Nepali people and I love Nepal.
- + I respect Nepali religion & all Nepali people.
- + Through my session, if many people accept power, there will be many healers who can heal themselves and others.

- + I can transfer healing ability to many people then if this good vibration spread all over the Nepal; I think many good things will happen. So, I am very happy to meet many people in Nepal.
- + This power comes from another world. Light balls want to help a lot of people. So I want to try to make many channelers for receiving power from them.
- + I am very happy to work together with Nepali people.



## Support: "Addressing the Need for Education in Nepal"

*By Nikhil Jaisinghani*

### Deep Roots Nepal

Today in Nepal, where the average annual household income is \$250, the \$25 it costs a family to send a child to school for a year is often an impossibility. Only 16% of all eligible Nepali students are able to overcome poverty and political instability, corruption and chronic under-funding to remain enrolled in school through grade ten.

Yet education is not a luxury; it is a right and a requirement for a prosperous, promising future—whether for a child or a country.

Deep Roots Nepal (DRN) was created in 2003 to provide a secure source of funding to outstanding Nepalese students who could not otherwise afford to attend school. With the help of carefully selected local NGO partners, DRN identifies students in rural areas of Nepal who have demonstrated academic excellence, but who are at risk of leaving the public educational system due to economic hardship. DRN subsidizes the tuition, textbook, and school supply expenses faced by these students and their families, while monitoring their progress throughout the remainder of their education. Because of the special challenges and inequities they face, DRN is committed to providing half of their scholarships to orphaned children and two-thirds of their scholarships to young women.

### Program Description

Deep Roots Nepal (DRN) identifies secondary school (grades 6 to 10) students from rural areas of Nepal who demonstrate both academic excellence and economic disadvantage. DRN pays or subsidizes the minimal tuition, textbook, and school supply expenses faced by these students throughout the remainder of their secondary education. To identify potential scholarship recipients, DRN asks selected local NGOs in Nepal to nominate students who have displayed academic excellence but who are at risk of leaving the educational system due to economic hardship. The NGO worker or organization that nominates a student is committed to assist with monitoring the student's progress through the remainder of his education. The renewal of a student's scholarship each year is contingent upon his attendance and satisfactory performance in the prior year.

### The Morning Star Orphanage Sponsorship Fund

The Morning Star Orphanage, located just outside the city of Kathmandu, is a locally organized and run orphanage with 56 impoverished, abandoned orphans. Though these children are fortunate enough to have found a caring home, the orphanage is still mainly funded by Bishnu Parajuli, the founder of the orphanage. By providing for the educational needs of these 56 children, Deep Roots Nepal is helping the Morning Star Orphanage be more sustainable and allowing it to expand to take in more unfortunate children.

### Rural Student Scholarship Fund



Though Nepal's physical size is small, it is tremendously diverse both culturally and economically. Leaving the Kathmandu valley, brick houses give way to mud huts, paved roads dwindle to dirt footpaths, gas stoves yield to traditional fire "chulos". The average daily salary is about 60 US cents, but in rural areas it is even lower. School fees of 100 rupees (about \$1.50) are a luxury much of the rural population cannot afford. In the spirit of other Deep Roots programs, Deep Roots Nepal seeks poor but talented students in rural areas and supports them financially through the completion of their schooling. Deep Roots can provide one year's worth of school fees, textbooks, and school

supplies for a student for as little as \$25.

You can find out more about Deep Roots Nepal by visiting them on the web at [www.deeproofs.org/nepal](http://www.deeproofs.org/nepal) or by emailing them at [nepal@deeproofs.org](mailto:nepal@deeproofs.org).

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## Diaspora: "INLS Updates including Election"

### १. अनेसासद्वारा विभिन्न राष्ट्र तथा अमेरिकाका विभिन्न शहरहरूमा भानु जयन्ती समारोह सम्पन्न

अन्तर्राष्ट्रिय नेपाली साहित्य समाज (अनेसास) मुख्य कार्यालय वासिंगटन डि.सी. र अनेसास डि.सी. मेट्रो शाखाको संयुक्त आयोजनामा १९१ औं भानु जयन्ती गत जुलाई ११ का दिन स्थानीय लेसल्भेनिया पार्क, भर्जिनियामा विभिन्न कार्यक्रमको आयोजना गरी भव्यरूपमा मनाइयो। यसै गरी अनेसास पोर्चुगल, क्यानाडा, साउदी अरेबिया, जापान, रशिया, बेलायत, टेक्सास डलास, हुस्टन, अरिजोना नभादा, र न्यूयोर्क शाखाहरूले आ-आफ्ना क्षेत्रमा विभिन्न कार्यक्रमहरूको आयोजना गरी गत सप्ताहान्तमा भानु जयन्ती मनाएका छन्। कोलोराडो र कनेक्टीकट शाखाहरूले आउंदो सप्ताहान्तमा सो जयन्ती मनाउने कार्यक्रम राखेका छन्।

मुख्य कार्यालय र डि.सी. मेट्रो शाखाको संयुक्त आयोजनामा भर्जिनियामा सम्पन्न साहित्यिक समारोह अनेसास ट्रष्टी बोर्डका अध्यक्ष तथा बरिष्ठ साहित्यकार श्री होमनाथ सुवेदीको सभापतित्व एवं कार्यवाहक शाही नेपाली राजदूत श्री रुद्र नेपालको प्रमुख आतिथ्यमा भएको थियो। प्रसिद्ध वेदान्ती स्वामी डा. रामानन्द गिरी र हिन्दू विद्यापिठका प्राचार्य डा. भोला योगीको समेत समुपस्थिति रहेको सो समारोहमा स्थानीय डि.सी. मेट्रो क्षेत्र लगायत रिचमोण्ड एवं न्यूयोर्क सम्मबाट साहित्यानुरागीहरू उपस्थित भएका थिए।

आदिकवि भानुभक्तको तस्वीरमा माल्यार्पण र श्रद्धाञ्जलीबाट शुरु भएको उक्त समारोहमा अनेसास ट्रष्टी बोर्डका सहअध्यक्ष श्री भीम रेग्मीले भानुभक्तको कृतित्वका बारेमा चर्चा गर्नु भएको थियो।

