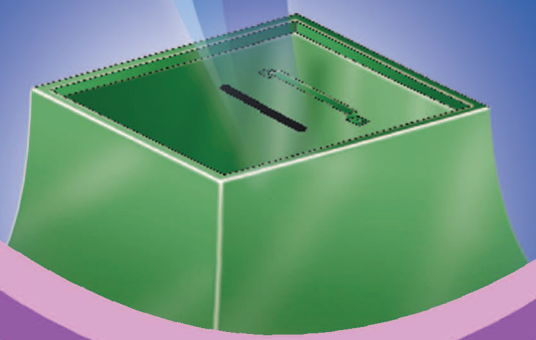
Nepal

HUMAN RIGHTS YEAR BOOK 2018



Expectation Towards Political Stability

Nepal Human Rights Year Book 2018

(ENGLISH EDITION)

(This Report Covers the Period - January to December 2017)

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All materials published in this book may be
used with due acknowledgement.

First Edition 1000 Copies
February 19, 2018

©Informal Sector Service Centre (INSEC)

ISBN: 978-9937-8964-9-8

Price
NRs 800.00
US$ 50.00 (for South Asia)
US$ 60.00 (for other countries)

Printed at
Dream Graphic Press
Kathmandu

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Acknowledgement

We express our sincere thanks to Royal Norwegian Embassy, Bread for the World (BFTW) and Governance Facility (GF) for their continued support on bringing out this Year Book. Special thanks goes to all 77 District Representatives and the offices of INSEC at Biratnagar, Kathmandu, Pokhara, Nepalgunj and Dhangadhi. We are also grateful to many well-wishers and friends for their feedbacks and invaluable suggestions for Nepal Human Rights Year Book 2018. Also, we would like to express our thanks to different Political Parties, Commissions, Ministries, Security Agencies, and Professional Organizations for their opinion on Human Rights situation in 2017.

Informal Sector Service Centre (INSEC)

Founded in 1988, INSEC is actively involved in human rights and social justice. INSEC runs its regular programs through its offices in Biratnagar, Kathmandu, Pokhara, Nepalgunj and Dhangadhi. For the studying and monitoring of the incidents on human rights violation, it has deployed a district representative each in all 77 districts.

INSEC General Assembly held on June 11, 2016 elected a new Executive Board for three years

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Ramesh Chandra Paudel

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Daily activities of INSEC are performed through the Executive Director and below mentioned programs.

Human Rights Documentation and Dissemination Program
This Program, involved in monitoring, study, investigation and documentation of incidents of human rights violations and abuses, publicises the report based on field study. Publications, including central and regional level quarterly situation reports, bimonthly magazines Prachi and Informal and annual publication Nepal Human Rights Year Book are prepared by this Program. The department also runs a human rights news portal, www.inseconline.org. The Program takes initiative for immediate support to the victims, issues urgent appeals, maintains coordination with the national and international human rights institutions and stakeholders.

Human Rights Education Program
Through this program, INSEC disseminates human rights education in coordination of local human rights organisations. To create awareness in the rural areas through literacy awareness program, this department conducts human rights trainings, group mobilization, and interaction and discussion with the stakeholders. Books and training materials are also published by this Program.

Human Rights Campaign and Advocacy Program
The main responsibility of this Program is to exert pressure on the government to formulate policies, rules in compliance with international human rights and humanitarian laws and identify the rights of the margianalised communities. Review of law, human rights treaty monitoring and human rights campaign are also conducted through this Program.

Human Rights Education Radio Program
The main objective of this Program is to ensure public access to human rights information through Radio Nepal. Current relevant human rights issues are disseminated through this Program on weekly basis. Different programs are conducted at local level by establishing coordination with Radio Listeners' Club. Additionally, activities related to raising of awareness of human rights issues among the children and activities related to their personality development are conducted through the child clubs formed in different government schools in the initiation of INSEC.

Management Program
All the administrative and financial management of INSEC fall under this Program. This Program has been undertaking capacity building programs for the employees under the human resource management. This Program has the responsibility to carry out institutional planning, monitoring and evaluation. Under the activities of information management, it has a library and internet technology sections. Publications like Annual Report and INSEC Aviyan are prepared by this Program. For the management of information under the organization, library and information technology units are established within this program.

Acronyms and Abbreviations

AHW	:	Assistant Health Worker
AIG	:	Additional Inspector General
ANM	:	Auxiliary Nurse Midwife
ANNFSU	:	All Nepal National Free Students Union
ANNISU-R	:	All Nepal National Independent Students Union-Revolutionary
APF	:	Armed Police Force
APO	:	Area Police Office
ASI	:	Assistant Sub-Inspector
BPKIHS	:	BP Koirala Institute of Health Sciences
CA	:	Constituent Assembly
CAT	:	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
CDO	:	Chief District Officer
CEDAW	:	Convention on the Elimination of All Forms of Discrimination Against Women
CEO	:	Chief Executive Officer
CIAA	:	Commission for the Investigation of Abuse of Authority
CJ	:	Chief Justice
CMW	:	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CIDP	:	Commission on Investigation of Disappeared People
CPA	:	Comprehensive Peace Agreement
CPN-UML	:	Communist Party of Nepal-Unified Marxist Leninist
CPN-M	:	Communist Party of Nepal-Maoist Center
CRPD	:	Convention on the Rights of Person with Disabilities
CRC	:	Convention on the Rights of the Child
CSOs	:	Civil Society Organizations
DAO	:	District Administration Office
DDC	:	District Development Committee
DEO	:	District Education Office
DHO	:	District Health Office
DIG	:	Deputy Inspector General
DPHO	:	District Public Health Office
DPO	:	District Police Office
DR	:	District Representative
DSP	:	Deputy Superintendent of Police
FAO	:	Food and Agriculture Organization
FIR	:	First Information Report
FNJ	:	Federation of Nepali Journalists
FSU	:	Free Students Union
FWLD	:	Forum for Women, Law and Development
GBV	:	Gender Based Violence
HRC	:	Human Rights Committee
ICCPR	:	International Covenant on Civil and Political Rights
ICERD	:	International Convention on Elimination of All Forms of Racial Discrimination
ICESCR	:	International Covenant on Social, Economic and Cultural Rights
ICJ	:	International Commission for Justice
ICRC	:	International Committee of the Red Cross
IGP	:	Inspector General of Police
ILO	:	International Labor Organization
INSEC	:	Informal Sector Service Centre
IOM	:	Internal Organization of Migration
JC	:	Judicial Council
MDG	:	Millennium Development Goal
MPC	:	Metropolitan Police Circle

