

# नेपाली आवाज

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BHUSHAN SHILPAKAR

## The Media Ordinance:

A new media ordinance exemplifies the Nepali government's efforts to tighten its control on the media in Nepal and block a free flow of information as provisioned by the constitution.

When Minister Ramesh Nath Pandey, who headed Nepal's delegation to the UN Convention, spoke at Columbia University, New York, about Nepal on 23 Sept., he said, "The media writes against the government all the time, and we let it happen. If this isn't press freedom, then we need to give the phrase a new meaning." He also suggested that International support is a must to maintain such high values as "fair elections" and "democracy" and to fight a "war based on primitive ideology," in Nepal. He confidently declared election dates for Nepal- April 2006- and gave interviews to The New York Times and CNN amongst others. In the international arena, the Minister- dressed in a sharp suit, with relatively good conversational skills in English [Ex Prime Minister Deuba on CNN still haunts Nepal's history of Statesmen], and an entourage of men in black suits carrying briefcases and answering calls for him on his Motorola cell phone- played his part and read his lines perfectly.

*Continued on page 10...*

*Entertainment on Page 13...*



ANUP PRAKASH

## युद्ध विराम पछि पनि छाएन शान्ति अपहरण, हत्या, पक्राउ, लुटपाट कायम

माओवादीले पुर्वी कमाण्ड अन्तर्गतका क्षेत्रमा युद्ध विरामपछि संगठनात्मक कार्यक्रम अन्तर्गत विभिन्न स्थानमा सभा समारोह, प्रशिक्षण सञ्चालन गर्ने क्रममा शिक्षक विद्यार्थी र सर्व साधारण अपहरणका घटना तिब्र बनाएकाछन् भने सुरक्षा निकायले पनि आफ्नो कारवाहीलाई निरन्तर अघि बढाईरहेको छ ।


पुर्वी पहाडी जिल्ला पाँचथरका विभिन्न ६ माओवादीले पुर्वी कमाण्ड अन्तर्गतका क्षेत्रमा युद्ध विरामपछि संगठनात्मक कार्यक्रम अन्तर्गत विभिन्न स्थानमा सभा समारोह, प्रशिक्षण सञ्चालन गर्ने क्रममा शिक्षक विद्यार्थी र सर्व साधारण अपहरणका घटना तिब्र बनाएकाछन् भने सुरक्षा निकायले पनि आफ्नो कारवाहीलाई निरन्तर अघि बढाईरहेको छ ।

*Continued on page 5...*



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सम्बन्धि सामग्रीहरू लगायत गरगहना, परम्परागत लता कपडा तथा हाते कागजका विभिन्न सामग्रीहरूको लागि हामीलाई सम्पर्क गर्नुहोस्।

# Letters

Hi,  
It was a delightful surprise to read Nepali Aawaz, but the delights ended at that. Reading about constitution (Discussing the Constitution and A new Constitution?, NepA #1) on your last issue sent chills down my spine. So far all we have witnessed under King Gyanendra's command is one disastrous step after another for Nepal. Changing the constitution, like it is speculated, would be perhaps the grandest of the disasters even in context of Nepal's monarchy.  
*Name withheld, UK.*

Hi,  
It seems completely unrealistic to draft a new constitution for Nepal, particularly when it is done so secretly. But then we have to remember that this is same King who pulled off "February 1st," completely paralyzing the country by breaking down all its communications and putting emergency workers and the country's citizens at grave risk in a country going through a civil war.  
*Pravin Maskey.*

I had faith in this King. He is an educated man and a good businessman so I was very sure that he would not let Nepal become a failed state. But looking at the people he has left in charge with the country, and seeing how the government

continues to lie to its people and the international community, I am utterly disappointed.  
*M. Gurung, California.*

Hi,  
I think it's a good thing that your news-magazine has started publication in New York, and is available online too. For a while, reading the paper really made me feel closer to home. It's just been such a long time since I actually read a Nepali newspaper, so getting hold of Nepali Aawaz was quite a treat.  
*Bilasha, New York.*

Dear Nepali Aawaz,  
Congratulations on a great job with your paper. Wish you all the success.  
*Email.*

Dear Nepali Aawaz family,  
It feels great to know that a weekly newspaper is actually being published by Nepalis in New York. Congratulations.  
*Prakash Shrestha, Minnesota*

Hi,  
What a great new platform for Nepalis. Good stuff. I hope you will have continued success.  
*Rajendra B, Toronto.*

# Editor's Desk

Last week when we launched Nepali Aawaz, we hoped that this year's Dasain would take the meaning of peace.

Over the weekend, back home in Nepal villagers feared being abducted by Maoists despite the ceasefire they have declared like they have come to do almost every year before Dasain. Here in New York, a Dasain gathering at a Church in 2nd Ave between 33rd and 34th was a buzz about the potential terrorist-bomb attack on New York subways. Villagers in Eastern Nepal did end up being forced to attend a Maoist event though without any violent incidents [page. 5], and in New York the threat level of the terrorist attack was decreased after the FBI said the information might not be "credible." Just when it seemed like the worst was over, the government of Nepal declared its very controversial Media Ordinance [page. 10].

While the Maoists use Dasain as an excuse to declare their own version of a ceasefire and gain what goodwill they think they can, the last several years have seen the King and his supporters execute some of the most controversial political moves on its citizens during the height of the 10-day-long Hindu festival, the biggest of the year for Nepalis where a vast majority of the people are Hindus and the King a "Hindu Emperor."

The Media Ordinance is the latest of these moves; declared a day before most of the media houses in Nepal take their annual three-day Dasain break, it is a law that essentially gags, shakes

down and outright threatens media from exercising constitutional press rights or for that matter publishing anything that is generally pro- democracy, which in Nepal today could be easily deemed as being un-nationalistic by the government. It means that should these very lines be printed or published in Nepal, Nepali Aawaz would possibly be subject to questioning by the government and perhaps even reprimanded for it. It ensures the government's control over the kind of information that the media gets to publish and the common citizens gets to access.

While it rains through the weekend and the first half of the week in New York, the hope of a better leadership under the King in Nepal gets steadily washed away with every major move made by his administration. Even worse, every such step seem to reveal an agenda to take and maintain absolute control over the country and her population, one that is rapidly fleeing the homeland. At a time when the government is already struggling to kill a Maoist insurgency, its hard to tell what direction the country is being led to, but we can rest assured that for our country, this Dasain isn't one of peace. It is one of fear, anxiety and frustration, like it has been for several years now.

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## काठमाडौंमा गैर आवासीय नेपालीको सम्मेलन शुरु

“नेपालीका लागि नेपाली” मूल नाराका साथ गैर आवासीय नेपालीहरूको सम्मेलन काठमाडौंको वीरेन्द्र अन्तर्राष्ट्रिय सम्मेलन केन्द्रमा शुक्रबार शुरु भएको छ। युवराज पारसबाट उद्घाटन गराईएको उक्त सम्मेलनमा गैर आवासीय नेपाली र नेपालका करीव २ सय उच्चमी व्यवसायीहरूको सहभागिता रहेको छ।

नेपाल उद्योग वाणिज्य महासंघ र गैर आवासीय नेपाली अन्तर्राष्ट्रिय समन्वय परिषदद्वारा संयुक्त रूपमा आयोजना गरिएको सम्मेलनमा गैर आवासीय नेपाली लगानी कोषको स्थापना, द्वन्द्व समाधान र विश्व परिदृश्यमा विग्रदै गएको नेपालको छवि सुधारण गैर आवासीय नेपालीले निर्वाह गर्न सक्ने

भूमिकाको बारेमा छलफल हुनेछ।

गैर आवासीय नेपालीहरूको लगानी भित्र याउने उद्देश्यले दुई वर्ष अघि काठमाडौंमा पहिलो गैर आवासीय राष्ट्रिय सम्मेलन भएको थियो।

पहिलो सम्मेलनमा व्यक्त गरेको प्रतिवद्धता अनुसार सरकारले पहिलो पटक गैर आवासीय नेपालीहरूलाई कानुनी हैसियत प्रदान गर्दै गैर आवासीय नेपाली ऐन ल्याएको छ। तर गैर आवासीय नेपालीहरूले एनमा राखिएका केही प्रावधानहरूलाई लिएर असन्तोष प्रकट गरेका छन्।

## पाकिस्तानमा महाभूकम्प, नेपालीहरू सुरक्षित

पाकिस्तानमा शनिवार गएको भूकम्पका कारण भएको दुर्घटनामा त्यहाँ बस्ने कुनै पनि नेपाली नपरेको थाहा भएको छ।

ईस्लामाबादस्थित नेपाली दूतावासका प्रल्हाद खड्काबाट प्राप्त जानकारी अनुसार अहिलेसम्म कुनै पनि नेपाली सो घटनामा नपरेको जनाईएको छ। उक्त भूकम्पका कारण पाकिस्तानका विभिन्न प्रान्तमा गरी हजारौंले ज्यान गुमाएका छन्।

त्यस महाभूकम्पबाट पाकिस्तानको उत्तर पश्चिमी चारवटा प्रान्त बढी प्रभावित भएका छन्। दुई मुलुक जोडिएको सीमा सहरहरू

ऊरी, तड्गार, पुन्च तथा श्रीनगरमा त्यस महाभूकम्पबाट अधिकांश मानिसको ज्यान गएको थियो। उद्धारकर्मीहरूले भूकम्पपछि थुप्रिएको भग्नावशेषभित्र च्यापिएर रहेका मानिसहरू निकाल्ने काम गरिरहेका छन्।

सो क्षेत्रमा शनिवार गएको ७.६ रेक्टर स्केलको त्यस शक्तिशाली भूकम्पबाट भारत र पाकिस्तानका कयौं गाउँहरूलाई भग्नावशेषको थुप्रोमा परिणत गरिदिएको थियो। राजधानी ईस्लामाबादबाट १०० किलोमीटर टाढाको पाकिस्तान नियन्त्रित कश्मीरको पहाडी भूभाग क्षेत्रलाई यो भूकम्पले आफ्नो केन्द्रविन्दु बनाएको छ।

## पत्रिका मूल्यांकन, विद्रोह र पूनर्मूल्यांकन

लेकतान्त्रिक आन्दोलनको पक्षमा लेखेकै कारणले नेपालका केही महत्वपूर्ण पत्रिकाले सरकारी प्रवक्ता टंक ढकालको ठाडो आदेशको भरमा सरकारी आर्थिक नाकाबन्दीको सामना गर्नु परेको छ यतिमात्र हैन पत्रिका वर्गिकरणमा समेत कहिल्यै नसोचिएको निर्णय भएको छ।

स्मरण रहोस नेपालमा “क” “ख” र “ग” वर्गमा पत्रिकाहरूलाई स्थान दिईएको छ। वर्षौं देखि आफ्ना स्थान जमाउँदै आएका केही पत्रिकाहरूलाई सरकारी वकालत गलत व्याख्या नगरेकै आधारमा तल्लो स्थानमा झार्निएको छ भने राजा र उनको सरकारको खुलेर समर्थन गर्ने केही पत्रिकालाई माथिल्लो श्रेणीमा पुऱ्याईएको छ।

मन्त्री ढकालको मौखिक आदेशको भरमा आर्थिक नाकाबन्दीको सामना गरिरहेका पत्रिकाहरूमा देशान्तर, विमर्श, हाँक, प्रकाश, साँघु र बुधवार साप्ताहिक रहेका छन्। उक्त स्वेच्छाचारी निर्णयका विरुद्ध पत्रकारहरू आन्दोलनमा उत्रिएर प्रेश काउन्सिलका अध्यक्ष माथवर सिंह बस्नेतले तुरुन्त राजीनामा नदिए आन्दोलन अफ सशक्त रूपले चर्काउने धम्की दिएपछि बस्नेत कार्यालय जान छाडेका छन् भने सूचना विभागका महानिर्देशक नारायण गोपाल मलेगोले निर्णय पूनर्मूल्यांकन गर्ने आश्वासन दिएको खबर प्राप्त भएको छ।

## युद्धविरामको एक महिनामा १३ को हत्या

माओवादीले एक महिना अगाडि घोषणा गरेको एकपक्षीय युद्धविरामका क्रममा १३ जनाको हत्या भएको राष्ट्रिय मानव अधिकार आयोगले जनाएको छ। मानवअधिकारवादी गैर सरकारी संस्था ईन्सेकले जारी गरेको प्रतिवेदनमा भने सो संख्याभन्दा २० जना बढीको हत्या भएको उल्लेख छ।

संकटकाल अवधिको मानव अधिकार अवस्थाको प्रतिवेदन सार्वजनिक गर्दै आयोगले माओवादीको एकतर्फी युद्धविराम अवधिमा हत्या, यातना, विष्फोटन र यातायात बन्दका कार्यहरू घटे पनि माओवादीबाट सर्वसाधारण