### २. डि. सी. को समारोहमा अनेसासका गतिविधि बारे प्रकाश

सो समारोहमा अनेसासका निवर्तमान अध्यक्ष एवं ट्रष्टी श्री पुरु सुवेदीले संस्थाले विगतका वर्षहरूमा हासिल गरेका उपलब्धी र भविष्यमा गर्नु पर्ने कामहरूको बारेमा प्रकाश पार्नु भएको थियो। अध्यक्ष सुवेदीले अनेसासको विश्वव्यापीरूपमा भएको अत्यन्त उत्साहप्रद विस्तारको चर्चा गर्दै अनेसासको विश्वव्यापी कार्यजालो ९६लेख नयिदवा लभतधयचप० ३४ वटा शाखा एवं प्रतिनिधि मार्फत संसारका १९ वटा देशमा फैलिएको बताउनु भयो। यसै गरी श्री सुवेदीले अनेसासको गतिविधिको चर्चा गर्दै विभिन्न साहित्यिक कार्यक्रमहरूको आयोजना, साहित्यिक पत्रिका अन्तर्दष्टिको प्रकाशनका अतिरिक्त हालसम्म झण्डै रु. एकलाख बराबर रकमका ५ विभिन्न साहित्यिक पुरस्कारहरूको स्थापना, १६ वटा नेपाली भाषामा लेखिएका विभिन्न साहित्यिक पुस्तकहरूको प्रकाशन एवं अष्ट्रेलिया र अमेरिकाका विभिन्न शहरहरूमा गरी ८ स्थानमा नेपाली भाषा तथा संस्कृति विद्यालयको संचालन गरिएको जानकारी गराउनु भयो। यी सबै कार्यहरू मार्फत नेपाली भाषा, साहित्य र संस्कृतिको जगेर्ना गरी नेपाली पहिचानलाई संसारका विभिन्न मुलुकमा फैलिएको नेपाली जाति बीच जीवन्त राख्ने अनेसासको यस अभियान अझै तीव्र बनाउने प्रयास नव निर्वाचित कार्य समितिबाट हुनेछ भन्ने विश्वास व्यक्त गर्नु भयो।

### ३. अन्तर्राष्ट्रिय नेपाली साहित्य तथा संस्कृति केन्द्रको स्थापना गरिने

सो समारोहमा बोल्दै गैरआवाशीय नेपालीहरूको संस्थाका उपाध्यक्ष एवं अनेसासका ट्रष्टी डा. श्याम कार्कीले संसारका ५० राष्ट्रमा छरिएर रहेका नेपालीहरूले अनेसासका गतिविधिलाई ठूलो उत्साहका साथ हेरीरहेको बताउनु भयो। वहाँले आउंदो सन् २०१० भित्र यस क्षेत्रमा अन्तर्राष्ट्रिय नेपाली साहित्य तथा संस्कृति केन्द्रको स्थापना गरी आदिकविको सालिक स्थापना गर्ने योजना शुरु गर्न समाजको कार्य समितिलाई आग्रह गर्दै सो योजनाको कार्यान्वयनमा आफूले सक्दो योगदान गर्ने घोषणा गर्नु भयो।

अनेसासका नव निर्वाचित अध्यक्ष श्री दुवसु क्षेत्रीले अनेसासको अभियानलाई नयाँ उँचाई दिन आफू र नयाँ कार्य समितिमा रहनु भएका मित्रहरू सदैव क्रियाशील रहने बताउँदै डा. श्याम कार्कीले प्रस्ताव गर्नुभएको केन्द्र स्थापनाका लागि तुरुन्त कार्य प्रारम्भ गरिने जानकारी गराउनु भयो। सो प्रस्तावलाई अनेसास ट्रष्टी बोर्डका सदस्यहरूले पनि अत्यन्त सकारात्मक रूपमा लिएका छन्।

#### ४. अनेसास मुख्य कार्यालयमा नयाँ कार्य समिति

यस अघि सो समारोहमा अनेसास निर्वाचन समितिका सदस्य सुनु प्रताप के. सी. ले निर्वाचन नतिजा अनुसार आगामी २ वर्षे कार्यकाल (२००४ देखि २००६) का लागि देहायका महानुभावहरु अनेसास मुख्य कार्यालयको कार्य समितिमा निर्वाचित हुनु भएको जानकारी गराउनु भयो ।

श्री दुवसु क्षेत्री, नेपाल (हाल न्यूयोर्क)	अध्यक्ष
श्री गोपाल रेग्मी, अमेरिका	उपाध्यक्ष
डा. मधु माधुर्य, रशिया	महासचिव
श्री सागर श्रेष्ठ, साउदी अरेविया	सचिव
श्रीमती कल्पना सत्याल, अमेरिका	कोषाध्यक्ष

#### ५. डि. सी. को समारोहका प्रमुख आकर्षणहरु

सो समारोहमा प्रमुख अतिथि कार्यवाहक शाही नेपाली राजदूत श्री रुद्र नेपालले अनेसासद्वारा हालै प्रकाशित दुई पुस्तकहरु कवि गोपाल पराजुलीको महाकाव्य “नयाँ ईश्वरको घोषणा” र कवि विष्णु बहादुर सिंहको मुक्तक संग्रह “अनुभूतिका सड्ला पानाहरु” को विमोचन गर्नु भएको थियो । वरिष्ठ साहित्यकार श्री होमनाथ सवेदीले ती पुस्तकहरुको समीक्षा प्रस्तुत गर्नु भएको थियो ।

कार्यक्रममा विभिन्न कविहरुले कविता पाठ गर्नु भएको थियो । सोही अवसरमा आयोजित भलिबल प्रतियोगितामा कालीगण्डकी ए प्रथम र काली गण्डकी वि द्वितीय भएका थिए । विजयी टीमलाई नव निर्वाचित अध्यक्ष श्री दुवसु क्षेत्रीले पुरस्कार प्रदान गर्नु भएको थियो ।

जुलाई १३, २००४

गोपाल रेग्मी  
उपाध्यक्ष, अनेसास

#### Activities: "Bhanu Jayanti: London, Riyad, Dallas, Denver, Conneticut, Boston"

##### लन्डनमा कवि गोष्ठी आयोजना तथा भानुजयन्ती सम्पन्न

गत हप्ता भानुजयन्तीका अवसर पारेर अन्तर्राष्ट्रिय नेपाली साहित्य समाज यूके च्याप्टरले जुलाई १३, २००४ का दिन लन्डनमा भानुजयन्ती मनाउनुका साथै कवि गोष्ठीको आयोजना गर्‍यो । रसेल स्क्वायरस्थित युनिभर्सिटी अफ लन्डनको स्कूल अफ अरियन्टल एण्ड अफ्रिकन स्टडीजको हलमा सम्पन्न उक्त कार्यक्रम अनेसास यूकेका अध्यक्ष पोषेन्द्र सत्याल प्रभातको सभापतित्वमा सम्पन्न भएको थियो । उक्त कार्यक्रमका प्रमुख अतिथि वरिष्ठ साहित्यकार तथा प्राज्ञ कवि वैरागी काइलाले हुनुहुन्थ्यो । अन्य अतिथिहरुमा स्कूल अफ अरियन्टल एण्ड अफ्रिकन स्टडीजको नेपाल, तिबेटन तथा हिमालयन स्टडीज विभागका डीन प्रा. डा. माइकल हट, नेपाली राजदूतावासका मिनिस्टर काउन्सेलर डिप्टी चिफ अफ मिसन दिपेन्द्र विष्ट, अनुसन्धता डा. रमेश ढुंगेल र साहित्यकार मुक्तिनाथ शर्मा हुनुहुन्थ्यो ।