NA	:	Nepal Army
NAP	:	National Action Plan
NBA	:	Nepal Bar Association
NC	:	Nepali Congress
NFC	:	Nepal Food Corporation
NGO	:	Non-Governmental Organization
NHRC	:	National Human Rights Commission
NHRAP	:	Nepal Human Rights Action Plan
NRA	:	National Reconstruction Authority
NHSP	:	Nepal Health Sector Program
NSU	:	Nepal Students Union
NWC	:	National Women Commission
PIL	:	Public Interest Litigation
PwD	:	Person with Disabilities
RJP	:	Rastriya Janata Party
SC	:	Supreme Court
SP	:	Superintendent of Police
SSP	:	Senior Superintendent of Police
TRC	:	Truth and Reconciliation Commission
TU	:	Tribhuwan University
UDHR	:	Universal Declaration of Human Rights
UDMM	:	United Democratic Madhesi Morcha
UML	:	Unified Marxist Leninist
UN	:	United Nations
UNESCO	:	United Nations Education, Scientific and Cultural Organization
UNGA	:	United Nations General Assembly
UNICEF	:	United Nations Children's Fund
UPR	:	Universal Periodic Review
VAW	:	Violence against Women
WCSC	:	Women and Children Service Center
WFP	:	World Food Program
WHO	:	World Health Organization
WHRDs	:	Women Human Rights Defenders
WOREC	:	Women Rehabilitation Center
YCL	:	Young Communist League

A Propitious Year

We are delighted to present the 26th issue of the Human Rights Year Book. Our purpose of documenting the situation of human rights in the country is to inspire both citizens and the state to make informed efforts towards safeguarding people's dignity and freedoms. The year 2017 was marked by uncertainty resulting from a number of reasons. We largely failed to build an atmosphere to inspire the civil society as a whole to make collective efforts for progress by involving people in nation building, facilitated by national policies and programs to assist their implementation.

Elections are the foundation of a democracy. They represent the periodic expression of the inherent desires of the people. Nepal is a nation of many minority communities that have lived peacefully; also all of these communities have their own pains and sufferings. Despite this, we have however made some progress in some areas related to human development and our commitment to achieving the Sustainable Development Goals is also commendable. Throughout 2017 the people were concerned and uncertain about the kind of governance structure that the elections would return. Nevertheless, despite the uncertainties, 2018 has begun with a ray of hope to assuage the doubts people had earlier.

The Constitution of Nepal is sound from the perspective of social justice and inclusiveness, but its misinterpretation and poor understanding of inclusion has resulted in diversion of all attention towards ethnic representation. The inability of the civil administration to comply with the provisions of the Constitution caused many citizens to knock the doors of the courts even to acquire citizenship certificates as provided in the statute. Because civil society has continued to give voice to the problems faced by the people they have become targets of politicians. Further, the government administrators and rulers were infuriated with civil society, particularly human rights workers, who have continued to prepare and submit parallel reports reflecting the realities at different United Nations platforms. The Government agencies have not been able to develop capacity to regulate and facilitate change and have instead resorted to accusations against civil society as an attempt to mask their weakness and shortcomings.

Transitional institutions set up by the State have largely failed in their duties. The Commissions entrusted with the responsibility of establishing truth and recommending reparations with circumstantial evidence spent years without results and have instead blamed lack of legislation, rules and resources for their non-performance. As result, the survivors could not fully trust the transitional justice institutions as their well-wishers. This non-performance assists the perpetrators to be successful in manipulating public opinion by accusing the human rights workers of conspiring to send everyone to jail.

We are yet to arrive at a stage where political parties would compete for achieving the social, cultural and economic goals of the country, as envisaged in the Constitution.

We have also not reached the stage where plans are prepared to amend the constitution based on the experience gained during implementation to remove the legal complexities and facilitate the formulation of programmatic plans for the betterment of the people. But the universal truth is that we have no choice but to reach to that stage.

The Year Book for 2018 makes an assessment of the human rights situation on the basis of the experience of 2017 and previous years. It has attempted to make the themes covered relevant to the context. The Year Book has adapted a new structure for reporting by including all 77 districts, including two new districts that were created, as well as the seven provinces now in the country. The INSEC has also made an effort to adapt to the new context where local governments as envisaged by the constitution have become real, which is also validated by the Year Book.

As in previous years, our colleagues are stationed at all districts to collect data in a reliable manner. This documentation has been possible only because of the strong commitment of the individual members of the INSEC family to ensure that no one is subjected to injustice and that all citizens are aware of not only of their rights but are also accountable towards others rights as well.