गलाई कब्जामा लिने कार्य भने पहिलेको तुलनामा बढेको बताईएको छ।

आयोगका अध्यक्ष नैनबहादुर खत्रीले राज्य पक्षबाट भएका मानव अधिकार उल्लंघनका घटना अनुगमनपछि आयोगले गरेको सिफारिस सरकारले कार्यान्वयन नगरेको भन्दै त्यसप्रति विरोध जनाउनुभयो।

आयोगले दशैँका बेला पनि मानव अधिकार उल्लंघनका घटनाको ऊजुरी सुन्ने संयन्त्र बनाएको जनाएको छ।

## हिमालयन म्यूजिक ग्रुप

अमेरिकाको ‘नेशनल काउन्सिल फर द ट्रेडिसनल आर्टस्’ ले यहि अक्टूबर ७, ८ र ९ मा भर्जिनियामा सम्पन्न गर्न गैरहेको “राष्ट्रिय लोकगीत समारोह”मा नेपालका ख्यातिप्राप्त लोकगायक श्री प्रेमराजा महतको “हिमालयन म्यूजिक समूह”ले मौका पाएको छ।

जानकारी अनुसार ‘नेशनल काउन्सिल फर द ट्रेडिसनल आर्टस्’ ले वासिङ्गटन डि.सी. स्थित नेपाली राजदूतावासलाई एक पत्र लेखी लोक गायक श्री प्रेमराजा महत र उनको साँस्कृतिक टोली दक्षिण एशियाका तर्फबाट

उक्त बृहत अन्तर्राष्ट्रिय लोक महोत्सवमा छनौट भएको जनाएको छ। अमेरिकी रेडियो र टेलिभिजनहरूबाट प्रतक्ष्य प्रसारण गरिएका कारण पनि श्री महत अमेरिकामा अत्यन्तै चर्चामा हुनुहुन्छ।

उक्त टोलीमा भाग लिने अन्य कलाकारहरूमा शिशिर श्रेष्ठ, राज कपुर, रवि लामिछाने, यमन श्रेष्ठ, सुनिल उप्रेती, हरि शिवाकोटी, सुरेश चन्द्र प्रधान र मोहन थापा हुनुहुन्छ। सबै कलाकारहरू ख्यातिप्राप्त र संगीत क्षेत्रमा लामो समय देखि कार्यरत हुनुहुन्छ।

## पूर्वी नेपालबाट शान्ति संगीत यात्रा

हिमाल एशोसिएशनको आयोजनामा देशमा स्थायी शान्तीको कामना गर्दै १५ अक्टुबर देखि पूर्वी नेपालको बिर्तामोडबाट शान्ति संगीत यात्रा शुरु हुने भएको छ।

देशमा विद्यमान द्वन्द्वका कारण निम्तीएको अस्तब्यास्त स्थितीमा शान्ति स्थापनार्थ देशव्यापी सन्देश फैलाउने उद्देश्यले संगीत यात्रा सुरु गर्न लागीएको आयोजक हिमाल एशोसिएसनले जनाएको छ। आयोजना बारे जानकारी दिने बिर्तामोडमा आयोजित एक पत्रकार सम्मेलनमा पूर्वी नेपाल बाट सुरु हुने संगीत यात्रा देशका सात स्थानमा हुने जानकारी दिईयो।

भापाको बिर्तामोडबाट सुरु हुने यस पटक शान्ति संगीत यात्रा हेटौडा, दाङको घोराही, धनगढी, पाल्पाको तानसेन, दमौली, दोलखाको चरिकोट र अन्त्यमा भक्तपुरमा पुगेर टुङ्गीने बताईएको छ। नेपालको व्यावस्थापनमा सम्पन्न हुने यस यात्रामा कलाकारहरू मीर

राणा, ओमविक्रम विष्ट, कुन्ती मोक्तान, सपना श्री, सत्यराज-स्वरुपराज आचार्य र नेपथ्य ब्याण्डका कलाकारहरूले संगीतको माध्यमबाट सन्देश फैलाउँदै शान्तिको पक्षमा लाग्न सबैलाई आग्रह गर्नेछन्।

यस आयोजनाको स्थानीय संयोजन स्थानीय स्तरका संघ, संस्था, नेपाल पत्रकार महासंघ, विभिन्न विद्यालय आदिले गरेकाछन्। सबैले कार्यक्रम हेरुन भनेर खुल्ला रूपमा आयोजना हुने यस संगीत यात्राको टिकट दर १० रुपैया मात्र राखीएको छ।

# युद्ध विराम पछि पनि छाएन शान्ति: अपहरण, हत्या, पक्राउ, लुटपाट कायमै

-अनुशील श्रेष्ठ, पूर्वी नेपालमा

माओवादीले पूर्वी कमाण्ड अन्तर्गतका क्षेत्रमा युद्ध विरामपछि संगठनात्मक कार्यक्रम अन्तर्गत विभिन्न स्थानमा सभा समारोह, प्रशिक्षण सञ्चालन गर्ने क्रममा शिक्षक विद्यार्थी र सर्व साधारण अपहरणका घटना तिब्र बनाएकाछन् भने सुरक्षा निकायले पनि आफ्नो कारवाहीलाई निरन्तर अधि बढाईरहेको छ।

पूर्वी पहाडी जिल्ला पाँचथरका विभिन्न ६ मानवअधिकारवादी संघ/संस्थाहरूले माओवादीले घोषणा गरेको एकतर्फी युद्ध विराम पुर्ण रूपमा पालना नभएको जनाएकाछन्। पाँचथरको रवि बजार लगायतका स्थानमा माओवादीको नाकाबन्दीका कारण दशैको समयमा समेत दैनिक उपभोग्य वस्तुको आपूर्तिमा रोक लगाईएकोमा सो को विरोध गर्दै ति मानवअधिकारवादी संघ/ संस्थाहरूले एक विज्ञप्ती प्रकाशीत गरेकाछन्।

## अपहरणका घटना उस्तै

८ अक्टुबरमा जारी सो विज्ञप्तीमा माओवादीले सर्व साधारणलाई अपहरण गर्ने, यातना दिने, भेला वा प्रशिक्षणको नाममा शिक्षक, विद्यार्थीलाई अपहरण गर्ने जस्ता कार्य गर्दै आएकोले त्यस्ता क्रियाकलाप रोकन र दशैका समयमा विस्थापीतहरूलाई पुर्नस्थापीत गर्ने वातावरण तयार गर्न आग्रह गरिएको छ।

अपहरण गरिएका नारायणी निमावी, फलैचाका शिक्षक दुर्गा सुवेदी, रानीटार-२ का तुलसी अधिकारी, बटुक दल गणका एक सैनिक जवान लगायतकालाई सिध्र रिहाई गरी जेनेभा सन्धिको पालना गर्न माओवादीलाई विज्ञप्ती मार्फत आग्रह गरिएको छ। विज्ञप्तीमा र राज्य पक्षले पनि तत्काल युद्धविराम घोषणा गरि शान्तिपुर्ण समाधानका लागि उपयुक्त वातावरण तयार गर्न माग गरिएको छ। सो संयुक्त विज्ञप्तीमा हुकाडेक नेपाल, नागरिक समाज पाँचथर, नेपाल मानवअधिकार संगठन पाँचथर, बार ईकाई पाँचथर र मानवअधिकार तथा शान्ति समाज पाँचथरका प्रमुखहरूको हस्ताक्षर रहेको छ।

माओवादी कार्यकर्ताले युद्धविराम गरेको डेढ महिना बित्न लाग्दा समेत गाउँ-गाउँबाट सर्वसाधारण, शिक्षक, विद्यार्थीहरूको अपहरण जारी राखेका छन्। पछिल्लो पटक माओवादीले आफ्नो कार्यक्रममा सहभागी गरि उउन जिल्लाको पश्चिमी क्षेत्रका करिब १५ सय सर्वसाधारणको अपहरण गरे। माओवादीले सोमबार जितपुर गाविसको जितपुरे बजारमा

आयोजना गरेको कार्यक्रममा सहभागी गरि उउन जिल्लाको सोयाक, सिद्धीथुम्को, जितपुर साङ्खुम्बा र मंगलबारे गाविसका सर्वसाधारण, शिक्षक, विद्यार्थीहरूको अपहरण गरेका थिए।

माओवादीका जिल्लास्तरीय कार्यकर्ताहरूले सम्बोधन गरेको सो कार्यक्रममा राजतन्त्रविरुद्धको आन्दोलनमा सहभागी भई सर्वसाधारणलाई समेत हतियार उठाउन आह्वान गरिएको

गणेश भण्डारी सहित ११ जना प्राध्यापक तथा शिक्षकहरूलाई अपहरण गरेका थिए। फिदीम मावीका प्राध्यापक पुष्प प्रसाद भण्डारी सहित एक दर्जन शिक्षक र सुखबोध निमावीका प्रधानाध्यापक गोपाल ढुङ्गाना सहित दश जना शिक्षकलाई अपहरण गरेका थिए।

माओवादीले भापामा पुर्व शसस्त्र प्रहरी जवान लक्ष्मण कार्की, धनकुटा, बुधवारेबाट युवक

दश घण्टा सम्म चलेको सो सम्मेलनमा दुवै पक्षका बीच लोकतान्त्रीक आन्दोलनमा सहकार्यका लागि समान धारणा आएको र कार्यक्रम माओवादीको स्थानीय नेताहरूकै पहलमा सम्पन्न भएको थियो। सम्मेलनमा सात दलका स्थानीय नेताहरूले माओवादीलाई हतियार विसाएर राजनैतिक मुलधारमा आउन आग्रह गरेका थिए। भापामा विद्रोही माओवादी र सात दलका बीच संयुक्त रूपमा



ANUSHIL SHRESTHA

थियो। सोमबारे हटिया लाग्ने सो स्थानमा दशैको किनमेल गर्न आएका सैयौं सर्वसाधारणलाई समेत माओवादीले साँभसम्म घर जान दिएका थिएनन्। माओवादीले अपहरण गरी कार्यक्रममा सहभागी गराएका करिब १५ सयजना सबैलाई आफ्नो कार्यक्रम सकिएपछि मुक्त गरेका थिए। माओवादीले जिल्लाको पश्चिमीक्षेत्र सोयाक, जितपुर, मंगलबारे, आसपासका क्षेत्रमा २/३ दिनको अन्तरमा आमसभा गर्दै आएको बताईएको छ।

यस अधि सो जिल्लाका विभिन्न स्थानबाट पाँच सय शिक्षक विद्यार्थीहरूलाई कार्यक्रममा सरिक गराउन लगेका थिए। सदरमुकाम स्थित पाँचथर बहुमुखी क्याम्पासका प्रमुख

अमृत लिम्बुलाई, खोटाडमा मानवअधिकार रेडियो स्रोताक्लबका अध्यक्ष लिलानाथ घिमिरे, ताप्लेजुङ्का मनोनित जिल्ला सदस्य उजिरध्वज मादेनलाई अपहरण गरेकाछन् भने मोरङ टाँडी गाँविसका मुखिया तेजप्रसाद घिमिरेलाई कुटपीट गरी स्थनहद गरेकाछन्।

## सहकार्य तर्फ अग्रसर

अर्को तीर माओवादीका स्थानीय कार्यकर्ताहरूले राजनैतिक पार्टी, बुद्धिजीवी, कानुनविद्ध, पत्रकार आदी संग भेटघाट र अन्तरक्रिया कार्यक्रम गर्न थालेकाछन्। माओवादी र सात दलका नेता कार्यकर्ता बीच भापामा गोलमेच सम्मेलन सम्पन्न भएको थियो।

छलफल भएको युद्धविरामको घोषणापछि यो पहिलो हो।

यस अधि असोजको पहिलो साता सुनसरीको इनरुवामा “लोक तान्त्रीक गणतन्त्र र नागरिक समाजको भुमीका” विषयक अन्तर क्रिया चलाएका थिए भने धरानमा पत्रकार भेटघाटको आयोजना गर्दै “विस्थापीतहरू गाँउ फर्के हुन्छ” भन्ने जानकारी दिएका थिए। तर उता इलामको आम चौक गाविसमा भदौ अन्तिम साता देखी अनिश्चितकालीन नाकाबन्दीको घोषणा गर्दै माओवादीले स्थानीय वासीन्दालाई गाँउ नछाड्न र कृषिजन्य वस्तु, चौपाय किनवेच नगर्न चेतावनी दिएकाछन्। ८ असोजमा इलाम र पाँचथर

## FEATURES

को सीमानामा पर्ने राँके बजारमा ६ घण्टा यातायात अवरुद्ध गरी यात्रुहरूलाई ओरालेर कार्यक्रम सञ्चालन गरेकाथिए। भने धनकुटा मुगा-४ मा रहेको रामचन्द्र मन्दिर समेत माओवादी समूहले तोडफोड गरिदिएकाछन्। धरान-१७ मा जनआन्दोलन स्मारक सहितको निर्वाणधीन सप्तरङ्गी पार्कको निर्माणमा समेत माओवादीले रोक लगाएकाछन्।