आदिकवि भानुभक्त आचार्यको तस्वीरमा प्रमुख अतिथि वैरागी काइलाले माल्यार्पण गरेपछि मन्तव्य र कवि गोष्ठीको कार्यक्रम शुरु गरिएको थियो । चीरपरिचित आफ्नो सुरिलो आवाजमा वीवीसी नेपाली सेवाका कार्यक्रम सन्चालक तथा अनेसास यूकेका महासचिव भगीरथ योगीले कार्यक्रमको सन्चालन गर्नु भएको थियो । सर्वप्रथम अनेसास यूकेका तर्फबाट आगन्तुक तथा सहभागीहरुलाई स्वागत गर्दै आफ्नो स्वागत मन्तव्यमा संस्थाका गतिविधिहरु र भावी कार्यक्रमहरुमाथि प्रकाश पार्दै पोषेन्द्र सत्याल प्रभातले यूकेभरि छरिएर रहेका नेपाली साहित्यका अनुरागीहरुलाई आफ्नो मनका भावना पोखेर साहित्य सिर्जना गर्न अनेसास यूकेले सदैव घच्चच्याउने छ, भन्नुभयो ।

मन्तव्यका क्रममा अनुसन्धाता डा. रमेश ढुंगेलले भानुभक्तको जीवनी, बहुआयामिक व्यक्तित्व र कृतित्वका बारेमा चर्चा गर्नु भएको थियो । नेपाली राजदूतावास लन्डनका दिपेन्द्र विष्टले बेलायतमा शेक्सपियरको जन्मस्थललाई पर्यटकीय केन्द्रको रूपमा विकास गरे जस्तै नेपालमा पनि भानुभक्तको जन्मस्थललाई पर्यटकीय केन्द्रका रूपमा विकास गर्न सबैले सहयोग गर्नु पर्छ भन्नुभयो । अर्का वक्ता साहित्यकार मुक्तिनाथ शर्माले बेलायतमा आएर पनि नेपाली साहित्यका कार्यक्रमहरु सन्चालन भएको देख्दा आफू हर्षले गद्गद् भएको बताउनु भयो र भविष्यमा यस्ता कार्यक्रमलाई अझ व्यापक बनाउनु पर्ने सुझाव दिनु भयो । सोही अवसरमा नेपाल, तिबेटन तथा हिमालयन स्टडीज विभागका डीन प्रा. डा. माइकल हटले छ वर्ष अघि भानुभक्तको जन्मस्थल तनहुँ चुादी रम्घामा भएको भानु जयन्ती कार्यक्रमको स्लाइड प्रदर्शन गर्नु भएको थियो । प्रा. डा. हटले आफूले नेपाली भाषामा लेखेको

कविता पनि वाचन गर्नु भएको थियो । कवि गोष्ठीमा कवि भीष्म उप्रेतीका 'कवितामा पहाड' शीर्षकका दुई कविता, भगीरथ योगीको 'माटोको माया आमाको संभना', पोषेन्द्र प्रभातको 'नया वर्षको अधिल्लो रात', लता गौतमको 'मेरो देशको हालखबर' लगायतका प्रायः सहभागीहरूका कवितामा प्रवासमा बस्दा भूभक्तिको देशप्रेमका भावना भेटिन्थ्यो । सोही अवसरमा रविन्द्र मिश्रको गीत र जयन्ती स्पन्दनको 'आमाछोरी' संयुक्त कविता संग्रहबाट 'किन रुदैछन् आत्माहरु' वाचन गरिएको थियो ।

अहिले लन्डनमा रहनु भएका समारोहका प्रमुखअतिथि वरिष्ठ साहित्यकार तथा प्राज्ञ कवि वैरागी काडालाले नेपाली भाषालाई मानवीकरण गर्न र नेपाली बाहेकका जातिमा नेपाली भाषालाई लोकप्रिय बनाउन भानुभक्तको योगदान अविस्मरणीय रहेको छ, भन्नुभयो । वैरागी काडालाले एक सयवटा जाति र बयानबन्धे वटा भाषा बोलिने नेपालमा भानुभक्तिय रामायणको लोकप्रियताले नेपाली भाषालाई मुख्य संपर्क भाषाको रूपमा विकास गर्न र नेपाललाई एकजुट राखी राख्न ठूलो योगदान पुर्याएको चर्चा गर्नु भयो । उक्त अवसरमा अनेसास मुख्य कार्यालय वासिङ्टन डि सी का बोर्ड अफ ट्रस्टीजका सभापति होमनाथ सुवेदीको शुभकामना सन्देश पढेर सुनाइएको थियो । कार्यक्रमका अन्त्यमा अनेसास यूकेका उपाध्यक्ष चन्द्र प्रकाश देवकोटाले धन्यवाद ज्ञापन गर्दै संस्थाका भावी कार्यक्रमहरूमा सबैको सहयोग र सद्भाव प्राप्त हुने अपेक्षा राखेको बताउनु भयो । कार्यक्रम सकिएपछि अतिथिगण र उपस्थित महानुभावहरू संस्थाले आयोजना गरेको जलपान समारोहमा सरिक हुनु भएको थियो ।

पोषेन्द्र सत्याल प्रभात

अध्यक्ष, अन्तर्राष्ट्रिय नेपाली साहित्य समाज यूके च्याप्टर

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साउदी अरबमा भानु जयन्तिको उपलक्षमा ४ कृति विमोचित तथा अर्न्तकृत्या कार्यक्रम सम्पन्न