Though called a Year Book, the compilation is not simply a book but documentation of the pains, possibilities and conscious endeavors of all involved. It has been possible to give continuity to the publication because there has been overwhelming support of the ordinary citizens, human rights workers, local administration officials and the media sector, among others. This initiative has also been receiving continuous support of the Norwegian government since inception and hence I would like to express my heartfelt gratitude to the Norwegian Embassy, and all others who have collaborated with us in the effort for all the 26 years. Special thanks also goes to the members of the INSEC family who have worked day in and day out to make the publication possible, and to the INSEC Executive Committee and Secretariat that have supported me to ensure the Year Book is published every year on Democracy Day, which falls on Falgun 7 of the lunar calendar.

Thank You

Subodh Raj Pyakurel
Chairperson

Chapter 1

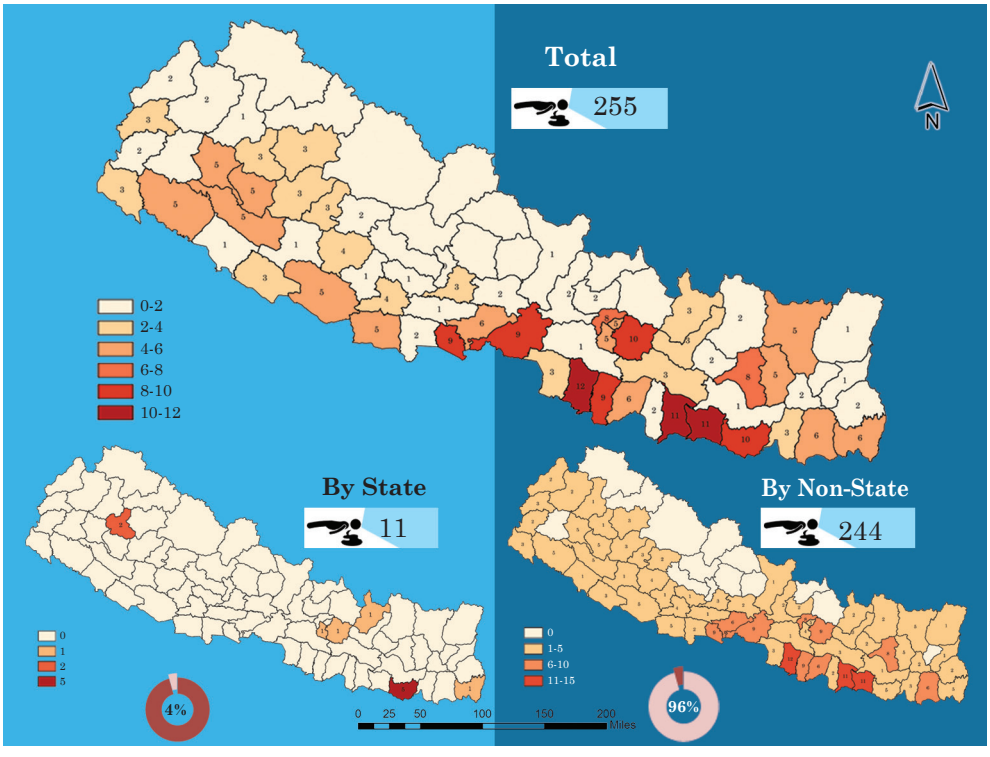
Expectation Towards Political Stability

Introduction

INSEC has been documenting the incidents of human rights violation and atrocities from across the country since the past 26 years in the form of Nepal Human Rights Year Book. INSEC district representatives in 77 districts are the major sources for this information. They collect the preliminary information on incidents of human rights violation and seek support from the local police, local administration, political parties, human rights activists and various organizations for its verification. The collected information are then entered into a database established in all five offices of seven provinces before they are finalized through a review meeting held twice in a year. The documentation in the form of the Human Rights Year Book highlights the overall human rights situation of the country.

The human rights Year Book has completed its 26 years in 2018. During this period, the country faced unprecedented political changes and every edition of this Year book has stood as a testimony

Map 1: No. of People Killed in 2017 (By Perpetrator)

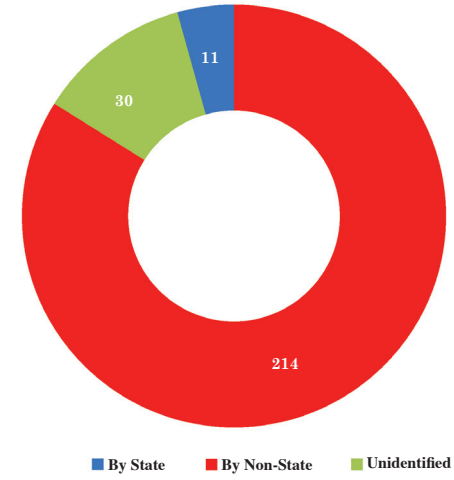


to follow the footsteps of every changes since then.

INSEC's work has always been dedicated to democracy, human rights and rule of law. After the establishment of democracy in 1990 it has been continuously contributing on human rights through its programs and documentation. By analyzing the political upheavals during the period, from the period of decade-long armed conflict and after the restoration of democracy, INSEC has successfully established itself as a credible human rights watchdog in the country. The issues that INSEC has been raising since 1992 on state's behavior towards its people and their rights as per the universal principles of human rights have always being prioritized.