## हत्याका घटना उस्तै

विद्रोही पार्टी नेकपा माओवादीले युद्ध विराम गरेको एक महिनामा देशभरमा ३१ जनाको हत्या भएको तथ्याङ्क सार्वजनिक गरिएको छ।

अनौपचारिक क्षेत्र सेवा केन्द्र (ईन्सेक)का अनुसार यो अवधिमा राज्यबाट २७ जना र माओवादीबाट ४ जना गरी ३१ जनाको हत्या भएको छ। पुर्वाञ्चलमा मात्र यस अवधिमा राज्यबाट ५ जनाको हत्या, ६४ जना गीरपत्तार, ७ जना माथी कुटपिट गरिएको छ भने दुई जनालाई घाईते बनाईएको उल्लेख छ। माओवादीका तर्फबाट भने १ हजार ७ सय १ जनालाई अपहरण गरिएको र ५ जनालाई कुटपीट गरिएको जनाएको छ।

युद्धविरामका बेला पनि माओवादीले विद्यालय बन्द गर्ने, अपहरण गर्ने, चन्दा संकलन गर्ने कार्यलाई निरन्तरता दिएको ईन्सेकद्वारा जारी विज्ञप्तिमा उल्लेख छ। विज्ञप्ति जारी गर्दै ईन्सेकले माओवादी संवेदनशील हुन जरुरी रहेको बताएको छ। भनिएको छ “युद्धविराम प्रति माओवादीले संवेदनशीलता देखाएको छैन।”

सरकारलाई पनि तत्काल युद्धविराम गरी शान्तिवार्ता अविलम्ब सुरु गर्न पनि ईन्सेकका पुर्वाञ्चल क्षेत्रिय संयोजक सोमराज थापाले विज्ञप्ति मार्फत अनुरोध गर्नुभएको छ।

## सुरक्षा फौजको सक्रियता

माओवादीले तीन महिने युद्धविराम गरेपनि सरकारको तर्फबाट भने युद्धविराम गरिएको छैन बरु अझ सुरक्षा सक्रियता बढाईएको छ। सुरक्षा फौजले पछिल्लो समयमा पाँचथरका ८ र इलामका ६ गावीस हेर्नेगरी पाँचथरको रवि बजार छेउको हाँडे डाडामा सुरक्षा वेस क्याम्प स्थापना गरेको छ। भने ४ असोजमा पाँचथरमा सुरक्षा फौजको गोली प्रहारबाट लुरुप्पा-६ का श्याम फागोको मृत्यु भएको छ।

सुरक्षा फौजद्वारा विभिन्न समयमा पक्राउ गरिएका माओवादी कार्यकर्ता तथा नेतालाई पुर्व क्षेत्रिय प्रहरी कार्यालय विराटनगरमा एक पत्रकार सम्मेलन गरी सार्वजनिक गरीयो।

यसरी सार्वजनिक गरिएका हरूमा अखिल नेपाल ट्रेड युनियन महासंघ (क्रान्तिकारी)



ANUSHIL SHRESTHA



ANUSHIL SHRESTHA

का वैकल्पिक केन्द्रिय सदस्य भानु मैनाली, अखिल नेपाल मजदुर संघ मोरङ-सुनसरीका उपाध्यक्ष अशोक शाह एरिया कमिटी सदस्य श्रवणकुमार राजवंशी, अखिल क्रान्तिकारी धनकुटाका जिल्ला सचिव खगेन्द्र सुवेदी र एरिया सदस्य ब्रम्हानन्द यादव रहेकाछन् भने प्रहरीले पक्राउ गरेको भनेर मोरङ-सुनसरीका जिल्ला सदस्य जुगेश्वर शाहको नाम सार्वजनिक गरीएपनि उनलाई पत्रकार सम्मेलनमा उपस्थित गराइएको थिएन।

प्रहरीले उनिहरूलाई नाप तौल तथा गुणस्तर कार्यालय विराटनगरमा बम विष्फोट गराएको, क्षेत्रिय वन निर्देशनालयमा बम विष्फोट गराएको तथा विभिन्न व्यक्तिहरूको हत्यामा संलग्न रहेको आरोप लगाएको छ। उनिहरूबाट नगद २६ हजार सहित विभिन्न

दस्तावेज, पत्रपत्रिका बरामद गरिएको मोरङ प्रहरी उपरिक्षक जगतबहादुर विष्टले बताउनु भएको छ।

यस अघि ८ असोजमा ताप्लेजुङको थेचम्बुमा माओवादीको शदिगेट उदघाटन गर्ने कार्यक्रमबाट हस्तबाहदुर राई “प्रवास” र गोपाल फुरम्बु “शरद” नामका दुई माओवादीलाई सुरक्षा फौजले पक्राउ गरेको थियो। यस अघि १ असोजमा विराटनगर, जहदा रोड स्थित एक क्लिनिकबाट टिकाराम श्रेष्ठ, जानुका पाण्डे, रित बहादुर राजवंशी र रमेश यादव नामक माओवादी पक्राउ परेकाछन्। उनीहरू खुट्टामा गोली लागेका रमेश यादवको उपचार गराउँदै गरेको अवस्थामा सुरक्षाकीले फेला पारेका थिए। त्यसै ८ असोजमा सुनसरी-मोरङका पार्टी सदस्य

य जुगेश्वर साह “जगत” बाहुनीबाट पक्राउ परेकाछन्। पाँचथरमा भने चन्द्र सेन्चुरी “बिस्फोट” र राजु दाहाल “विशाल” नामका दुई माओवादीले टुकी बम सहित आत्मसमर्पण गरेकाछन्।

त्यस्तै पाँचथर जिल्लाका तीन गाविस र ताप्लेजुङ दुई गाविसका शिक्षक तथा सर्वसाधारणलाई माओवादीको कार्यक्रममा गएको भन्दै सुरक्षाफौजले तारिखमा बोलाएको छ। पाँचथरमा च्याङ्थापु, फलैँचा, ओयाम र ताप्लेजुङका कालिखोला र सादेवा गाविसका शिक्षक र सर्वसाधारणलाई माओवादीको निर्देशनमा श्रममा गएको, कार्यक्रममा गएको लगायतका आरोप लगाउँदै संयुक्त सुरक्षा वेस क्याम्प च्याङ्थापुले तारिखमा राखेमा

राखेको पीडितहरूको भनाई उद्धृत गर्दै श्रोतले जनाएको छ।

माओवादीहरूले एकातर्फ जबरजस्ती कार्यक्रममा लाने र अर्कोतिर सेनाले तारिखमा बोलाउने हामी साह्रैपीडित छौं। स्थानीय एक शिक्षकले भने। प्रत्येक घरको एकजना अनिवार्य तारिखमा उपस्थित हुनुपर्ने र माओवादीको कार्यक्रममा जान बन्द गर्नुपर्ने सेनाको भनाई रहेको पीडितहरूको गुनासो छ।

उता, लुटपाटमा संलग्न रहेको भन्दै शाही सेनाका एक पूर्वजवानलाई इलाका प्रहरी कार्यालय धुलाबारी, भ्नापाले पक्राउ गरेको छ। पक्राउ परेका पूर्वजवान मेचीनगर-८ सुरेन्द्रनगरका कृष्ण खड्का रहेको प्रहरी

बताएको छ। प्रहरीले उनलाई धुलावारीस्थित युनिभर्सल स्टोरमा लुटपाट मच्चाउन संलग्न रहेको आरोपमा पक्राउ गरेको हो। उनका चार साथी स्थानीय युवाहरु भने फरार रहेका छन्।

माओवादीका नाममा लुटपाट र डकैतिका घटना पनि बढिरहेका छन्। ८ असोजमा मोरङको मोतीपुरमा १४ घर डकैतीमा परेको छ भने १ असोजमा मोरङकै कानेपोखरी र जीरि खीमती बीचको महेन्द्रराजमार्गमा २१ सवारी साधन लुटिएका छन्।

## माओवादीको टेण्डर

माओवादीले भापाका १२ गावीसमा गाँउ जनसरकार घोषणा गरेको छ भने भापाको सुरुङ्गा बजारमा सुचना टाँसी बजारको कर को लागी टेण्डर आह्वान गरेको छ। माओवादीले भापामा जिल्ला जन सरकार घोषणा गरेको अढाई महिनापछी तीन

चरणमा एक दर्जन गावीसमा जनसरकार घोषणा गरेका हुन। ती गावीसहरुमा सुरुङ्गा, शरणामती, चकचकी, शिवगञ्ज, जुरोपानी, पौचगाही, कोहवारा, महारानी भोडा, बैगुनधुरा, तोपगाछी, गौरादह र महाभारा रहेका छन्।

तीन दिन अघिमात्र माओवादीले सुरुङ्गामा गाँउ जनसरकार गठन गर्ना साथ हरेक वर्ष गाउ विकास समीती अन्तर्गत बजार समीती निर्माण गरि कर उठाउदै आएकोमा बजार कर रोक्का गरी गाँउ जनसरकार अन्तर्गतको मातहतमा उठाउनुपर्ने उर्दी सो पार्टीले जारी गरेको छ। बजारका लागी दैनिक हाट बजार कर मा न्युनतम २ लाख ५० हजार र सेवा सुल्क निकाशी करमा १ लाख २० हजारको बोल पत्र आह्वान गरिएको छ। बजारमा सार्वजनिक रुपमा टाँसीएको सुचनामा माओवादीको स्थानीय विकास सम्बन्धी नियमावली अन्तर्गत ठेक्का आह्वान गरिएको उल्लेख छ।

## नेताहरुको दौडाहा

यस बीचमा नागरिक समाज तथा दलहरुको लोकतान्त्रीक आन्दोलनका कार्यक्रमहरु समेत पुर्वी क्षेत्रमा भईरहेका छन्। नागरिक समाजका नेताहरु कृष्ण पहाडी, ओम गुरुङ आदीको उपस्थितीमा कार्यक्रम सम्पन्न भएका छन् भने राजनैतिक दलका नेताहरु गीरजाप्रसाद कोईराला माधवकुमार नेपाल, रामचन्द्र पौडेल, नरहरी आचार्य आदी पनि पुर्वी क्षेत्रका कार्यक्रमहरुमा सरिक भईरहेका छन्।

नेपाल कम्युनिष्ट पार्टी एमालेका महासचिव माधवकुमार नेपालले जनता आफ्नो पक्षमा छन् भन्ने लागे फैसेला गर्ने जिम्मा जनतालाई नै दिन राजालाई चुनौति दिएका छन्।

विराटनगरमा एमाले मोरङको पाँचौँ जिल्ला अधिवेशन उद्घाटन समारोहमा बोल्दै नेपालले लोकतन्त्रको पक्षमा अन्तर्राष्ट्रिय समर्थन रहेको बताउनु भयो। १८ माघ पछि अन्तर्राष्ट्रिय

सहयोग रोकिएको बताउदै नेपालले भने ' राजा अन्तर्राष्ट्रिय रुपमा एकिलदै गएका छन्। नेपालले राजावादीले नै राजाको साथ छोड्दै गएको र अपराधीहरु मात्र राजाको साथमा रहेको बताए। राजाले दशैको मौकामा गम्भीर कदम चाल्न सक्ने बताउदै नेपालले भनेका छन् ' दशैमा कालोदिनको शुरुवात गर्न दरवारमा पडयन्त्र भै रहेको छ। नेपाली कांग्रेसका सभापती गीरजाप्रसाद कोईरालाले सरकारले माघ १३ देखी २६ भीत्रमा गर्ने भनेको स्थानीय निकायको निर्वाचन बहिष्कार गरेर असफल बनाउने बताउनुभएको छ। सुनसरी-मोरङका मजदुर भेलालाई सम्बोधन गर्दै १० अक्टुबरमा कोईरालाले निर्वाचन बहिष्कार मात्र हैन गर्ने दिनहुने बताउदै भन्नुभयो-"राजा निर्वाचन गराएर नेपालमा प्रजातन्त्र छ भनेर देखाउन चाहन्छु तर दलहरुको उपस्थिती बिनाको निर्वाचनको कुनै अर्थ छैन।"

# राजनीतिक नियन्त्रण कसको हातमा ?

सन्तोष थपलिया



नेपालमा माघ १८ को "कू" पश्चात जे जस्ता गतिविधिहरु भए त्यसको तत्काल सुधार का लागि राजनीतिक दल, नागरिक समाजका प्रतिनिधि, मानवअधिकारवादी, वकिल तथा पत्रकारहरुले बारम्बार आवाज उठाउँदा पनि सुधारतर्फ सानो संभावना पनि देखाईएको छैन।

"राजाले कठोर कदम चालिबक्सने" भन्ने जस्ता सार्वजनिक अभिव्यक्ति श्री ५ का मन्त्रीहरुले गर्दै हिँड्न थालेपछि देशको राजनीतिक माहौल अझ अन्यौलमा परेको छ। दशैको मुखमा जनताबाट फूल र अवीरहरु थाप्ने राजाको महत्वकांक्षा जनताकै आवाजहरु विरुद्ध भएको पर्यवेक्षकहरुको दावी छ भने राजनीतिक दल र नागरिक समाजले दशै पश्चात आन्दोलन चर्काउने भएका छन्।