नेपाली साहित्य क्षेत्रका एक प्रमुख स्तम्भ आदि कवि भानुभक्त आचार्यको १९१ औं जन्म जयन्तिको पावन अवसरमा अन्तर्राष्ट्रिय नेपाली साहित्य समाज साउदी अरेबिया च्याप्टर तथा चौतारी समूह नेपालले साउदी अरबका विभिन्न क्याम्पहरूमा गई नेपाली दाजुभाइहरूबिच अर्न्तकृत्या कार्यक्रम सम्पन्न गर्‍यो । उक्त अवसरमा अन्तर्राष्ट्रिय नेपाली साहित्य समाज केन्द्रिय बोर्ड वासिङ्टन डि.सीका सचिव, अन्तर्राष्ट्रिय नेपाली साहित्य समाज साउदी अरेबियाका सभापति तथा चौतारी पाक्षिक खबर पत्रिकाका प्रधान सम्पादक श्री एल. वि. (सागर) श्रेष्ठले अर्न्तकृत्या कार्यक्रममा नेपाली साहित्य भाषा र संस्कृति हाम्रो सम्पत्ति हुन् त्यसैले यसलाई नारामा हैन ब्यवहारमा लागु गर्न हामी सबै एक जुट हौं । नेपाल र नेपालीको पहिचान लाई जहान नेपाली छन् त्यहान जीवन्त र दिगो राख्न एक हौं । अन्तर्राष्ट्रिय नेपाली साहित्य समाज वासिङ्टन डि.सीबाट सुरु भएको यो साहित्यिक यात्रामा हातमा हात मिलाएर अगाडी बढ्नकोलागि आह्वान गर्नु भयो । उक्त एक हप्ते लामो कार्यक्रम पश्चात बृहत नेपालीहरूमाथि अन्तर्राष्ट्रिय नेपाली साहित्य समाज साउदी अरेबिया च्याप्टर तथा चौतारी समूह प्रकाशन विभागले एकै पटक ४ वटा साहित्यिक कृतिहरू (माया थापाद्वारा लिखित मायाको साईनो कविता, निलन कुमार महर्जनद्वारा लिखित आज फेरी बेड फेरिन्छ,, खेमनाथ पौड्यालको अथक प्रयास पछि प्रवासी नेपालीहरूले भोग्नु परेका दुःख पिडाहरूको संगालो मरुभूमिको पिडा र अनेसास वासिङ्टन डि.सीबाट प्रकाशित हुदै आईरहेको साहित्यिक त्रैमासिक पत्रिका अन्तर्दृष्टि साउदी अरेबिया अंक विमोचन तथा सार्वजनिक गरियो । उक्त अवसरमा प्राय नेपालीहरू विदेशी भूमिमा पनि नेपाली साहित्यिक रचनाहरू पढ्न पाएकोमा अत्यन्त खुसी देखिनुहुन्थ्यो

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191st Bhanu Jayanti Celebrated at Dallas, Texas

International Nepali Literary Society (INLS) Texas Chapter and its School of Languages and Cultures of Nepal jointly marked 191st Bhanu Jayanti celebrations on July the 10<sup>th</sup>. On this occasion children's poem competition was organized. Child poets Kazal Lamichane, Astha Karki, and Jasica Bhandari were awarded first, second and third prizes respectively, Nikita chapagain and Nischal Bhandari won consolation prizes. A three-member judge panel consisting of INLS Texas Chapter Vice President Basu Bhandari, General Secretary Gouri Joshi and local Lions club coordinator Ajay Chochon officiated the Children's poem competition.

A poetry-citing program was also organized, poets Keshav Lal Shrestha, Nirmala Rai, Chandra Nagarkoti, Basu Bhandari, Basu Sharma, Harihar Bhandari, and Bhim Karki cited poems. Basu Bhandari recited Bhanu Bkakta Acharya's "Ghansi". INLS Texas chapter secretary Basu Sharma shed light on Pioneer Poet's contribution in unification of Nepali language and literature. INLS Texas Chapter President Bhim Karki thanked poets, judges and audiences for their participation. A light Nepali snacks was also provided. Program was hosted by Nepal Education Committee Coordinator

Nabin Chapagain and chaired by Dr. Kundan Pandey. Flower bouquet was extended in Bhanu Bhakta's photo in the beginning of the program.

Bhim Karki  
President  
International Nepali Literary Society, Texas Chapter

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### कोलेराडोमा १९१ औं भानुजयन्ति तथा कवि गोष्ठि

अन्तर्राष्ट्रिय नेपाली साहित्य समाज कोलोराडो शाखाको आयोजनामा १९१ औं भानुजयन्ति यही जुलाई १७ का दिन कोलेराडोस्थित स्थानीय एक पार्कमा प्रतियोगितात्मक कवि गोष्ठिका साथ मनाइयो ।

अनेसास कोलेराडो शाखाका अध्यक्ष ज्ञानेन्द्र गदालको सभापतित्वमा सम्पन्न भानुजयन्ति समारोहमा लामो समयसम्म नेपालको विभिन्न सरकारी सेवामा जीवन विताउनुभएका अख्तियार दुरुपयोग अनुसन्धान आयोगका भु. पु. प्रमुख आयुक्त श्री राम प्रसाद श्रेष्ठ प्रमुख अतिथि रहनु भएको थियो । कार्यक्रममा स्थानीय नेपालीहरूको उल्लेखनीय उपस्थिति रहेको थियो । कार्यक्रम दुई चरणमा विभाजन गरिएको थियो ।

प्रथम चरणमा कार्यक्रमका वक्ता प्रा. विजयराज शर्माले उपस्थित सबैको स्वागत गर्दै कार्यक्रमको महत्वमाथि प्रकाश पार्नुका साथै यस किसिमका कार्यक्रमहरूले विदेशमा रहेका आगामी पिंडीलाई आफ्नो भाषा, संस्कृति र कलादेखि टाढिनबाट बचाउन मद्दत पुग्ने कुरामा जोड दिनुभयो । अनेसास कोलोराडोका सचिव सुदेश शर्माले संस्थाद्वारा संचालित नेपाली भाषा तथा संस्कृति विद्यालयको निरन्तरताका लागि स्थानीय अविभावकहरूको बढी सहभागिता र सहयोगको खाँचो रहेको औल्याउनु भयो । कार्यक्रमका अन्य वक्ताहरू श्री राजेन्द्र शर्मा, श्री रमाकान्त अधिकारी र श्रीमति बेना के. सी. ले पनि भानुजयन्तिको महत्वमाथि प्रकाश पार्दै यस्ता कार्यक्रमहरूले भविष्यमा निरन्तरता पाइरहुन् भन्ने कामना समेत गर्नु भयो । प्रमुख अतिथि राम प्रसाद श्रेष्ठले नेपाललाई भाषिक एकतामा बाँध्न भानुभक्त आचार्यको ठुलो योगदान रहेको चर्चा गर्दै नेपाली भाषा, साहित्य लाई विश्वभर बचाइराख्न सके हाम्रो पहिचान झल्किन्छ भन्ने उद्गार व्यक्त गर्नु भयो । श्री सुशील त्रिपाठिले बीचबीचमा आदिकविको संक्षिप्त जीवनी प्रस्तुत गर्नुहुँदै कार्यक्रम संचालन गर्नु भएको थियो । कार्यक्रमका सभापति ज्ञानेन्द्र गदालले कार्यक्रम विसर्जनका क्रममा अनेसास कोलोराडो शाखाले स्थापनाकाल देखि नै भानुभक्त, देवकोटा जयन्ति, सरस्वती पूजा जस्ता वार्षिक कार्यक्रम, श्रष्टा सम्मान, पुस्तक प्रकाशन, नेपाली क्यालेण्डर प्रकाशन आदि काम गरेको र भविष्यमा पनि यी कार्यहरूलाई निरन्तरता दिँदै अन्य नयाँ रचनात्मक कार्यक्रमहरू गरिरहने वचनबद्धता व्यक्त गर्नुभयो ।