The Human Rights Year Book 2018 includes the analytical role played by the Executive, Judiciary and Legislative in the protection and promotion of human rights in the country. The chapters covering all seven provinces on the issues of economic, social and cultural rights are also included. Similarly, the issues of economic, social and cultural rights of Majhi community of Panchthar, marginalized Musahar community of Mahottari, re-rehabilitation issues of earthquake survivors of Rasuwa, post-quake re-construction in Gorkha, issues of flood victims of Bardiya and child marriage in Baitadi have also been raised. We believe that the chapters included in this year book will be informative to understand the major issues of these areas.

Figure 1: No. of People Killed in 2017 (By Perpetrator)



Background

All the three tier elections provisioned by the Constitution have been held and results have already been announced. The exuberant participation of people in these elections have not only highlighted their belief and faith towards democracy, but also their willingness towards change and prosperity. These elections are expected to pave the way forward ending the decade long transition in the country.

Nepali people were looking forward to a change especially after a protracted political transition. There was a strong desire of political stability among Nepali people, who were exhausted due to the political turmoil in the country from a decade-long armed conflict. Their strong desire also led the Maoist rebel to join the mainstream of democracy. People were hopeful of political stability after the entry of Maoist rebels into the political mainstream. They were hopeful that the country would head towards ending political turmoil especially, after the second Constituent Assembly elections. But, the country could not find a way towards development again in the name of political transition. Meanwhile, the political parties were busy pointing out at "transition" attempting to hide their weakness. People were compelled to live with it having no other options. Now, after the election people have high hopes that the newly formed government will end the transition and drive the country towards prosperity.

Periodic election is the beauty in democracy. It is taken as one of the best module of democracy where society heads towards change through peaceful periodic elections. The constitution endorsed at present adopts these system and protects it, for which the people have made huge struggle in the past.

The recently held election is taken as a medium to end long transition and political instability in the country. These elections are also testimony to the fact that the country is heading towards implementation of constitution drafted by the constituent assembly after a long struggle of the people. The country is heading towards political stability especially after holding local level election in three phases followed by parliamentary and provincial elections as per constitutional provision. These elections holds a historical value as they were taken as an important step for the complete and effective implementation of the constitution institutionalizing republic and federal system as adopted.

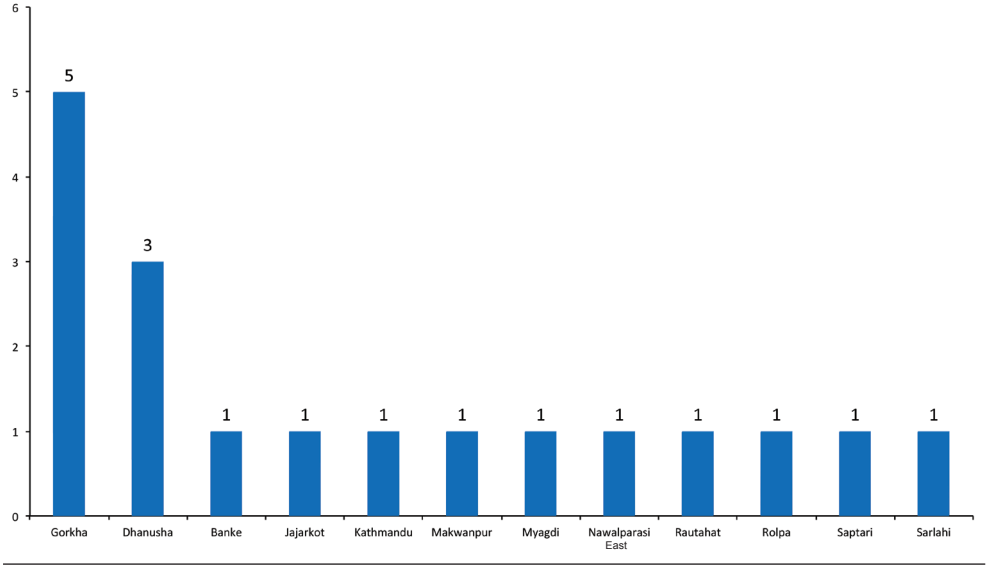
Year of Election

As per the Constitution of Nepal, Nepali people for the first time got an opportunity to freely choose their representatives for local, central and provincial government under the federal democratic political system. There was a suspicion on whether the election will be held on time due to the political stand of Madhes centered parties. But, the government and the Election Commission both were successful on holding election on different time intervals. The political analysts had predicted that the country might face unexpected crisis if the election was not held on time.

Violation of Election Code of Conduct and Rising Election Costs

Election must be held in free, fair and fearless environment. The Election Commission issued election code of conduct based on the rights provided by section 22 of Election Commission Act 2017. But, the activities against the code of conduct were rampant across the nation dur-

Figure 2: No. of Victims in Abduction in 2017 (District wise)