सरकार विरुद्ध एकपछि अर्को संविधान उल्लंघनका ऋड्डुलाहरु सर्वोच्च अदालतमा दर्ता भएपछि "यो संविधान भए सम्म श्री ५ का सद्विच्छाहरु पूरा गर्न नसकिने" भन्ने जस्ता संविधान विरोधी आवाजहरु उपाध्यक्ष तलसी गिरीले सार्वजनिक समारोहमै व्यक्त गर्नुभयो। त्यसको लगत्तै सर्वत्र विरोध भयो एकातिर भने अर्कोतिर दरवार गम्भिर पड् यन्त्रमा हात धोएर लागेको सवै सामु स्पष्ट प्रायः भयो।

भारत, बेलायत, अमेरिका लगायतका देशहरुले नेपालमा तत्काल प्रजातन्त्र पूर्णवाली गर्न मात्र हैन संयुक्त राष्ट्र संघले जनताका अधिकारहरु यथाशीघ्र प्रत्याभूत गरी मुलुकमा विद्यमान हत्या, हिँसा र मानव अधिकार उल्लंघनका ऋड्डुलाहरु रोक्न आफू मध्यस्तताको लागि तयार रहेको जानकारी दिँदादिँदै कानमा तेल

हालेर वस्तु भनेको देशलाई अझ गम्भिर मोडमा पुऱ्याईनु हो।

उता मित्रराष्ट्र भारतबाट सरकारमा सहभागी दलका नेताहरु नेपालका आन्दोलनरत सात दलका नेताहरुको निमन्त्रणामा नेपाल भित्रिने वित्तिकै कालो भण्डा र ढुङ्गामुढाले अपमानित हुनुपऱ्यो। "विदेशी हस्तक्षेप" का नाममा भएको उक्त अपमानलाई "निकृष्ट" दर्जाको व्यवहार भनी भारतीय नेताहरुले टिप्पणी गरेका छन्। उनीहरुले भनेका छन् "हाम्रो भ्रमण सद्भावना भ्रमण थियो नकि हस्तक्षेपीय"। राजनीतिक दल र नागरिक समाजले उक्त कार्यलाई "हतास सरकारको निकृष्टताको परकाष्ठा" भनेका छन्।

गत हप्ता युरोपेली संघको उच्चस्तरीय प्रतिनिधि मण्डल "ट्रुईका" ले नेपाल भ्रमण

सम्पन्न गरेको छ। नेपालको वस्तुस्थिति बुझी "सम्बद्ध सवैले यथाशक्य चाँडो समस्या सुल्झाउन अघि नबढे नेपालमा राजनीतिक स्थिति भयावह हुने खतरा देखिन्छ" भनेको छ। उक्त टोलीले नेपालमा "प्रजातन्त्रको प्रत्याभूति र कानूनी राज्यको स्थापनामा धेरै ढिलाई भएको" जनाएको छ। आफ्नो तीन दिने भ्रमणमा उक्त प्रतिनिधि मण्डलले "यहाँको नागरिक समाज र प्रेसले प्रजातन्त्रको आवाजलाई प्रतिनिधित्व गरेका छन्" भनेर मुक्तकण्ठले प्रशंसा गरेको जनाईएको छ।

प्राप्त समाचार अनुसार श्री ५ ज्ञानेन्द्रको अध्यक्षतामा बनेको सरकारलाई देशभित्र र बाहिरबाट समर्थन नजुटेपछि अब दरवार र दलहरु बीच वार्ताको लागि कसरी वातावरण बनाउन सकिन्छ भनेर छलफल गर्न र गराउन अमेरिकाको बोष्टनमा दरवार र दलहरुका प्रतिनिधिहरु बीचको भेला हुँदैछ। दलहरुले एकातिर "नागरिक समाजको लोकतान्त्रिक आन्दोलन" लाई सम्भौतामा पुऱ्याएर धोका नदिने बताएका छन् भने अर्को तर्फ विदेशमा राजाका भारदारहरुसंग छलफलमा बस्ने पक्कापक्की भएको छ। उता पूर्ण लोकतन्त्रको पक्षमा उर्लिएको जनमास भने पटक पटक धोका र बेईमानी गर्ने संस्थालाई बारम्बार नयाँ ढङ्गले पूनरावृत्ति गर्ने राजनीतिक दलका नेताहरुका लुते अडानले पुनः नागरिक समाजको "लोकतान्त्रिक महायज्ञ" मा तुपारापात गरेमा नागरिक समाजबाटै आफ्ना नेता चुन्ने मनस्थितिमा पुगेको बताएका छन्।

# Homosexuality and the Nepali Law

BASHU DEV PHULARA

A frequently asked question in Nepal is, whether homosexual relationship is a crime or not. How does the Nepali laws view homosexuality?

Nepal is a very conventional and a conservative society, and the law regarding human relationships are no different. Legally, Nepal recognizes only one form of biological and physical intimacy which helps in procreation. And it is not likely that this law will change in the near future.

In Nepal, homosexuality is seen as an attempt at doing away with the existing traditions and replacing them with individualism and related freedoms, which tend to threaten the existing systems of religion and society. However, homosexuality is only an inborn differing attitude towards sex.

Nepal has neither homosexual laws nor sodomy laws. Gays and lesbians in Nepal, who have frequently been complaining about humiliation and torture, have something to cheer for as there has been no ban to their activities. The Nepali society is male dominated and is very unequal in terms of sex, race and religion, although equality is guaranteed under the constitution as a fundamental right and no one be discriminated against on the basis of sex though.

Nepali society by and large disapproves homosexuality. Only penile-vaginal sex is understood as natural sex by the Nepali legal system. Any other forms are considered unnatural. However, laws against unnatural sex have never been enforced in the courts. While the Nepali society is fairly tolerant towards sexual minorities compared with neighboring South Asian countries, discrimination and societal stigma against sexual minorities do exist.

Provisionally, unnatural sex is defined in terms of human sexual intercourse with an animal only and does not specify any other forms of sexual intercourse or homosexual acts. Although homosexuals feel that they are not unnatural, the law does not recognize them as natural.

The Nepali law raises interesting questions about what is natural and what is not. What is the order of nature? Nature conceived by whom? And order perceived by whom? Even if one assumes that the 'order of nature' is penile-vaginal intercourse between a man and woman, the law remains ambiguous about which sexual acts it seeks to prescribe. For some reason, sodomy and bestiality have been considered carnal intercourse against the order of nature.

Nevertheless, there are no reported

judgments of the Supreme Court declaring oral sex as an offence punishable under Nepali law. On matters leading to homosexuality, only one case has so far been registered in the Supreme Court in the last 50 years and that too only recently. In this context, we will have to wait and see what interpretation comes from the Supreme Court.

Although unnatural sex is punishable under the national law, the Nepali legal system has failed to qualify the term. There is no legal recognition of homosexual couples. The questions of seeking palimony or alimony or maintenance out of homosexual relationship have never come up before the courts. There is no provision in the law to seek relief or compensation. There is simply no legislation at present in Nepal, where same-sex couples could register as domestic partnership or civic contract union.

Even though Nepali law does not distinguish sodomy between males and between male and female, the law is targeted more against males than females. For that reason, the legal sections of the different statutes are used to blackmail gays and other men who have sex with men and to extort money and valuables from them. This more so happens in parks, certain streets and public toilets that function as an informal sexual networking area for gays.

In the same fashion, under the provisions of various personal family laws prevalent and in force in Nepal, two persons with homosexual behavior will not be able to inherit the assets of each other on the grounds of their inborn sexuality. If a will is made and is challenged by any other possible beneficiary, the said testament will not hold good in the courts, as it is likely to be struck down on the grounds of morality and being against public policy. If not challenged, it may go unnoticed.

The basic need of a human is the right to live, but the law fails to provide this to homosexuals. The laws, which are meant to protect people rather than to discriminate against them, especially those regarding sexuality, must be updated and enforced.

*Bashu Dev Phulara is the Foreign Associate at Binod Roka and Associates P.C. New York.*

# Campus Predicament

BHUMIKA GHIMIRE

Recently I moved to West Lafayette, Indiana hoping to start fall semester at Purdue next fall. One of the first things I noticed about Purdue was the large number of Indian and Chinese students among its large international student body. I saw some Arab and students too, which was good because after 9/11 it has been hard for American universities to present themselves as a welcoming and prejudice free. The other thing I noticed was the relatively small number of Nepali students at Purdue. As far as I have gathered, there only about 10-15 Nepali students here. Which is miniscule, comparing to 1,000 or so Indian students?

So after all these observations, I come home with all the questions. Why are there so few Nepali students here, or should I say why are there so few Nepali students in leading American universities? Why are there so few Nepali professors at American Universities and yes, why are Nepali students not organized (this compared to other foreign students)? I attempt to answer; first of all there are few Nepali students at leading American universities because of our economic status. There are very few Nepali families

there are tuition classes to run and 3 or 4 college's classes to manage. So even our best professors lack on the research and academics level that American institutions demand. Result, you will be lucky to find Nepali professor at your university.

Now let's talk about organization. We can link this issue with the present situation of our nation. We have political parties which were formed to fight for our rights then we have the monarchy which was established to rule the people. The conflict of interest among them is dragging the whole nation into chaos and as a result the people are suffering. So what we the people do to solve this, nothing. Yes, we do nothing and let others decide for us. Similarly, Nepali student in America is like the regular Nepali public. They let the others decide, like the campus administration or the student government. Someone with heavy title comes in and says you don't need to get organized since you are so few, like a good Nepali we take it and live happily ever after. We forget that being organized is best when you are few, because organization gives you the collective strength to fight for your rights.

“ So after all these observations, I come home with all the questions. Why are there so few Nepali students here, or should I say why are there so few Nepali students in leading American universities? Why are there so few Nepali professors at American Universities and yes, why are Nepali students not organized (this compared to other foreign students)? ”

who can afford to send their kids to America, with yearly cost of about \$40,000 the top universities are totally out of reach. Even with scholarship and funding, it's still expensive for many of us. So we have to settle with the small, less known ones.

On lack of Nepali professors in America, I think it has more to do with our mentality then with the caliber of our professors. We as a society do not emphasize on academics and research. After graduating all we dream is of a stable job, the 9-5 kind. Then if anyone does get into academics, instead of research

Here I would like to add that the Indian and Chinese, even the Arab students are very much organized. I have seen the Indian student's organization at Universities organizing networking events for students. They also arrange meetings with Indian business owners so that the students will have a good knowledge of the business environment. Then there is the cultural and religious aspect too.

I am hoping that in future Nepali student community will be stronger, assured and yes, organized.



# Crisis in Nepali Nationalism

Article originally printed in Samudaya.org PRAWIN

Nationalism is an abstract idea. It resides in symbols; it is manifested in the emotional articulation of a set of intangible ideals. Although it is easy to find participants for a patriotic discourse, it is difficult to find a discourse of patriotism that is concrete and cohesive. Emotions are such because they defy definition and are rationally irreducible, and emotions are also such because everyone claims to “know” what they are. Patriotic emotion and nationalist ideals are rationally irreducible, too—but, everybody claims to know what being patriotic entails, and what the nationalist ideals of the nation are.

Patriotic emotions are undoubtedly shared. The ongoing insurgency, the multi-faceted struggle alongside or against it, the numerous “revolutions” staged in Nepal over the century, the occasional outburst of xenophobia exhibited by Kathmandu all serve as reminders of this truism. But, if confronted with the quest of enumerating the elemental constituents of patriotism, it is doubtful if there is a consensus to be reached.

One man in Nepali history actively created the modern idea of Nepali nationhood: Mahendra Shah. He individually articulated the idea of Panchayat, encoding into it the diverse elements he deemed to be fundamentally Nepali. He concocted the Nepali nation—a diverse garden, but one that spoke the same language, wore the same dress, and imagined the King as the source of the nationalist ideals. His Nepal was entirely Hindu, sang of the elusive Danfe, and of rhododendron that flowered in a narrow mid-hill strip, and identified itself as a nation of brave warriors, and not one of subsistence farmers, or bonded generations, or repressed ethnic and religious identities. His Nepal worshipped Brikuti and Sita, but made no especial mention of the women. Buddha was born in Nepal, but Buddhists could be counted as Hindus, because both the king and the Buddha were incarnations of Vishnu.

Yet, it was the most direct prescription to a crippling problem—that of heterogeneity. If everyone assented to wear the same attire and speak the same tongue, it would be easier to share the same sorts of patriotic emotions. If everyone lived in the mid-hills, it would be easy to form an “other” out of the Indians. If everyone subscribed to the Panchayat “suited to the soil,” it would be easier for the populace to fear “Sikkimization.”

Everybody would spend money during Dashain and Tihar; those who had other festivals would have the taste to celebrate them discreetly.