कार्यक्रमको दोश्रो चरणमा प्रतियोगितात्मक कवि गोष्ठि सम्पन्न गरियो । प्रतियोगितामा प्रथम, दोश्रा, तेश्रा र सान्त्वना क्रमशः सुश्री बुना दाहाल, सुश्री गौतम, श्रीमति रिता अधिकारी र श्री विवेक रेग्मीलाई पुरस्कार र प्रमाणपत्र प्रमुख अतिथि श्री श्रेष्ठले प्रदान गर्नुभयो । कार्यक्रममा अप्रतियोगि कविहरू विजयराज शर्मा, चन्द्रशेखर शर्मा, प्रमिला शर्मा र ज्ञानेन्द्र गदालले कविता वाचन गर्नु भयो । कार्यक्रम पश्चात सोही पार्कमा रमाईलो वनभोज ९एयत गिअप० को समेत आयोजना गरिएको थियो ।

ज्ञानेन्द्र गदाल

अध्यक्ष,

अनेसास कोलोराडो शाखा, डेन्भर ।

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### INLS-CT Chapter marks "191th Bhanu Jayanti"

INLS, CT chapter marked "191th Bhanu Jayanti" amidst various activities in Mansfield Hollow Dam in Mansfield, CT on 25<sup>th</sup> of July 25, 2004.

President of the chapter Mrs. Sita Koirala welcomed all the attendees and thanked them for being there to celebrate Bhanubhakta and his greatest contribution to Nepali literature as Ramayan. In the program, which was run by Krishna Shrestha and Pramod Pandey various speakers such as Ujjwal Bhattarai, Dr. Hari Koirala, and Dr. Jeetendra Joshi highlighted the need and importance of the event. At the beginning of the program, the greatest poet of Nepal Bhanubhakta Acharya was honored along with Goddess Sawaswati by Ratna Devi Rana, Lalita Devi Sharma, Chanchala Devi Manandhar

Nepalis offered their respect in the form of flowers. The program later moved on to reciting poems by Sweta Sharma, Sita Koirala and other poets. The attraction of the program was a short drama of "Bhanubhakta and Ghashi" by Sanjeeb and Pradeep Keshary. There were about 80-90 attendees who later went to celebrate and enjoy the potluck picnic.

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### बोस्टनमा भानुजयन्ती

अन्तर्राष्ट्रिय नेपाली साहित्य समाज मासाच्युसेट्स र न्यु हेम्सायर च्याप्टर को संयुक्त आयोजनामा १९१ औं भानुजयन्ती गत जुलाई २५, २००४ का दिन एम्.आई.टी. भवन बोस्टनमा पहिलो पटक विभिन्न कार्यक्रमको आयोजना गरी मनाइयो ।

साभाडटकमका संस्थापक सान प्रधानको सभापतित्वमा सम्पन्न भानुजयन्ती समारोहमा स्वामी डा. रामानन्द गिरी, र हिन्दू विद्यापिठका प्राचार्य डा. भोला योगी र ईश्वरी प्रसाद भट्टको आतिथ्य रहेको थियो । भानुको तस्विरका माल्यार्पण र श्रद्धान्जलीबाट सुरु भएको सो कार्यक्रममा प्रल्हाद के.सी.ले स्वागत भाषण गर्नु भएको थियो । भानुको व्यक्तित्वबारे डा. रामानन्द गिरी र डा. भोला योगीले प्रकाश पार्नुभएको थियो भने विद्यानन्द शर्माले अनेसासका ट्रस्टी बोर्डका अध्यक्ष होमनाथ सुवेदीको सुभकामना सन्देश पढेर सुनाउनु भएको थियो र टेलिफोन, ईमेलबाट सुभकामना सन्देश पठाउने अनेसास केन्द्रीय बोर्डका अध्यक्ष दुबसु क्षेत्री, एन् आरसीका सल्लाहकारहरु, मृदु कोइराला, जितेन्द्र जोशी, खगेन्द्र क्षेत्री, तारा निरौला, भू.पू.अध्यक्ष अनेसास पुरुषोत्तम सुवेदी, अध्यक्ष कनेक्टकट सीता कोइराला, उपाध्यक्ष एन्आरसी शैलेश गंगोल, ट्रस्टी डा पुर्ण सुवेदी र राम कडेरिया, संस्थापक सल्लाहकार शिव गौतमको नामोच्चारण गर्दै उद्घाटन लगायत अनेसास न्यु हेम्सायर च्याप्टरका उपाध्यक्ष : राम भण्डारी, महासचिव : चिन्तामणी सिवाकोटि, सचिव : कोमल पोखरेल, कोशाध्यक्ष : शोभा कार्की, सदस्यहरु : सुरेन्द्र आचार्य, सुधिर अधिकारी, मीन गौतम, चन्द्र कडेरिया, कञ्चन के सी, नवीन खनाल, सन्तोष नेपाल, दिनबन्धु प्रेमी, भेषराज शर्मा र अनेसास मासाच्युसेट्स च्याप्टरका पदाधिकारी तथा सदस्यहरु: अध्यक्ष: अच्युत अधिकारी, उपाध्यक्ष: भारती गौतम, महासचिव : ठाकुर ज्ञवाली, सचिव : उषा शर्मा, कोशाध्यक्ष : क्याथरिन प्रिफ्ट्स, संस्थापक कार्यकारी सदस्य : विमल नेपाल, सल्लाहकार : जनार्दन पुडासैनी राजव, डा सौभाग्य शाह, संजय मानन्धर, र प्रशान्त ढुङ्गेल अध्यक्ष, जिबिएनसीहरुलाई सहयोगको लागि विशेष धन्यवाद ज्ञापन गरिएको थियो । उक्त कार्यक्रममा राम भण्डारीको कविता उषा शर्माले, शिव गौतमको कविता प्रशान्त ढुङ्गेलले, ईश्वरी भट्ट, भोला योगी, रामानन्द स्वामीका कविताहरु वाचन भएका थिए ।