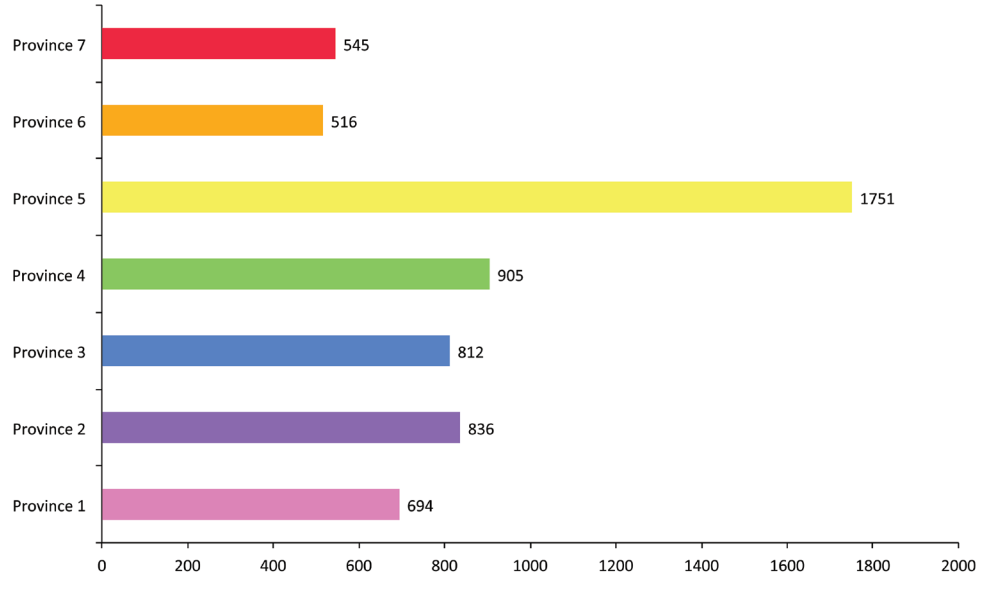
ing the election period. Political parties had a responsible role to follow election code of conduct and Election Commission had a major liability to enforce them. In contrary the commission was not able to make them responsible for violating code of conduct. Some information received were the commission cautioned few political parties on this, however it failed to use its constitutional rights to take action against them. In this context, more incidents on code of conduct violation by the political parties and its candidates were documented. Complaints were lodged against the violation of Code of Conduct (COC) and there were a competition on lodging complaint against and violating it at the same time, but the commission was apathetic on taking action against them. The majority of incident of CoC violation during the period was made by the government itself. The government made transferring its staff, appointing them, distributing financial support and many other activities ahead of the election period. The Commission cautioned against such activities however, the government was busy giving continuity to it.

In one hand, the political parties and Election Commission kept saying they are serious on making election fair and fearless while on the other there were significant violation of election code of conduct by the political parties and government itself. During this period, more than 2000 cases of complaints were lodged against the violation of CoC.

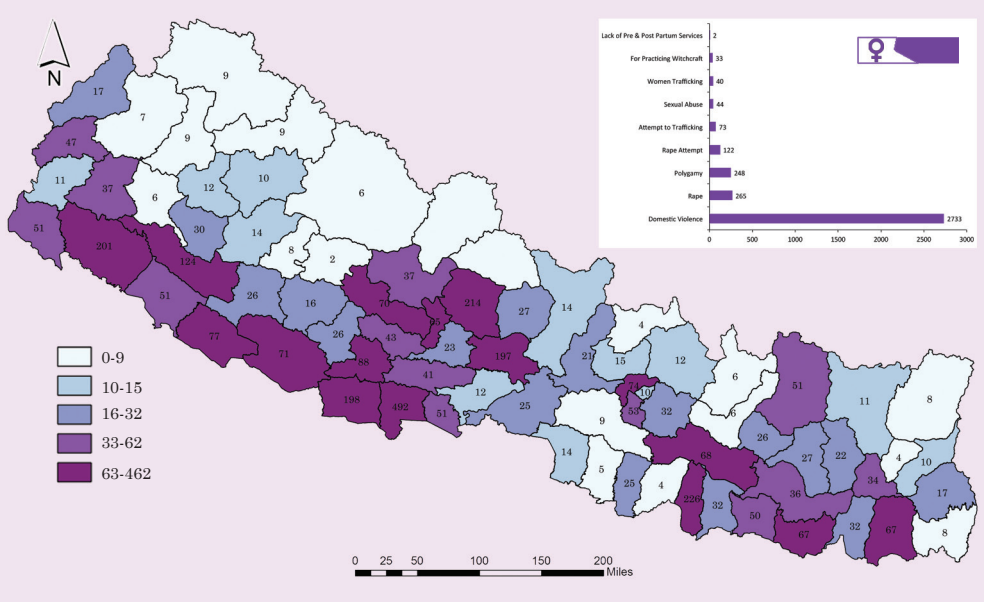
The Election Commission was seen to be apathetic on the implementation of CoC despite having legal authority and constitutional rights. Due to the lack of investigation and charge against the violation cases, it became useless on lodging the complaint. This has raised the question of credibility of Commission itself.

The election code of conduct 2070, point Number 30 provides right to the citizens to hold peaceful assembly and rallies. But, during this period, various activities of terrorizing people were rampant throughout the nation against this provision. Especially in districts of Madhes, such activities were rampant during the first and second phase of local level

Figure 3: No. of Victims in 2017 (Province wise)



Map 2: No. of Victims on Women Rights Violation in 2017 (By District)



elections encouraging impunity. In democratic practice, political party must win the heart of its people rather than using force. The apathy shown by the commission, political negligence and monopoly of the government are some of the glaring examples. The election commission stressed on giving priority on voter's education but it was not that effective. The commission had mobilized volunteers and educated the voters via media and other means. But the question raised on its effectiveness when the percent of void votes were more than 10 percentage.