Comparison of census figures from 1951 and 1981 reveals a fascinating trend; so fascinating is the purported transformation of the populace in conformation of the moulds set by Mahendra Shah that the figures smack of fraud. Everything that Mahendra

“ Solving the ‘Maoist Problem,’ or solving the ‘Monarchy Problem’ will solve none of Nepal’s problems—which is, the lack of a unifying, inclusive articulation of Nepali nationhood and nationalism. ”

Shah articulated—a nation that was predominantly Hindu and predominantly Nepali speaking—becomes realized in 1981, only for the trend to reverse in 1991, and further disintegrate in 2001. There is suddenly an explosion of mother tongues after the fall of Panchayat. Buddhism, a faith that had been in decline since Mahendra Shah’s articulation of Nepal in 1961, suddenly revives to its pre-1951 strength. There is a drastic drop in the reported number of Indian nationals in the Terai, and the new censuses show exactly who is feeding the nation.

But, the very thing that ought to be celebrated—the rise in freedom to articulate self-identity, which is the impetus behind the resurgence of regional and ethnic identities—also became the root of new ills. With Panchayat also fell any aspiration for homogeneity. Nationalism as articulated by individual political parties was necessarily divisive: the difference between a one-party system and a multi-party system is the choice between one unchallenged articulation of nationhood versus an everlasting conflict between competing articulation of essentially different notions of nationhood. If Nepali Congress leads the nation for five years, it will necessarily walk a different path than if UML were to have lead the country in the same period—and the paths are divergent. Yes, the common good of the people is supposedly the common goal for the parties, but the articulated differences between the one party’s goal and another’s makes all the difference.

And here we are now: with the

knowledge that choices must be made, but without a clear sense of what are the choices. Clearly, the assertion that Nepal can become a homogenous entity was a false one. Or, to hunt for optimism, there isn’t yet a unifying ideal that can create the sense of homogeneity among the diverse population of Nepal. But it is even more difficult to imagine that a country that has very few parcels of heritage to share can transform itself into a unified nation.

It seems, especially in this site, many assertions about the nation and about patriotism are made without the deserved examination of the issues of concern. So one is Nepali—what does that entail? Does one’s notion of the Nepali include every person within its borders? If not, that notion of the Nepali has failed. How does one locate one’s unique heritage in a “garden” of diverse heritages? What are the cultural or political items shared by a Nepali from Morang and a Nepali from Mugu? Are the same items also shared by a Nepali in Mustang, or Makwanpur?

Solving the “Maoist Problem,” or solving the “Monarchy Problem” will solve none of Nepal’s problems—which is, the lack of a unifying, inclusive articulation of Nepali nationhood and nationalism. By sheer numbers, Nepal ought to be a female articulation: that half of the species is naturally more abundant. Nepal should be a nation of third or fourth generation terai-dwellers, many of them with one or both parents of Indian origin. Nepal should be an amalgamation of numerous fractal ethnicities—each somewhat alike and comparable, but each unique. Nepal should be a nation not of Brave Gurkhas, but of servile domestic workers. Nepal should never be a nation of high-caste Hindus. Nepal should be either the Far-West, or the Central Plains, but never Kathmandu, never madals or momos or the eyes of Buddha staring sentry over the valley. Nepal should be another; Nepal should be anew.

But, how?



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# The Media Ordinance:

A new media ordinance exemplifies the Nepali government's efforts to tighten its control on the media in Nepal and block a free flow of information as provisioned by the constitution.

KASHISH DAS SHRESTHA



Soldiers guard Image Channel's headquarters after February 1st.

When Minister Ramesh Nath Pandey, who headed Nepal's delegation to the UN General Assembly, spoke at Columbia University, New York, about Nepal on 23 Sept., he said, "The media writes against the government all the time, and we let it happen. If this isn't press freedom, then we need to give the phrase a new meaning." He also suggested that International support is a must to maintain such high values as "fair elections" and "democracy" and to fight a "war based on primitive ideology," in Nepal. He confidently declared election dates for Nepal- April 2006- and gave interviews to The New York Times and CNN amongst others. In the international arena, the Minister-dressed in a sharp suit, with relatively good conversational skills in English [Ex Prime Minister Deuba on CNN still haunts Nepal's history of Statesmen], and an entourage of men in black suits carrying briefcases and answering calls for him on his Motorola cell phone-played his part and read his lines perfectly.

At home, on 20 Sept., the government's Vice-Chariman Dr. Tulsi Giri had sung a different tune. Soon after being appointed Vice Chairman, he had already told the press that Nepal could go on without international monetary and financial help. Standing on a podium in Biratnagar with journalists in the audience, he reinstated that fact and got busy lashing out at the 1990 constitution of Nepal and the press freedom, amongst other democratic rights, that it entitles the people. He said, " Because of the constitution, we are unable to take actions against newspapers that write things against the government."

It came as no surprise to the media community in Nepal when on Sunday, 9 Oct, the government did what dozens of national and international watch groups and organisations had advised it to not do for months: it finally approved the media ordinance which was initially drafted in May 05. and held

off because of the strong national and international opposition it created. The ordinance makes amends to the Press and Publication Act (2048 B.S), Radio Act (2014), National Broadcasting Act (2048) and Defamation Act (2016 B.S), now enforcing more radical punishment for defamation of the monarchy and ownership of media, amongst

The timing of the ordinance being approved and made public is more than just coincidence; it was announced a day before the Nepali media community

traditionally takes their annual break for one to three days for Dasain. During this time, many working professionals in Kathmandu from different parts of Nepal also go back home for the holidays. However, many newspapers and associations did criticise the move by the government and the Federation of Nepali Journalists have already stated that they will plan new protests against it. When the King took over on 1 Feb. 05, phone lines and the internet were forced out of service throughout the country so as to ensure protestors

could not co-ordinate rallies and news could not easily reach out of Nepal.

In a press statement released by the International Federation of Journalists, the organisation's president Christopher Warren said, "Press freedom and journalists' rights in Nepal will be swept away by these laws. In announcing these laws, the King has effectively declared he has no intention of upholding press freedoms guaranteed in the constitution of Nepal or respecting journalists' rights."

## Excerpts from the Constitution

### Article 12 Right to Freedom

(1) No person shall be deprived of his personal liberty save in accordance with law, and no law shall be made which provides for capital punishment.

(2) All citizens shall have the following freedoms:

- (a) freedom of opinion and expression;
- (b) freedom to assemble peaceably and without arms;
- (c) freedom to form unions and associations;
- (d) freedom to move throughout the Kingdom and reside in any part thereof; and
- (e) freedom to practise any profession, or to carry on any occupation, industry, or trade.

Provided that -

(1) nothing in sub-clause (a) shall be deemed to prevent the making of laws to impose reasonable restrictions on any act which may undermine the sovereignty and integrity of the Kingdom of Nepal, or which may jeopardize the harmonious relations subsisting among the peoples of various castes, tribes or communities, or on any act of sedition, defamation, contempt of court or incitement to an offence; or on any act which may be contrary to decent public behaviour or morality;

(2) nothing in sub-clause (b) shall be deemed to prevent the making of laws to impose reasonable restrictions on any act which may undermine the sovereignty, integrity or law and order situation of the Kingdom of Nepal;

(3) nothing in sub-clause (c) shall be deemed to prevent the making of laws to impose reasonable restrictions on any act which may undermine the sovereignty and integrity of the Kingdom of Nepal, which may jeopardize the harmonious relations subsisting among the peoples of various castes, tribes or communities, which may instigate violence, or which may be contrary to public morality;

(4) nothing in sub-clause (d) shall be

deemed to prevent the making of laws which are in the interest of the general public, or which are made to impose reasonable restrictions on any act which may jeopardize the harmonious relations subsisting among the peoples of various castes, tribes or communities;

(5) nothing in sub-clause (e) shall be deemed to prevent the making of laws to impose restriction on any act which may be contrary to public health or morality, to confer on the State the exclusive right to undertake specified industries, businesses or services; or to impose any condition or qualification for carrying on any industry, trade, profession or occupation.

### Article 13 Press and Publication Right

(1) No news item, article or any other reading material shall be censored. Provided that nothing shall prevent the making of laws to impose reasonable restrictions on any act which may undermine the sovereignty and integrity of the Kingdom of Nepal, or which may jeopardize the harmonious relations subsisting among the peoples of various castes, tribes or communities; or on any act of sedition, defamation, contempt of court or incitement to an offence; or on any act against which may be contrary to decent public behaviour or morality.

(2) No press shall be closed or seized for printing any news item, article or other reading material.

(3) The registration of a newspaper or periodical shall not be canceled merely for publishing any news item, article or other reading material.

### Article 16 Right to Information

Every citizen shall have the right to demand and receive information on any matter of public importance; Provided that nothing in this Article shall compel any person to provide information on any matter about which secrecy is to be maintained by law.

## The Ordinance

**Although clearer details about the ordinance had not emerged at the time we are going to press, here is a general round up of what the new media ordinance:**

- A media company may not own more than two types of media, i.e. they are only allowed to own two media forms amongst radio, television and print. A company already owning all three forms of media have been given one year's time to chose the two they want. But the state itself own and operate radio, televisions and print media and it is unclear if this new ordinance is applicable to them. It is widely acknowledged that this particular clause is aimed at Kantipur Publications which has been critical about the King and his government. Kantipur owns the largest Nepali daily, and also runs a popular FM station and television channel.
- Items that may be defamatory of the royal family may not be published. If published, the publication and its editor are liable to punishment and fine as much as Rs. 100,000 (approx. \$1,400).
- Rs. 500000 (approx. \$7,000) shall be fined to those who publish, translate or import banned items.
- Heavy fine and penalty shall be slapped on any media that publishes items that may be "helpful" to "terrorists" [Communist Party of Nepal, Maoist].
- Any media that defies this law will be imprisoned for two years and/or fined as much as Rs. 200,000 (approx.\$2,800).
- FM stations may no longer broadcast political news, again.
- The Ministry of Information and Communication has also asked all media houses to not use news from foreign news agencies, and that the state owned media service Rastriya Samachar Samiti is the only organisation from which such news may be subscribed.



KASHISH DAS SHRESTHA

Above: From a rally in support of the king; Top Right: Cover pages of Himal Khabarpatrika.



Nepali Aawaz contacted Rajendra Dahal, Editor of Himal Khabarpatrika, Nepal's largest socio-political magazine, and a journalist of 23 years, to discuss the new ordinance.

**NepA:** What exactly is the government trying to do by making this move?

**RD:** When the King took over on 1 Feb., he had a clear agenda on his mind, to take the nation on particular path and all his moves since have been based on that. He setup a cabinet with token ministers while his closer allies decide how the country is run, by dismantling the parliament and the *sansaad*, he neutralised both Singhadurbar and the civil administration. Its a very systematic method of neutralising everything so that they [King's government] may have a stronger control of things. Even NGOs, almost 400 of them, have issued notices for various reasons. So this is just another shake-down of the media and journalists. The plan was hatched almost five months ago, we know that. They have taken a very opportune time to announce it though. But we don't know all the details yet, since the entire text of the ordinance has not been published for public. During the state of emergency [post 1 Feb.05] they used guns to try and control the media, but the media slowly raised its head again. And now they need to control it desperately, so this is the way they thought they could do so. I mean, Tulsi Giri already made it clear that the constitution is a hinderance for them to control the media.

**NepA:** Your magazine Himal Khabarpatrika took a very bold and witty stand immediately after Feb. 1, when the army personally worked in editorial rooms of private media houses. How will HKB be tackling this new situation?

**RD:** I have been [since 1 Feb.] and remain very clear about it; we knew this was coming, but as long as the clauses 12, 13 and 16 exists as per our constitution, it doesn't matter to me what these new laws say because laws cannot overwrite the constitution. We will continue to walk the same line that any professional journalist should, and so of course we will defy this law.

**NepA:** Do you how the general media community in Nepal is going to react to this?

**RD:** Well, the Dasain mood has already swept in and people have already left for their homes so reaction is not really clear yet, but what is clear is that this new ordinance is not at all welcomed. There will be protests.

**NepA:** Is there any way that the government might retract this ordinance?

**RD:** They won't be taking it back, regimes like this never do that. It will show some effects initially in the media, but once the media sector and civil society begins to put pressure, it is likely that this ordinance will just phase out. But it has been clear that the King will be going ahead with his plans regardless of suggestions or the problems his plans might cause to the people and the country, He has no care for it what so ever. At this rate, he will continue to push the country into a deeper dungeon and the chaos will only get worse.

**NepA:** It is known commonly that the state media have reported on the Maoist very biasly through the years. How might this recent event make a difference to the state media?

**RD:** The state media has hardly behaved like a responsible media. They are working under a dictatorship and the people there now are those with little experience in the field. They are just a mouth piece for the government and have lost any credibility they had.