### Invitation: "2004 NAsEA Convention In Atlanta

By Prakash B. Malla



## Nepalese Association in Southeast America (NAsEA)

**"UNITY FOR PEACE AND PROSPERITY"**

**INVITATION TO ATTEND THE 2004 NAsEA CONVENTION IN ATLANTA**

**PLEASE MARK YOUR CALENDAR: SEPTEMBER 4-6**

Dear Members and Friends,

We are glad to inform that 2004 Nepalese Association in Southeast America (NAsEA) annual convention will be held during the Labor Day weekend (September 4-6) in the beautiful city of Atlanta, Georgia. The theme of the convention is **"Unity for Peace and Prosperity."**

The annual convention is one of NAsEA's major events and provides all with the opportunity to mingle and network freely with friends and relatives living in Southeast America. This will also provide an excellent opportunity for our children and youth to have fun in a relaxed environment while developing friendships and learning about Nepalese culture and values. The executive committee and several other volunteers are working very hard to make this convention very informative, entertaining, and memorable for you all.

Thus, on behalf of the Executive Committee, I would like to extend our heartfelt invitation to all of you to attend the 2004 Convention in Atlanta. Please visit our web site <http://www.Nepal-America.org> for early registration, scheduled events, hotel information, and other frequent updates about the convention. *We encourage you to register early and on-line. By registering on-line early, you will receive discount on registration fee (\$5) and enable us to better organize and plan for your weekend.*

**HIGHLIGHTS OF THE CONVENTION**

- Nepal Forum: How to Bring Peace, Security, and Prosperity in Nepal
- Non-Resident Nepalese Forum
- How to Make Nepal America Council (NAC) More Inclusive and Vibrant
- Eastern Religion, Philosophy, and Spiritualism
- Youth Forum
- The Ever-Popular Cultural Program
- The Ever-Popular NAsEA Social Party
- Soccer Games
- Registration Fee Includes All Meals, Cultural Program, Social Parties, and One Year NAsEA Membership

**REGISTRATION FEE**

Online/Preregistration		On-site/Same Day Registration	
Regular	\$45	Regular	\$50
Student	\$35	Student	\$40
Life Member	\$40	Life Member	\$45
Children up to 6 years	No Charge	Children (6 years)	No Charge

*Sunday night dinner and cultural program only: \$35 (Adult); \$20 (6-12 years old)*

**CONVENTION VENUE, HOTEL REGISTRATION, AND DIRECTION**

**Holiday Inn Hotel & Suites, Atlanta-Marietta**  
**2265 Kingston Court**  
**Marietta, GA 30101**  
**(770) 952-7581 Phone**  
**(770) 952-1301 Fax**

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A block of single and double rooms has been reserved for the conference for \$59/night until August 4. Please make your reservation early to get this low conference rate. Please mention **"NAsEA"** or **"Nepalese Association"** when you make reservation.

Visit link below to take an interactive tour of the hotel:  
<http://www.mainstreetmediagroup.com/87711/ebrochure.html>  
<http://www.ichotelsgroup.com/h/d/6c/1/en/hd/atldl?irs=null>

**Driving Directions**

ON I-75 AT EXIT 261 LOCKHEAD/DOBBINS AFB, 2 MILES NORTH OF I-285 (ATLANTA BYPASS). FROM US 41 & S COBB DR: RT 200 TOWARD I-75, NORTH (LEFT) ON FRANKLIN TO HOTEL ENTRANCE.

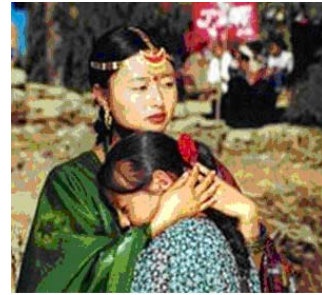
Thank you for your support  
 Respectfully yours,

Prakash B. Malla, Ph.D. (mallap@bellsouth.net)  
 President  
 Dublin, GA

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## Invitation: NUMAFUNG by HeNN-USA

HELP NEPAL Network-USA presents NUMAFUNG, a 108 minute feature film on the struggle of a Limbu woman in rural Nepal. It is a well-researched ethnographic document of the changing ways and lives of rural Limbu people. It is widely acclaimed and winner of several international film awards screened across the world. Anyone interested in the struggles of women in South Asia can not afford to miss it.



### Program Sponsors:

Greater Boston Nepali Community  
SANGAM Indian Student Association at MIT  
Simmons College  
Boston Tamu Samaj  
Boston Chhalphal Discussion Series

Tickets will be soon available at Bombay Market Somerville and Punjab at Arlington. Please contact the following for more information:

Prativa Adhikari Basnet  
Shaileh Gongal - 781 646 6843  
Muna Joshi 781 652 8548  
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## Reflections from a decade back: "Glimpses from our Neighbors"

("Reflections from a decade back" is a regular feature of rejuvenated TND. Pramod Pandey compiles this section from materials published approximately 10 years ago in TND. - Ed)

Compiled by: **Pramod Pandey**

Originally from: **Padam Sharma**

Date: July 29, 1994

Source:

Subject: **Glimpses from our Neighbors II: Sikkim and Bhutan**

### SIKKIM: Tempest in cornucopia!

I believe that most of you are aware of the history of Sikkim and its insertion into India. Or at least, you have read the multiple use of the term "Lendupism" in recent TND articles in trying to stereotype the Congressis in Nepal for their dealings with India. The word originates in Sikkim.

As a protectorate of India, Sikkim was ruled by the king and his council of ministers till early 1970's. With limited resources at its disposal, the feudal system of government was very poorly managed. When the democratic forces agitated for more freedom and a participatory government, the king's

police could not handle the situation. He asked India for help which was granted in the form of CRP (Central Reserve Police) in overwhelming numbers (about 1:1 ratio).

Ultimately, the king was forced into having a general election for the constituent assembly of Sikkim. The election was won by the party (closely linked with Congress-I of India) of Kaji Lendup Dorjee with absolute majority. The ruling party then legislatively orchestrated the incorporation of Sikkim into India. Rumor ( I don't know if this was true because the rumor was prevalent only in Nepal and not in Sikkim) was that Indira Gandhi paid only 3.2 million Rs. for buying Sikkim (pay-off of 1 lakh each for the 32 constituent assembly members who voted for the proposal). Whatever, Sikkim which already had an Indian Army contingent and the CRP, did not have much choice.