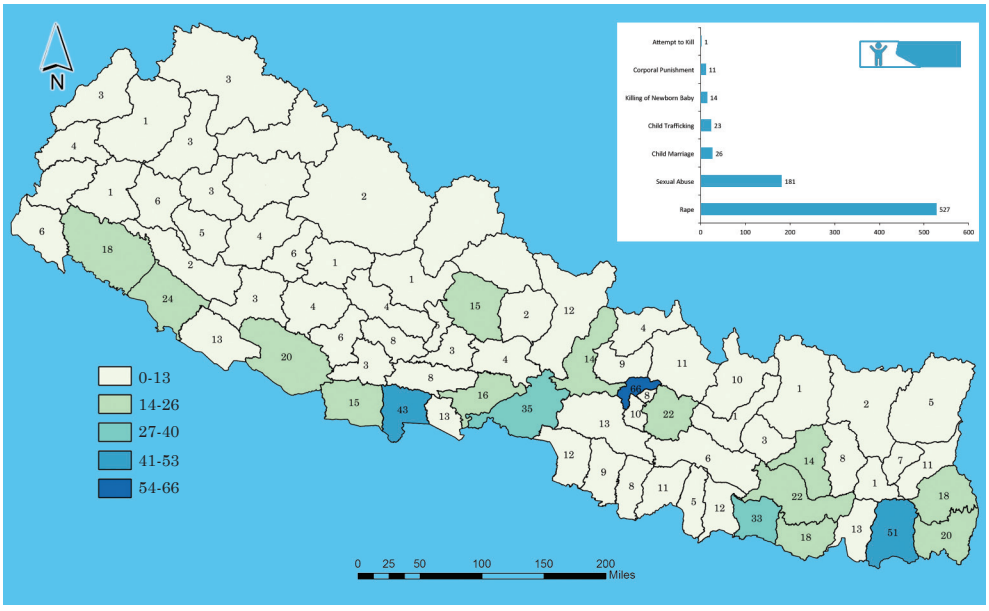
Election Centered Violence and Impunity

The government failed to be responsive and accountable on the violent incidents and those involved during the election period. On the eve of the election, series of explosions took place across the country. In one incident at Dang a 23 year old Binod Chaudhary, a Police personnel, temporarily hired for the election was killed while seven others were injured. In Nuwakot, Nepali congress leader Ramsharan Mahat was targeted with an improvised explosive device (bomb) and in other case Nepali congress leader Gagan Thapa was also targeted in an IED explosion carried out in Kathmandu. Similarly, in Bhojpur , UML leader Sherdhan Rai and few UML leaders were targeted with IEDs in Ilam.

In an IED ambush explosion in Udayapur, Nepali Congress candidate to the House of Representatives Narayan Karki was severely injured while youth leader Meera Katuwal lost one of her leg below the knees.

Local administration offices in different parts of the country arrested hundreds of cadres of Nepal Communist Party (NCP Biplob Group) on the charge of their involvement in anti-election activities. Most of them were released immediately after the election whereas some of them were charged on other cases. In many instances, even the persons who were guilty were released without any legal remedies which showed increasing impunity pre-

Map 3: No. of Victims on Child Rights Violation in 2017 (By District)



vailing in the country. These kind of violent incidents were reported even during the first and second constituent assembly election.

Stable Government and Hope of Prosperity

All three elections of local level government, provincial and federal parliaments were held within this year as per the constitutional provision with an exuberant participation of the people. These historic elections were carried out in a peaceful atmosphere which was thought to be impossible, by some analyst from Nepal and abroad Holding of these elections in a peaceful manner is taken as a major political achievement as they played a vital role to end decade long political transition in the country and pave a way forward for the political stability. Prior to this, more than 30 political parties were represented in the constituent assembly through the constituent assembly election and proportionate representation. Many of the political analyst believed that the huge number of political parties representation in the constituent assembly was one of the reason behind political instability. From the recent elections and the results on decrease in number in the representation of national political parties in parliament are some good aspects. It is believed that the achievement gained, if, utilized properly will pave the way towards the stability and prosperity in the country. Looking at our past political history, there are examples of majority government falling down within a small period of time. Nepali people could not get a stable government since 1950 due to the various political system and practices. The policies and plans being less people-centered is one of the major reason behind the country not being able to accelerate towards progression and development.

The result of the recently held election has made people hopeful. The left alliance has raised the issue of stability and prosperity as the major issue in their manifesto. It has also believed that the slogan of "stability and prosperity" was enough to them for gaining more support.

Table 1: No. of Victims as per Incidents in 2017 (Province wise)

Type of Events	Province 1	Province 2	Province 3	Province 4	Province 5	Province 6	Province 7	Total
Abduction		6	2	7	2	1		18
Arrest	33		33	108	225	47	19	465
Beatings	35	50	52	48	84	123	51	443
Child Rights	176	108	209	62	158	28	42	783
Death in Detention		1	1		2			4
Economic, Social and Cultural Rights	6		3		1	2		12
Inhuman Behaviour	6	14	4	3	7	2	1	37
Injured	37	57	62	2	43	20	3	224
Killing	44	64	51	12	38	23	23	255
Racial Discrimination	1	2	2	2	9	12	17	45
Right to Assembly	1	104	43		22	1		171
Threats	2	6	10	2	3	9	3	35
Torture		1	5		1			7
Women Rights	353	423	335	659	1156	248	386	3560
Total	**694**	**836**	**812**	**905**	**1751**	**516**	**545**	**6059**

Apart from political stability, economic prosperity is another major issue that people are expecting. This issue is included by the majority of political parties in their manifesto. But in reality, no discussions are generally made on how to achieve economic prosperity and essential resources to achieve them.