**NepA:** What do you think will be the government's next big move?

**RD:** The Trade Union and the Labor acts which involves the right to freely hire and fire employees.

Dear international Nepali community,  
Wish you all a peaceful and prosperous  
Dasain 2062. *Somnath Ghimire*

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Call Lauryn Hill the mother of hip-hop invention; with her 1998 solo debut *The Miseducation of Lauryn Hill*, the Fugees' most vocal member not only established herself as creative force on her own, but also broke new ground by successfully integrating rap, soul, reggae, and R&B into her own sound.  
- All Music Guide.



Lauryn Hill performs in Central Park, NYC  
Photo: Kashish Das Shrestha. More photos  
available at [www.nepaliaawaz.com](http://www.nepaliaawaz.com)

# 1974: Live at Home Ground

Brilliantly executed, tight performances and amazing songs most of us know by heart- watching 1974 AD perform live is an experience not to be missed. Along with the constant studio and jam sessions in clubs, the band is known to give exceptional concerts at home and abroad.

Over the weekend, on Saturday 8 Oct. 05, they held the Olive At Home Ground concert at the Jawalakhel Youth Club. Starting at 4 p.m in the afternoon it witnessed crowds of upto three thousand people, who'd been lined up outside the venue long before the event even started. Kicking off with the number Rato Ra Chandra Surya, the band played its way through many well-loved songs, including Chhudaina Timro Maya Le featuring Nepsydaz. More photos on our website, [www.nepaliaawaz.com](http://www.nepaliaawaz.com)



ANUP PRAKASH

## Rock Heads Atomic Bush Explode in Competition

Rock Heads, the battle between amateur bands at the Kathmandu Utsav in Bhrikuti Mandap came to an end on Friday, the 7th of October. As we had written in the last issue of NepA, The 35 bands that participated in the competition were initially divided into 8 groups, each group consisting of four or five bands. One band was selected from each of these groups to perform at the finals. The audience voted for two "wildcard" bands, who got to play on the last day as well. While Iman B. Shah (BMI records) and Sadip Gurung (Musicland) were responsible for picking out bands in the preliminaries, the finals saw rock star Robin Tamang, producer Rajesh Bansal, Raymond and Sameer, all four also from the "Extreme Show" on Kantipur FM, and rock bassist Daniel Karthak as judges.



PREENA SHRESTHA

Atomic Bush rocks on stage and grabs the award as winners.

managed to impress both the judges and the crowd with their powerful solos and technical expertise, especially in their original composition- Ma Saano Prakaash Pyundai Chhu.

Cruentus came a close second with 292 points, and won 16 hours of studio time at BMI records. They were followed by Fallen, who came in third with 264 points.

### Preliminary Selections

Day 1: Rock Edge  
Day 2: Vhumi  
Day 3: Metal Box  
Day 4: Blood Blister  
Day 5: Prakaanda Bimba  
Day 6: Fallen  
Day 7: Atomic Bush  
Day 8: Cruentus  
Wild Cards: Dr Punk and the Nomads

### The Finals

Atomic Bush emerged victorious at the finals, earning them a cash prize of Rs 50,000. While the results didn't come as a surprise to many, the winners were relatively humble when they stepped onto the stage to accept the cheque. A progressive rock band, members Bibhushan Basnet (Lead Guitar, vocals), Rajan Shrestha (Bass), Sunny Tuladhar (Lead Guitar), Alec Schiamma (drums) and Abhishek Bhadra (Keyboards) are all experienced musicians and have been playing with other bands for a long time now. Though Atomic Bush was formed only six months ago, the group

PREENA SHRESTHA



हार्दिक  
शुभकामना

२०६२ सालको वडा दशैंको शुभ  
उपलक्ष्यमा दुर्गा माताको आशिर्वादले  
सम्पूर्ण नेपाली दाजुभाई तथा  
दिदीबहिनीहरुको सु-स्वास्थ्य,  
समृद्धि तथा उत्तरोत्तर प्रगतिको  
लागि हार्दिक मंगलमय शुभकामना  
ब्यक्त गर्दछु।

Rasendra Khadka  
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# Current TV is a new television channel that let's the viewers get involved like never before.

Anyone with a video camera and a broadband internet connection anywhere in the world, which could mean you, can make a show and have it broadcast to over 20 million homes across the US. If your video stories form Nepal, or the Nepali community,

or anything in general is interesting enough, they will broadcast it. Designed particularly for the creative youth, their website [www.current.tv](http://www.current.tv) has a very detailed step-by-step guide to making videos. Find out more at [www.current.tv](http://www.current.tv)

*Far Right: Malene Younglao rocks out raps;*

*Right: Lost In Translation star Scarlett Johansson makes a surprise appearance to welcome Current TV founder and former Vice- President Al Gore on stage;*

*Right Bottom: The highly anticipated group Fishbone gets the crowd going with an ecstatic performance;*

*Far Below: Suffrajett takes control with a mesmerising performance;*

*Below: Californian group Simon Dawes released their latest album What You Hear on 11 Oct.*

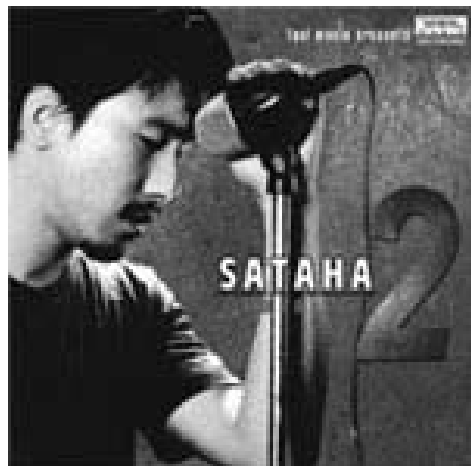
*All pictures: Kashish Das Shrestha*



# On Shelves Now

Female pop veteran **Nalina Chitrakar's** album launches have always had either flamboyant or interesting, or both. The last one we can think of is when she landed at BICC on a helicopter. So what was the gimmick for the latest studio sessions 'Jindagani' A copy of the album, her fifth, was delivered by DHL at the event on 7 Oct. in Annapurna Hotel. Upon its arrival, Australian Ambassador Keith Bloomfield opened the package and officially launched the album. Ex-Prime Minister Surya Bahadur Thapa was also present at the event. The album features ten tracks including a bonus track 'Pani Pani' from one of her older albums.

climbing the charts! "Timro Saath," "Samjana harulai" and "Ishara" are other nice tunes you can find in the



album. Most of the songs, which has a very modern rock edge from what we heard on Taal's website, was arranged and composed by Manoj K.C, the lead guitarist of the rock outfit 1974 AD.

When **Cool Pokharel** died unexpectedly on 5 Oct. 2004, the music industry mourned a loss of a young rising talent and a friend. The eccentric singer's posthumous album "Missing You" has released in Nepal almost a year after his death. It contains previously unreleased songs. The album also includes a tribute featuring various artists such as Anil



Singh, Pramod Nirwan (from Nirwan and music link) and Saroj Ranjit.



KASHISH DAS SHRESTHA



ANUP PRAKASH

Nalina Chitrakar is also soon to be a mother as she is expecting her first child with husband Sanjeev Mishra in two weeks. This delivery, we assume, won't be assigned to DHL. Congratulations to the to-be parents. Oh, and the new album.

Dharan's singing sensation and Nepali music industry heartthrob **Sabin Rai** is back in the game with his 3<sup>rd</sup> album 'Sataha 2.' The album is released by Taal music, where Sabin remains one of the major artists under their banner. There are 9 tracks in total, from which the single "Ma sansaar jitney" is already

## Upcoming Releases

- Nabin Bhattarai, *G Major* (Music.com)
- Sunil Bardewa, *Mero Guitar* (Music.com)
- Anil Singh, *Audience* (SAV)
- Sushil Shrestha, *Anamika* (SAV)

Far Left: Former Miss Nepal Malvika Subba with singer Nalina Chitrakar; Left Top: Sabin Rai's album cover; Left: Cool Pokharel; Top: Sabin Rai

Look out for details on more upcoming albums and recent launches on Nepali Aawaz every week!



## Male and Female T-shirts available at [www.samudaya.org/tshirts/](http://www.samudaya.org/tshirts/)



## Kavre Open Road Race Championship

Arjun Prasad Dhakal won the men's 12 km category of First National Kavre Open Road Race Championship beating compatriot Akkal Bahadur Bohora by just over a minute. Both are from the Gyanendra APF Club and have been dominating the men's race lately. Arjun finished at 38 minutes 02:20 seconds and won Rs 5,000. Akkal was awarded Rs 3,000. Narayan Desai finished third.

In the women's category, Olympian Kanchhi Maya Koju gave tough competition to Nirmala Bharati, who claimed the women's six km event. Nirmala clocked 24 minutes, 36:06 seconds ahead of Koju who finished with the timing of 24 minutes, 53:13 seconds. Both are from the Nepal Police. Krishneshwori Shintakala of Bhaktapur finished third.

## Nepalese U-14 enters Semifinal

Nepalese U-14 team under the banner of Novel Academy has hammered Air Force School Delhi, India by 7-1 to enter into Semifinal of the Subroto Mukerjee Cup football tournament in New Delhi. Nifty striker Nirajan Malla struck hat-trick

while Ganesh Khadka added two goals and Sudarshan Ghimire and Jagdish Shrestha scored one each to ensure a deserved victory. The finals will be held on October 13.

## ANFA selected U-19 probables

The All Nepal Football Association (ANFA) has selected 30 U-19 hopeful footballers for the AFC U-19 Asia Cup Qualifying camp in Kathmandu. The Asia Cup Qualifying will be held in Kyrgyzstan from November 23. The final squad of 18 players is expected to be confirmed later this month. Nepal, which qualified for the finals after winning its group in Bangladesh for previous year's competition, will play Bhutan and host Kyrgyzstan. Four goalkeepers, Sangeet Razak, Sanjeev Shrestha, Amit Rai and Manish Hada, received the call for the training camp. Likewise, 10 defenders summoned for the camp are Suman

Subedi, Santosh Gurung, Krishna Lama, Noor Raj Kafley, Sandeep Rai, Gopal Thapa, Durga Lawati, Pankaj Lama, Sunil Lawat and Prakash Bhandari.

Nirajan Khadka, Dipesh Thapamagar, Rojit KC, Ekjan Tuladhar, Mansajan Shrestha, Jeevan Sinkeman, Sudip Limbu and Raghu Prajapati will make up the midfield. Nabil Three Star Club dominates at the front with both Anil Gurung and Santosh Sahukhala receiving the call. Also to find place at the front are Rishi Rai, Shishir Adhikari, Buddha Chemjong, Naresh Khatri, Prakash Karki and Som Lama.

## MMC takes lead

Manang Marshyangdi Club has remained top position with Basanta Thapa scoring three goals in his last match of the 2005 Martyrs' Memorial SanMiguel 'A' Division Football League as MMC hammered New Road Team (NRT) 5-0. The League will take a break for at least 34 days on the occasion

of Dashain and Tihar. Nabil Three Star follows MMC in second place while Tribhuvan Army Club and Mahendra Police Club are at third and fourth position respectively. Although it was initially reported that Ritesh Thapa would take Basanta Thapa's place in the club, Coach Tschering Lopsang has hinted that they are looking for a foreign player to replace the star.

Team	Played	Won	Draw	Lost	For	Agnst	GDiff	Points
MMC	10	9	1	0	44	10	34	28
NTSC	10	9	0	1	25	7	18	27
TAC	9	8	0	1	32	15	17	24
MPC	9	6	3	0	26	5	21	21
APF	9	5	1	3	22	14	8	16
RCT	10	4	3	3	19	19	0	15
JYC	9	3	4	2	12	9	3	13
Friends'	10	3	3	4	9	10	-1	12
Sankata	9	3	2	4	15	18	-3	11
NRT	11	2	4	5	15	20	-5	10
Machhindra	9	2	1	6	6	20	-14	7
Mahabir	10	2	0	8	13	37	-24	6
BBC	9	1	1	7	10	24	-14	4
BUC	9	1	1	7	6	32	-26	4
Bouddha	9	0	2	7	4	18	-14	2

## Carlsberg Golf Classic

Major Bejoy Moktan bagged the Carlsberg Golf Classic 2005 organised by Royal Nepal Golf Club under the sponsorship of Gorkha Brewery here at Royal Nepal Golf Course (RNGC). Played at strokeplay 3/4 handicap, CB Bhandari carded one-under 66 on Saturday, equalling first-day leader Moktan, who won the event on count back and will get the opportunity to represent Nepal in the Malaysian Open Pro-Am Event to be held in February 2006. Gorkha Brewery will bear all the expenses for Moktan. Major MC Gurung won the senior section title with 67, while Major Dal Bahadur Gurung bagged the super senior section title with 82. Pushpa Rai lifted the women's title beating RNGC lady captain Shastika Shrestha. Other winners were DIG Niraj Pun (best front nine), Major MC Gurung (best back nine), Major NK Rai (most birdies), CB Bhandari (longest drive), Tashi Ghale (closest to the pin), Capt Machhindra Bahadur Rai (lucky fifteen), and Jamling Ghale (booby winner). All the winners received trophy and gift hampers from Carlsberg.