Kaji Lendup Dorjee alienated with Congress (I) and ruled the state for a while. As a favor to Kaji and a state of strategic location (in boarder with Tibet) the Indira Gandhi government was very generous in allocating money to the state. With growth of political alliances, jockeying for position and power since then, Sikkim Sangram Parishad with Nar Bahadur Bhandari at its helm has ruled the state for the last 12 years.

Even with rampant corruption (saying is that only 25% of centrally allocated money is actually utilized), Sikkim has made significant progress. Almost all houses have tin roofs (a sign of prosperity in the hills); there is electricity at every house; a school every two kilometers; there are health clinics and road linkages to each and every population centers; education to college level is free; and all educated (HS and beyond) are employed.

In Gangtok, its capital, people talk about their second Maruti, their vacation trips to Kathmandu, Calcutta and other Indian cities. As a symbol of materialism similar to affluent bourgeois in Kathmandu, almost all houses have satellite disks. While Darjeeling is dying in its own slums of poverty and frustration, Gangtok is growing with its high-rise buildings and optimism. Gangtok is rapidly taking over Darjeeling as the premier hill station for vacationers from plains of India.

I tried to explore the feelings of present day Sikkimes as being Indians in general and about being Sikkime in particular. While they are proud to be Sikkime and want to preserve their unique identity, they did not show any discontent with India. I asked them about Kaji Lendup (whose influence is at the fringe of present day political circus in Sikkim); there was no sense of anger or feeling of betrayal towards him. With everybody employed and sharing a economic boom (mostly public sector jobs created with plenty of New Delhi dough), Sikkimes are proudly exercising their freedom and prosperity. In other words, application of the term "Lendupism" to describe sell-out to India does not have any meaning at all in Sikkim.

When we were visiting Sikkim, we did hear some tempest in the political teapot. The main reason was a struggle to share the power and the loot of corruption between the haves and the havenots in the Sikkim Sangram Parishad, the ruling party of Sikkim. In his struggle to remain in power, Nar Bahadur Bhandary (a chhettri) was able to head a coalition of ethnic Sikkimes (Lepchas, Bhotes and other Indo-Mongoloid groups) by blasting communal slogans against the Congress party which was mostly led by bahuns and newars. Bhandary's rhetoric of ethnic slurs was literally promulgated by militant Indo-Mongloid members of the SSP who were anxious to sideline Bhandary himself. With a communal fervor, they were demanding more rights and share of power (recent news on TND reported that Bhandary is ousted as chief minister by one of the militants). In recent years, the Sikkim politics has become communally selfish and there is an uneasy atmosphere of distrust and fear of escalation of communal violence among ethno-political alliances of Nepalis in Sikkim. If this theater of communal rift is not channeled through proper democratic processes, we should expect contagious intra-ethnic flare ups of serious proportion, not only Sikkim but also in Nepal. The difference would be, the Nepalis in Sikkim will be fighting due to cornucopia; those in Nepal will be fighting due to indigence.



## Literature: Poem >> "When You Departed"

By Medini Bhandari

When you left us spiritually,  
We do not know what you took  
But we found nothing with us which we have saved since ages and ages  
We saw you were going with bare feet

Opened hands and with no belongings  
Without our entire company and companions  
Totally alone or with someone else, or beyond our imaginations

We checked everything with us  
Home, surroundings and neighbors  
Nothing physically was touched or moved or disturbed,  
Everything was absolutely normal,

Sunshine and morning hymns of our myth  
And also were there the truth, and our faith  
Not touched but trampling, crying and weeping  
The floor was cold, wet and blood mixed fears  
The light of spirit was off and wet with tears

We did not understand what you took,  
But we found complete emptiness and hollowness in depth of our heart  
We loved you and nurtured you with no expectations  
Still we love and wish for your peace and pleasure with no expectation,  
Somewhere some how you have left us in a pain,  
We do not understand and can not express but it is like a nail in a vain  
No idea what you took from us but we are the feeling that we lost everything.

We followed you called you and checked to you  
You were there with .... Whom we could not find you  
You were there by body as you were before,  
Breathing, smiling, and sharing your pleasure with...

However, we could not found you as ours were you,  
Distance was too big between us to be closed to you  
Gap were too big to see, share and to feel to you,  
Our heart is broken, broken and broken for you.

We love you so much, and you are in our mind and soul  
All of us are thinking of you, and you are with us a whole,  
But, we fear, scare to take your name,  
And feeling dump, blind heartless and could not talk about you cause is unseen,  
We feel as death without you, but reason is still unknown.

(May 22, 2004, USA)

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## Literature: Poem >> "City"

**By Raghav Nepal**

Piles of hoarding and neon signs  
Lost me from myself beneath  
The skyscrapers where  
Crowds of men found a way of life,  
And to my disgrace, I lost one.

No one seemed to care  
Even the arrival of dawn,  
Since the difference in night and day  
Were none and still like fools

All loved the joy of being artist  
Of the unending drama.

Dollars and pounds, rupees and francs  
Love lost existence in the far off ground  
Which had sunk so deep that only few fairy tales  
Could name, and it 'just seemed Interesting'  
To hear the same.

Losing all hope in the polluted air,  
I dreamt of beauty I could find in love  
Till a sound of coins woke me up  
Thrown at me by passer-by  
Thinking me to be a beggar,  
Calling it to be a token of love.

At last I realised love's existence still remain  
But the way of loving has met an unprecedented change.

(Author can be reached at nepalruckus [at] hotmail [dot] com. -Ed.)

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## "Did you know?": Gmail Vs. Privacy

**By TND Research**

(Google has become undoubtedly one of the greatest internet companies. Its search technology is perhaps the best in the world. Recently, its email service "Gmail" at GMail.com (by invitations only at this time) is also creating quite a stir with 1 GB space, conversational style email, "search don't sort" feature and others. However, equally controversial is its privacy policy. Here is an anti-google piece compiled from various sources. -Ed.)

### **Problem 1: Gmail is nearly immortal**

Google offers 1 gig of storage, which is many times the storage offered by Yahoo or Hotmail, or other Internet service providers that we know about. The powerful searching encourages account holders to never delete anything. It takes three clicks to put a message into the trash, and more effort to delete this message. It's much easier to "archive" the message, or just leave it in the inbox and let the powerful searching keep track of it. Google admits that even deleted messages will remain on their system, and may also be accessible internally at Google, for an indefinite period of time.