The Year 2017 and Fundamental Issue of Human Rights

Health Rights

This year, as usual, most of the health institutions of the country faced shortage getting free medicines from the government. The shortage was created after the handing over of health organizations to the local level. As per the provision, the local bodies can call for quotation worth Rs 2 million to initiate procurement process of the medicines. But, the process could not be expedited due to the less knowledge of newly elected local bodies representatives. There was a shortage of medicine prior to the handing over of health institutions to local bodies , but the picture is worst at present. The constitution has provisioned that concerned city or rural municipality must take the responsibility of health post after they enter into new structure of local level.

In the name of fulfilling demands of the people, health professionals called on strike affecting the overall health sector of the nation. Along with beginning of the year, hospitals and health organizations across the country were closed in support of the demands made by Dr Govinda KC who staged hunger strike demanding reforms in the health sector. Similarly, in the beginning of October, this year, health institutions across the country stopped their services for almost one week against the decision of government to form new law awarding compensation to the patient who died in course of treatment in the health centers. Many patients suffered during this period for lack of treatment due to the strike.

The Emergency Service Operation Act restricts the closure of health services. The act of disrupting health service is a serious inhumane activity and it is the direct violation of Constitution and law. Health professionals are not found to be aware and sensitive on people's health by obstructing health services and risking the lives of people in the name of fulfilling their demands. The government, however, failed to take action even in such a serious issue.

Incidents like untimely death due to the minor ailment in deprivation of medicine, lack of health professionals in health institutions, lack of awareness in rural part of the country were made public. Lack of government preparation on preventing the epidemic and lack of awareness about it are also responsible for such type incidents. The central and local government including all representatives and staffs must work hard to create precautionary environment to avoid loss of human lives in Terai due to cold wave *or* flu in the hills. No concerned authority showed their interest on such serious issues.

Right to Food

The government failed to establish legal provisions guarantying right to food. Not using fertile land, not getting manure and seeds on time, lack of fertile land and increasing plotting of land has increased the food dependency. The government has failed to manage the food and address the issues of food crisis in the Karnali region. It has adopted the policy to develop modern agriculture system however, the policy could not be effective. Providing quality food in subsidized price to the citizens of 30 districts in hilly and extremely remote part of the country has been described in the National Human Rights Action Plan. But, there was no progress on saving the deprived communities such as Chepang, Raute, Musahar, Dalit, Wadi, Haliya and

Table 2: No. of Victims as per Incidents in 2017

Type of Events	By State				By Non-State			
	Female	Male	M/F N/A	Total	Female	Male	M/F N/A	Total
Abduction					2	16		18
Arrest	24	441		465				
Beatings	20	59		79	40	324		364
Child Rights					756	27		783
Death in Detention		4		4				
Economic, Social and Cultural Rights					2	9	1	12
Inhuman Behaviour		1		1	4	32		36
Injured	1	38		39	52	133		185
Killing		11		11	140	104		244
Racial Discrimination					18	27		45
Right to Assembly	38	97	32	167		4		4
Threats		2		2	7	26		33
Torture	1	6		7				
Women Rights	2			2	3558			3558
Total	**86**	**659**	**32**	**777**	**4579**	**702**	**1**	**5282**

Bote from starvation. People from these community were in a severe food crisis throughout the year.

Transitional Justice

The Council of Ministers decided to extend the tenure of Truth and Reconciliation Commission TRC and CIEDP for one year by issuing an ordinance. The Commissions formed in 2005 February had responsibilities on investigating the complaints received from conflict victims, identification of the perpetrators and recommending for action, victim's security and reparation. But, three years period of these commissions have elapsed only receiving complaints from the victims.

The Supreme Court had issued a mandamus order in the name of government in favor of victims and at the same time the Office of the High commission of Human Rights (OHCHR), victims group and different Human Rights organizations had also appealed the government from time to time to make the act more victim centric. But, the government and political parties have taken this issue very lightly. Due to the internal conflict within the Commission, lack of essential act/laws and lack of willingness and support from the government, the commission was seen less effective. It was the right time for the commission to act based on the recommendation received from UN Human Rights Committees, the Supreme Court mandamus order and recommendations from Human Rights organizations, but due to its own apathy, the commission failed to perform its duty on time.

From the beginning, many questions were raised on credibility, and acceptability of the both commissions. The continuous extension of the tenure will put the issue of transitional justice in shadow and it will institutionalize giving immunity to the perpetrators.

Table 3: No. of Victims as per Incidents in 2016

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				8	9	17
Arrest		30	30			
Beatings	4	32	36	19	62	81
Child Rights				668	52	720
Death in Detention		2	2			
Death in Jail		1	1			
Economic, Social and Cultural Rights				1	2	3
Inhuman Behaviour		3	3	2	11	13
Injured		7	7	7	57	64
Killing	1	3	4	157	109	266
Landless and Squatters Problem					8	8
Racial Discrimination				18	33	51
Right to Assembly	54	177	231		1	1
Threats		4	4	2	9	11
Torture	3	37	40			
Women Rights				2909		2909
Total	**62**	**296**	**358**	**3791**	**353**	**4144**

Neglected Earthquake Victim

After the completion of three years since the devastating earthquake in 2015, majority of earthquake victims are still compelled to live under the temporary tents. The National Reconstruction Authority (NRA) announced that it will give priority on building the private shelters but, has failed to move forward. In the period of 2 and half years, it saw change in three of its Chief Executives. The office was entangled in political tussle and thousands of victims family were affected from that. But, it is unfortunate that none of the political parties realized this.

During this period, 21,272 families received housing grant of Rs 3,00,000 in three installments which is only 3.18 percent relief to the total earthquake victims. Out of around 7, 00,000 destroyed houses, only 79,518 houses have been reconstructed.