## U-19 ACC Trophy in Nepal

Asian Cricket Council (ACC) has confirmed Nepal as the venue for the Under-19 ACC Trophy scheduled to be held in November this year, Cricket Association of Nepal (CAN) announced. ACC has also changed the date of the final to 19 Nov. on CAN's request. Defending champion Nepal has been drawn along with Bahrain and Brunei in Group 'A' of the upcoming Under-19 ACC Trophy Cricket Tournament. The winner will qualify for the U-19 Youth World Cup scheduled for February, 2006 in Sri Lanka.

Altogether 15 nations are participating in the event. Bhutan is the only country to miss it as the others have already confirmed their participation in the tournament. Nepal won the ACC Youth Asia Cup held at Karachi in 2003 to qualify for the ICC U-19 Cricket World Cup in Bangladesh 2004. Nepal U-19 team was also the runner-up in Youth Asia Cup held in Singapore and qualified for U-19 Cricket World Cup for the first time in the year 1999. The first Youth Asia Cup U-19 cricket tournament was held in Hong Kong in the year 1997. Along with the Tribhuvan University Cricket Ground in Kirtipur, the event will be held in three new venues--Tudhikhel in Kathmandu, Pulchowk Engineering Institute Ground in Lalitpur and Birendra Sainik Awasiya Mahavidhyalaya Ground in Bhaktapur.

# Poll

**Do you think the government should monitor or have control over press?**

- Yes
- No

Send your answer to

letters@nepaliaawaz.com



# The World Reacts to Nepal's Press Freedom Crisis

Amnesty International: Further information on Pahari's Death

## Statement from Amnesty International:

Journalist Maheshwar Pahari died in custody on 4 October, after 21 months imprisoned without trial. He was reportedly seriously ill, but the prison authorities had reportedly refused him proper medical treatment.

Maheshwar Pahari, who was working for a Pokhara local newspaper, the Rastriya Swabhimani Weekly, was arrested by a group of uniformed soldiers on 2 January 2004 in Khorako Mukh village, in Lwang Ghalel Village Development Committee (VDC) in Kaski district. On 23 August 2004 the Kaski District Administration Office confirmed that he was in "preventive detention" in Kaski jail, Pokhara. They reported that he was being held under the 2002 Terrorist and Disruptive Activities (Control and Punishment) Act (TADA), which gave the security forces the power to arrest suspects without a warrant, and for police to detain them for up to 90 days. He had previously been detained from November 2001 to December 2002 on suspicion of association with the Communist Party of Nepal (CPN) (Maoist).

There have been conflicting reports as

to the nature of Maheshwar Pahari's illness. It has been reported that prison authorities had repeatedly refused requests for him to be moved to Kathmandu for treatment, and had refused to let his friends and colleagues see him. A local human rights organisation has also expressed fears that he was tortured. Maheshwar Pahari was reportedly moved to the western regional hospital in Pokhara a week before he died.

## BACKGROUND INFORMATION

In the course of the nine-year internal armed conflict, Amnesty International has documented thousands of cases of arbitrary arrests, unacknowledged detentions, torture and "disappearances" at the hands of the security forces. The human rights situation deteriorated further after the king seized executive power on 1 February 2005, with the security forces exercising virtually unchecked power. Many journalists have been arrested and detained without trial, or have "disappeared", at the hands of the security forces.

IFJ: New media laws will cripple press freedom in Nepal

New media laws will cripple press freedom in Nepal, says IFJ

The International Federation of Journalists (IFJ), the global organisation representing more than 500,000 journalists in over 110 countries, is alarmed at the King's decision to dramatically change media laws in Nepal.

On October 9, King Gyanendra announced changes to media law that would come into force immediately, limiting media licences, banning the broadcast of news on radio and prohibiting a number of foreign publications. Most alarmingly, fines for defamation have been increased ten fold. King Gyanendra announced the laws the day before Nepal's ten day long festival (Dashain Leave), leaving media organisations no time to respond to the ordinance.

"Press freedom and journalists' rights in Nepal will be swept away by these laws. In announcing these laws, the King has effectively declared he has no intention of upholding press freedoms guaranteed in the constitution of Nepal or respecting journalists' rights," said IFJ President Christopher Warren.

"In July, vice chairman of the Council of Ministers, Kirti Nidhi Bista, and Minister of Information, Tanka Dhakal, assured the IFJ that all articles of the Nepalese constitution were in force. These assurances have not been upheld, and the IFJ strongly condemns the amended

media laws," said the IFJ president. "Most people return home to the countryside during the festival, so by announcing the new laws on the eve of the holiday, King Gyanendra ensured many media workers unable to protest during the festival," said Warren. According to IFJ sources, the amended laws were passed several months ago, but had not been introduced due to strong opposition from the Nepalese media and international condemnation. Penalties have increased dramatically, with journalists charged with defamation now facing a fine 10 times more than the previous amount, and a possible two-year jail term.

Radio stations are now banned from broadcasting news-related programmes, and foreign publications containing 'prohibited information' are banned.

Under the new law, any news that "causes hatred or disrespect" to any member of the royal family is prohibited, previously this law only applied to the king.

Individuals and organisations won't be able to hold licenses across all three media. Those who already have licences for radio, television and print will have one year to choose which two media they will keep and allow the remaining one to be managed by a separate person or organisation. Press freedom and the rights of journalists in Nepal have been repeatedly attacked since the royal coup on February 1, this year.

## नेपालीहरूको महान् चाड विजयादशमी (दशैं) पर्व हेमन पौडेल

नेपालमा दशैं चाड कहिलेदेखि मनाउन थालियो भन्ने सम्बन्धमा दुर्गातन्त्र, सूर्यपुराण, देवीभागवत् जस्ता धार्मिक ग्रन्थमा पनि केही कुरा उल्लेख भएको पाइन्छ । जसनुसार यो पर्व सत्ययुगदेखि चलिआएको हो । परापूर्वकालमा देवासुर संग्राम भएको बेला देवताहरूले प्रतिपदादेखि पूर्णिमासम्म नवदुर्गा भवानीको व्रत उपासना गरेपछि देवी प्रसन्न भई देवताहरूको सहयोगको लागि रणभूमिमा पुगी, देवताहरूलाई दुःख दिने र राज्य हडप्ने शुम्भ, निशुम्भ, चण्डमुण्ड, महिषासुर र रक्तबीज जस्ता महापराक्रमी असुरहरूको वध गरिन् । देवताहरूको विजय भयो र उनीहरूले यी असुरहरूको अत्याचारबाट मुक्ति पाए । आफ्नो गुमेको स्वर्ग फिर्ता पाएपछि देवताहरूले देवी दुर्गा भवानीको पूजा आरधना गरी कुनै उत्सवको आयोजना गरे । उक्त दिन दशमीको दिन परेको थियो । पछि आएर यो पर्वले प्रथाको रूप लियो र दशमीको दिनलाई विजयादशमीको रूपमा मनाउन थालियो । यसरी प्रत्येक वर्ष स्वर्गका

देवताहरूले आश्विनशुक्ल अष्टमी र नवमीका दिन दुर्गा देवीले दैत्यहरूलाई वध गरेको दिनको सम्झनामा पशुहरूलाई तिनै राक्षसको प्रतीक मानी बलि दिने र भोलिपल्ट दशमीका दिन भोजभतेर, टीकाटाला र नाचगान गर्ने परम्परा बसाले र यो उत्सवले दशैंको रूप लियो भनिन्छ । इतिहासविद्हरूका अनुसार राजा हरिसिंहदेवले नेपाल सम्बत् ४४६ मा आन्ध्र प्रदेशबाट तुलजा भवानीको मूर्ति बोकेर ल्याई काठमाडौं उपत्यकाको खाल्डोमा प्रवेश गरी हनुमानढोका उत्तरतर्फ स्थापना गरेपछि मात्र दशैं चाडमा खड्ग यात्रा गर्ने प्रथा भएकोले नेपालमा तन्त्रविद्याको प्रादुर्भाव भएको बेलादेखि यो चाड मनाउन थालेको कथन पाइन्छ । कवि शिरोमणि लेखनाथ पौड्यालले पनि दशैंको महत्त्वलाई यसरी उद्गार व्यक्त गर्नभएको छ : हट्यो सारा हिलोमैलो हरायो पानीको वर्षा, भवानीको भयो पूजा, भयो आनन्दको वर्षा । दुःख र गरीबीबाट मुक्त हुन, युद्धमा विजय प्राप्त गर्न, शत्रुको संहार गर्न, ठूलूला साहसिक कार्यहरूको सम्पादन

गर्न तथा परलोकमा सुख प्राप्त गर्न देवी पूजा गर्न निकै फलदायी सिद्ध हुनेछ । हामी सारा नेपालीहरू नेपाल अथवा विदेश जहाँ बसेपनि विजयादशमीको दिन आफ्नो संस्कृतिको मूल परम्परा र प्राचीन कुलाचारलाई कहिल्यै पनि नविर्सौंका एउटा छुट्टै पहिचानको रूपमा लिई आफ्नै अस्तित्व कायम राख्दै आइरहेको छौं । यसैले दशैं पर्वलाई विदेशमा बस्ने नेपाली दाजुभाईहरूले पनि एउटा छुट्टै चाडको रूपमा लिई सबै साथीभाई एकै ठाउँमा भेला भई टीका थाप्दै आशीर्वादका यी श्लोकहरूका साथ रमाइलोसँग यो चाड मनाउने गरेका छौं ।

विजयादशमीका दिन ठूलाले सानालाई यस प्रकार आशिर्वाद दिने गर्दछन् :

आयु द्रोणसुते श्रियं दशरथे शत्रुक्षयं राघवे, ऐश्वर्यं नहुषे गतिश्च पवने मानं च दुर्योधने । दानं सूर्यसुते बलं हलधरे सत्यं च कुन्तीसुते,

विज्ञानं विदुरे भवन्तु भवतां कीर्तिश्च नारयणे ॥

अर्थात्

तपाईंको आयु द्रोणाचार्यका छोरा अश्वत्थामाको जस्तो लामो होओस्, तपाईंलाई दशरथलाई जस्तो कल्याण मिलोस् । भगवान रामचन्द्रका जस्तै तपाईंका शत्रु नाश होऊन, राजा नहुषको जस्तो ऐश्वर्य प्राप्त होओस्, गति पवन (वायु) को जस्तो होओस्, मान तपाईंको दुर्योधनको जस्तै बढोस् । तपाईं कर्ण समान दानी हुनुहोस्, बलरामको जस्तो बल प्राप्त होओस् । सत्यवादीमा कुन्ती नन्दन जस्तो र विज्ञानमा विदुरजस्तै हुनुहोस्, कीर्ति भगवान् नारायणकाभै बढोस् ।

*Congratulations to Nepali Aawaz on a grand first issue. Hope Nepalis everywhere have a great Dasain.*

*Robin Giri, Denver.*

*Season's Greetings to Nepalis everywhere. We wish you a peaceful and prosperous Dasain and Tihar.*

*Jaya and Gautam Shrestha*

*Hi Sumit,  
I'm looking forward to seeing you during the fall break. Hope the Dasain party was fun.*

*Shweta.*

*to all my Auzie Kangaroos- Sonam, Bunny, Porsai, English Lads- Jankgo, Dennis, Darwa, Indian homies- Mehra, Zaman, Pakbrin, Bansal, Jain, Cintury... wats up guys!!! having a gr8 time! Regards from the West Coast, Tashi.*

*To Andazification,*

*Not bad for a first album. Somewhat cliché but alright. Have a good dasain in the west coast, east side boys!*

*To all our readers,  
Thank you for your tremendous support to our first issue. We wish you all the best of season's greetings.*

*Nepali Aawaz.*



*जयन्ति मङ्गलाकाली भद्रकाली कपालिनी  
दुर्गाक्षमा शिवाधारी स्वहा स्वधा नमोस्तुते*

*Dear Chhori and Chhora,  
We hope your college is going well. We miss you very much and wish you a wonderful Dasain.*

*Gopal and Jyoti Shrestha  
Kathmandu*

## Events in Australia:

**City:** Hurtsville  
**Organiser:** Gurkha- Nepalese Community  
**Event:** Cultural Fusion- Dasain and Tihar Cultural Prog. 05  
**Venue:** Marana Hall, Hurtsville Entertainment Center, MacMahon St.  
**Date:** 22 Oct. 05  
**Time:** 7PM (doors open at 6PM)  
**Tkts:** Adults (16 yrs+) \$25, others N/A  
**More Info:** Music, dance, great buffet. [www.gnc.org.au](http://www.gnc.org.au)

## Events in Nepal:

**City:** Kathmandu  
**Organiser:** N/A  
**Event:** Grind  
**Venue:** Mahendra Police Club  
**Date:** 14 Oct.05  
**Time:** 4PM  
**Tkts:** Rs. 200  
**More Info:** Dance party by the pool side.