(Google has been spinning their original position in press interviews, and with an informal page described as "a few words about privacy and Gmail." When we see fresh material from Google, we check the modification date at the bottom of the terms-of-use page and privacy page for Gmail. If these dates are still April 6 and April 8, we know that nothing has changed. Google can modify these pages too, any way they want and whenever they want, unilaterally. But at least these two pages carry slightly more legal weight than other pages, because Google should attempt to notify users of significant changes in these formal policies.)

After 180 days in the U.S., email messages lose their status as a protected communication under the Electronic Communications Privacy Act, and become just another database record. This means that a subpoena instead of a warrant is all that's needed to force Google to produce a copy. Other countries may even lack this basic protection, and Google's databases are distributed all over the world. Since the Patriot Act was passed, it's unclear whether this ECPA protection is worth much anymore in the U.S., or whether it even applies to email that originates from non-citizens in other countries.

Google's relationships with government officials in all of the dozens of countries where they operate are a mystery, because Google never makes any statements about this. But here's a clue: Google uses the term "governmental request" three times on their terms-of-use page and once on their privacy page. Google's language means that all Gmail account holders have consented to allow Google to show any and all email in their Gmail accounts to any official from any government

whatsoever, even when the request is informal or extralegal, at Google's sole discretion. Why should we send email to Gmail accounts under such draconian conditions?

### **Problem 2: Google's policies do not apply**

The phrasing and qualifiers in the Gmail privacy policy are creepy enough, but nothing in any of Google's policies or public statements applies to those of us who don't have Gmail accounts. Google has not even formally stated in their privacy policy that they will not keep a list of keywords scanned from incoming email, and associate these with the incoming email address in their database. They've said that their advertisers won't get personally identifiable information from email, but that doesn't mean that Google won't keep this information for possible future use. Google has never been known to delete any of the data they've collected, since day one. For example, their cookie with the unique ID in it, which expires in 2038, has been tracking all of the search terms you've ever used while searching their main index.

### **Problem 3: A massive potential for abuse**

#### **Problem 4: Inappropriate ad matching**

We don't use Gmail, but it is safe to assume that the ad matching is no better in Gmail, than it is in news articles that use contextual ad feeds from Google. Here's a screen shot that shows an inappropriate placement of Google ads in a news article. We also read about a lawyer who is experimenting with Gmail. He sent himself a message, and discovered that the law practice footer he uses at the bottom of all of his email triggered an ad for a competing law firm.

Another example is seen in the Google ads at the bottom of this story about Brandon Mayfield. There are two ads. One mentions sexual assault charges (sex has nothing to do with the story), and the other is about anti-terrorism. The entire point of this article, as well as a New York Times piece on May 8, 2004, is that a lawyer has had his career ruined due to overreaction by the FBI, based on disputed evidence. He was arrested as a material witness and his home and office were searched. The NYT (page A12) says that "Mr. Mayfield was arrested before investigators had fully examined his phone records, before they knew if he had ever met with any of the bombing suspects, before they knew if he had ever traveled to Spain or elsewhere overseas. His relatives said he had not been out of the United States for 10 years." The only evidence is a single fingerprint on a plastic bag, and some FBI officials have raised questions about whether this print is a match. While Mr. Mayfield will get his day in court, it appears that Google's ads have already convicted him, and for good measure added some bogus sexual assault charges as well. Would Mr. Mayfield be well-advised to send email to Gmail account holders to plead his case?

Our last example shows three ads fed by Google at the bottom of a Washington Post column titled "Gmail leads way in making ads relevant." The columnist argues that Google's relevant ads improve the web, and therefore she finds nothing objectionable about Gmail. These Google-approved ads offer PageRank for sale, something which only a year ago, Google would have considered high treason. Yes, these ads are "relevant" -- the column is about Google, and the ads are about PageRank. But here's the point: A relevant ad that shows poor judgment is much worse than an irrelevant ad that shows poor judgment. The ads at the bottom of her column disprove her pro-Google arguments. She has no control over this, and is probably not even aware that it happened.

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### **California Attorney General Acknowledges Gmail Privacy Risk**

June 9, 2004... California Attorney General Bill Lockyer has acknowledged a letter sent by EPIC, Privacy Rights Clearinghouse, and World Privacy Forum regarding Gmail and California's two-way consent requirement in its wiretapping laws. Lockyer wrote in a response dated June 4: "The potential exposure of Gmail users to liability for violation of Penal Code section 631 is of particular concern, as are the rights of those who are not subscribers to Gmail but who send e-mail to those who are."

#### **1. Google's immortal cookie:**

Google was the first search engine to use a cookie that expires in 2038. This was at a time when federal websites were prohibited from using persistent cookies altogether. Now it's years later, and immortal cookies are commonplace among search engines; Google set the standard because no one bothered to challenge them. This cookie places a unique ID number on your hard disk. Anytime you land on a Google page, you get a Google cookie if you don't already have one. If you have one, they read and record your unique ID number.

**2. Google records everything they can:**

For all searches they record the cookie ID, your Internet IP address, the time and date, your search terms, and your browser configuration. Increasingly, Google is customizing results based on your IP number. This is referred to in the industry as "IP delivery based on geolocation."

**3. Google retains all data indefinitely:**

Google has no data retention policies. There is evidence that they are able to easily access all the user information they collect and save.

**4. Google won't say why they need this data:**

Inquiries to Google about their privacy policies are ignored. When the New York Times (2002-11-28) asked Sergey Brin about whether Google ever gets subpoenaed for this information, he had no comment.

**5. Google hires spooks:**

Matt Cutts, a key Google engineer, used to work for the National Security Agency. Google wants to hire more people with security clearances, so that they can peddle their corporate assets to the spooks in Washington.

**6. Google's toolbar is spyware:**

With the advanced features enabled, Google's free toolbar for Explorer phones home with every page you surf, and yes, it reads your cookie too. Their privacy policy confesses this, but that's only because Alexa lost a class-action lawsuit when their toolbar did the same thing, and their privacy policy failed to explain this. Worse yet, Google's toolbar updates to new versions quietly, and without asking. This means that if you have the toolbar installed, Google essentially has complete access to your hard disk every time you connect to Google (which is many times a day). Most software vendors, and even Microsoft, ask if you'd like an updated version. But not Google. Any software that updates automatically presents a massive security risk.

**7. Google's cache copy is illegal:**

Judging from Ninth Circuit precedent on the application of U.S. copyright laws to the Internet, Google's cache copy appears to be illegal. The only way a webmaster can avoid having his site cached on Google is to put a "noarchive" meta in the header of every page on his site. Surfers like the cache, but webmasters don't. Many webmasters have deleted questionable material from their sites, only to discover later that the problem pages live merrily on in Google's cache. The cache copy should be "opt-in" for webmasters, not "opt-out."



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