**City:** Kathmandu  
**Organiser:** British Council  
**Event:** Hey DJ!  
**Venue:** Hotel Yak & Yeti  
**Date:** 28 Oct. 05  
**Time:** 8 PM  
**Tkts:** Rs. 699 (Includes snacks and one drink)  
**More Info:** Annual dance party, this year featuring DJ Mukul from UK. British Council, Nepal.

**City:** Kathmandu  
**Organiser:** Partynepal.com  
**Event:** Project Peace 2005  
**Venue:** Open streets of Thamel  
**Date:** 29 Oct. 05  
**Time:** 2PM  
**Tkts:** Free  
**More Info:** The third annual street dance festival with some of the funkiest DJs fro, Nepal and UK. [www.partynepal.com](http://www.partynepal.com)

**City:** Kathmandu  
**Organiser:** N/A  
**Event:** X-Treme Rock Show  
**Venue:** Dasarath Stadium  
**Date:** 29 Oct. 05  
**Time:** 1 PM  
**Tkts:** Rs. 100  
**More Info:** Various rock bands from Kathmandu take over the stadium for a rock show!

**State:** Alabama  
**Organiser:** N/A  
**Event:** Dasain Celebration  
**Venue:** Cuisine of India, 3674 Airport Blvd., Mobile, AL  
**Date:** 12 Oct. 05  
**Time:** 9PM  
**Tkts:** N/A  
**More Info:** Dinner, dance and music. Prakash Acharya, Ph: 251- 456- 6011

## Events in USA:

**State:** New York  
**Organisers:** Ridgewood Nepalese Society Inc.  
**Event:** Dasain Gathering  
**Venue:** 16-16 George Street, 2nd Floor [b/ween Wyckoff Ave and

Cypress Ave, Ridgewood]  
**Date:** 15 Oct. 05  
**Time:** Dinner  
**Tkts:** \$35  
**More Info:** Mohan Jwala, Ph: 646-299-0447

**State:** Pennsylvania  
**Organiser:** Nepali students from Bryn Mawr, Haverford and Swarthmore  
**Event:** Dasain- Tihar Gathering  
**Venue:** Swarthmore College, Swarthmore, PA  
**Date:** 15 Oct. 05  
**Time:** Evening/ night  
**Tkts:** Suggested contribution- \$5/ person  
**More Info:** Bibhav, email- [bacharya@haverford.edu](mailto:bacharya@haverford.edu)

**State:** Ohio  
**Organisers:** Nepali American Organi-

503-823-3167  
**State:** Indiana  
**Organisers:** Ball State University  
**Event:** Dasain Celebration  
**Venue:** Scheidler Apartments Community Center, North Tilloston Ave.  
**Date:** 15 Oct. 05  
**Time:** 1PM  
**Tkts:** N/A  
**More Info:** Ball State University

**State:** Maryland  
**Organisers:** America Nepal Society (ANS)  
**Event:** Annual Dashain Tihar Mela  
**Venue:** Bible College (Pashupati Buddha Nepali Mandir)  
**Date:** 16 Oct. 05  
**Time:** 9 AM  
**Tkts:** Free



ANUP PRAKASH

sation of Ohio  
**Event:** Dasain Dance Party in Columbus  
**Venue:** N/A  
**Date:** 15 Oct. 05  
**Time:** N/A  
**Tkts:** \$10 [members], \$12 [non-members]  
**More Info:** Website <http://www.nao.org>

**State:** Oregon  
**Organisers:** Nepal Association of Oregon (NAO)  
**Event:** Dasain Festival  
**Venue:** Mulnomah Arts Center, 7688 SW Capitol Blvd, Portland.  
**Date:** 15 Oct.05  
**Time:** 6PM- 11PM  
**Tkts:** \$12  
**More Info:** Tika *thappney* ceremony by elder members of the community to all participants, variety of Nepali songs and dances, NAO fund raising [silent auction, promotion of ticket sale for Magical Night of Giving]. Ph:

**More Info:** A day long program with delicious foods, cultural programs by professional artists, children's show and a lot more.

**State:** Maryland  
**Organiser:** Kathmandu Kitchen Restaurant  
**Event:** Dasain Sanjh  
**Venue:** Kathmandu Kitchen Restaurant, 22 W Allegheny Ave. Towson  
**Date:** 16 Oct. 05  
**Time:** 6PM  
**Tkts:** N/A  
**More Info:** Sumptuous dinner with great live music. Limited seats. Kiran Pantha or Sundar Rajbhandari, Ph: 410- 847- 9595

**State:** Seattle  
**Organisers:** Nepal Seattle Society  
**Event:** Dasain Gathering  
**Venue:** Egan Hall, 123 N 79th St.  
**Date:** 22 Oct  
**Time:** 5 PM - Midnight

**Tkts:** Free for NSS members, \$20 for non-memebrs  
**More Info:** Free Buffet and discounted beverages, International environmentalist and community members performing Nepali cultural shows

**State:** New York  
**Organiser:** Nepal Assoc. at the Cornell Uni. and Ithaca Nepali Community  
**Event:** Dasain Celebrations  
**Venue:** Telluride House, Cornell Uni, Ithaca  
**Date:** 23 Oct. 05  
**Time:** 2PM- 7PM  
**Tkts:** N/A  
**More Info:** Ashish Bajracharya, email- [ab377@cornell.edu](mailto:ab377@cornell.edu)

## Events in the UK

**City:** London  
**Organisers:** Deurali Entertainment in Association w/ Nepal Network  
**Event:** Bijaya Dashami Special Dinner and Dance party  
**Venue:** Oceanic Club [158 station road, Edgware, Middlesex HA8 7AW]  
**Date:** 17 Oct. 05  
**Time:** 7PM- 11PM  
**Tkts:** 12.50  
**More Info:** Tara, Ph: 07821901192

**City:** London  
**Organisers:** London Chanchale Kancha  
**Event:** Dasain and Tihar Dance Party  
**Artists:** DJ Juju [Ireland & Londond], DJ Enriq [Spain], DJ Paolo[Italy], DJ Chanchale Kancha [Nepal & London]  
**Venue:** Digress Club [10 Beak St., Soho, W1F 9RA]  
**Date:** 18 Oct. 05  
**Time:** 9PM  
**Tkts:** 10 [booked] 15 [door]  
**More Info:** Lok Gurung, Ph: 02072632010

**City:** London  
**Organisers:** Himalayan Yeti Nepalese Association.  
**Event:** Dasain and Diwali Celebration  
**Venue:** The Hough End Centre, Manchester  
**Date:** 23 oct.  
**Time:** 12 noon  
**Tkts:** N/A  
**More Info:** Jeeta Dangol, Ph: 07739721666

**City:** London  
**Organiser:** Nepalese Arts Association UK  
**Event:** Suur Sandhya  
**Venue:** Oak Farm Community School, Farnborough  
**Date:** 23 Oct. 05  
**Time:** 6:30 PM (sharp)  
**Tkts:** PUNDS 15, (Adv. Bkng: POUNDS 12)  
**More Info:** Surendra P Shrestha, Ph: 07984940171

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# नेपाली आवाज

Wednesday 22.10.2005 Nepal \$5.00 www.nepaliamagazine.com

October 13-18, 2005 Vol. 1, Issue 1

**Dasain Aayo!**  
For a vast majority of Nepalis abroad, this is the perfect excuse to get together and celebrate. The festival starts tonight, followed by processions, Dahiya, and traditional songs the same month of Dashain. (October 13-18 page 14)

**पद्मबिराम- चार हप्ता छैन**  
छात्र नेताको जीवन कुरी जस्तो देखिन्छ। अन्तर्गतको जीवन, अन्तर्गतको जीवन, अन्तर्गतको जीवन। अन्तर्गतको जीवन, अन्तर्गतको जीवन, अन्तर्गतको जीवन। अन्तर्गतको जीवन, अन्तर्गतको जीवन, अन्तर्गतको जीवन। (Continued on page 7)

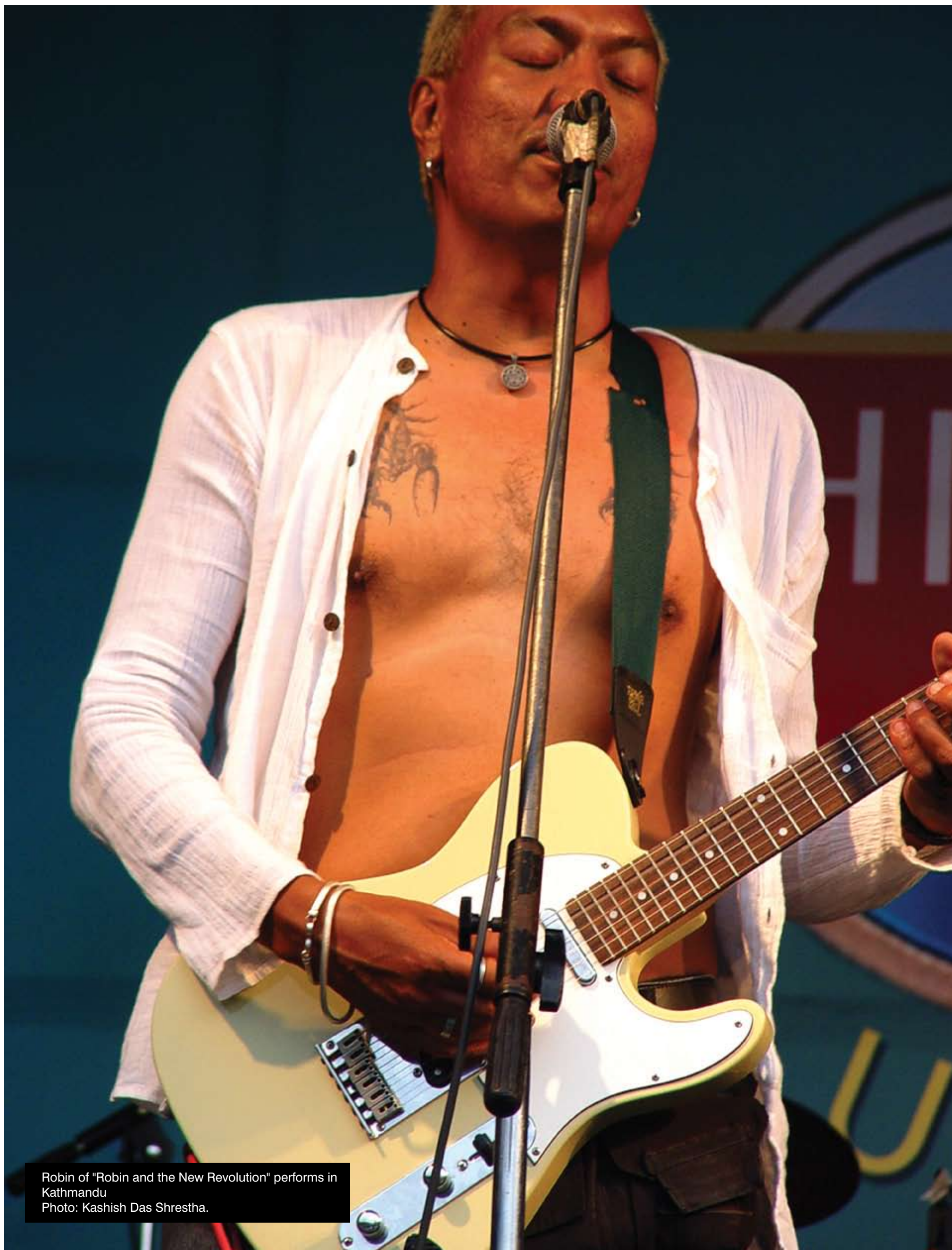
**Deciphering the Constitution**  
Opposition and the government's efforts to change the 1990 constitution has been under a Nepal and Nepal's Chief Justice Taru's speech in Parliament on 10 Sept. (Continued on page 8)

**कानुनी सल्लाह**  
यो कानुनी सल्लाहको लागि जान्छ। यो कानुनी सल्लाहको लागि जान्छ। यो कानुनी सल्लाहको लागि जान्छ। यो कानुनी सल्लाहको लागि जान्छ। यो कानुनी सल्लाहको लागि जान्छ। (Continued on page 11)

**Entertainment page 11: Cadiz: Riding The Green Train**  
Excitement: And Gorgey's Party

**Entertainment page 11: Cadiz: Riding The Green Train**  
Excitement: And Gorgey's Party

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Robin of "Robin and the New Revolution" performs in Kathmandu  
Photo: Kashish Das Shrestha.



Clockwise from top left: Children enjoy the traditional Dasain swing in the outskirts of Kathmandu (photo by Bhushan Shilpakar), a round of Langur Burja (photo by Bhushan Shilpakar), a Dasain goat market in Kathmandu (photo by Bhushan Shilpakar), young Nepalis check out Nepali Aawaz, students from Minnesota State University, Moorehead, celebrate Dassain on Oct 11, 2005.