Right to Dignified Life

The Year 2017 and Human Rights Violations: Facts and Data

According to INSEC documentation, in 2017, 6059 people were victims in incidents of human rights violation and atrocities. This number was less in 2016 which was 4,502. As compared to the last year, the number is higher by 1,557. Last year, 358 people were the victims of human rights violation by the state actor and 4,144 people by non-state actor. This year 777 people including 86 women were victims by the state actor and 5,282 people including 4,579 women were victims of human rights violations from the non-state actor. As compared to the last year, this year more incidents of human rights violations by both state and non-state actors were documented.

Table 4: No. of Children Victims in 2017 (Age wise)

Age group	1 - 5	6 - 11	12 - 17	Total
Attempt to Kill	1			1
Child Marriage		3	23	26
Child Trafficking		5	18	23
Corporal Punishment	1	3	7	11
Killing of Newborn Baby	14			14
Rape	43	150	334	527
Sexual Abuse	17	66	98	181
Total	76	227	480	783

In March 2017, five people were killed in a clash between the cadres of Madhesi Morcha and police after the end of CPN UML assembly in Rajbiraj of Saptari. The incident happened when the police intervened at the demonstration called on by Madhesi Morcha affecting the Mechi Mahakali campaign launched by CPN UML. However, CPN UML said that the incident happened after it ended its assembly. In 2017, 11 people were killed nationwide in a police firing. Similarly, 7 people were injured in torture this year, 465 people were arrested, 37 injured in a police firing, 167 were victims of violation of the right to peaceful assembly and 79 were victims of beatings by state actor.

Discrimination against Women

This year 33 acts on against Discrimination against women were amended or nullified. The limitation of 35 days for lodging complaint against rape was extended to 6 months and in case the accused could not compensate the victim, the state has taken responsibility for compensation. Separate Laws were made regarding the issue of domestic violence, sexual harassment at work place and harmful practices such as witchcraft. The punishment period for marital rape has been extended.

Similarly, a mechanism has been formulated to address the issue of Violence against woman victims. In 21 districts, one door crisis management center has been established with the objective of addressing the issues of violence against

Table 5: No. of Victims Above 60 Years of Age in 2017

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	2	17	19			
Beatings		2	2		8	8
Economic, Social & Cultural Rights				1	3	4
Inhuman Behaviour					1	1
Injured		1	1	4	4	8
Killing				9	12	21
Racial Discrimination					1	1
Right to Assembly		2	2		2	2
Women Rights				74		74
Total	**2**	**22**	**24**	**88**	**31**	**119**

woman victims and this is in the process of extension. In 77 districts, 17 district security shelters for women have been established for their protection. But, there are no any provisions to keep them for more than 45 days. In Nepal Police, there are 270 Women and Children Service centers. But, in most of the centers, there are no police women deployed and due to this in many places women victim cannot express their issues.

This year, 80 women were killed by their family members. Last year the no was 84. This year 265 women were raped, 33 were victims of witchcraft allegation, 44 of sexual abuses, 122 of attempted rape, 73 of attempted trafficking and 40 of trafficking.

INSEC district representatives had monitored 77 Ministry of Women and Children Office under the district police office. Majority of incidents registered at the office were settled through an agreement. As per the provision of reconciliation stated in Domestic Violence Control and Punishment Act, most of the cases of domestic violence are settled in an agreement according to the police. By taking advantages of this act, this year, trend of settling serious incidents of violence were reported.

Majardi Murau, 35 of Kaplibastu Municipality-6, Tilaurakot was seriously injured on October 24 after her husband Ram Lal Murau,40 severely intimidated her. The husband who had left the house five years ago assaulted her on the day he returned back. The accused was arrested on the next day by police and the case was settled in Women and Children Center in condition of not repeating the case in future.

Child Rights

Children are the future of the nation and they should be protected from any form of the violence. At present state, they are severely affected by Child labor, child trafficking, and sexual violence, deprivation of education and health services.

INSEC district representatives had monitored government schools of the district. They have found that majority of schools buildings are not child-friendly. in most of the schools toilets were found to be non friendly for girl students. Very minimal numbers of disabled friendly schools were in the districts according to District Education Office. (*see: education rights in district chapter of this book)*

Table 6: No. of Victims of Human Rights Defenders in 2017

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	20	21			
Beatings	1	3	4	2	28	30
Inhuman Behaviour					11	11
Injured		2	2		5	5
Killing		1	1	3	3	6
Racial Discrimination					1	1
Threats				2	10	12
Total	**2**	**26**	**28**	**7**	**58**	**65**

Apart from that, children are being victims of violence by non-state actor. There was no significant decrease in child rights violation this year too. Last year 468 girls were victims of rape whereas this year it was increased to 527. Similarly, INSEC documented 11 incidents of corporal punishment in the school.

International Commitment of Nepal Government

Universal Periodic Review (UPR)

The second phase of universal periodic review UPR of Nepal was held on 2015 November at the Human Rights Council. The main objective of UPR is to review the overall human rights situation of its member nations. The UPR Committee has already made its recommendations on Nepal report. Similarly, Nepal government has already received recommendations of the report on 31st Human Rights Council meeting held on 16 March 2016.

Nepal government received 195 recommendations from the report prepared by the UPR working group. The newly endorsed constitution of Nepal was welcomed by many members and recommended various issues on human rights. Among the received recommendations, 152 were accepted by Nepal Government and 43 were rejected. Nepal government received recommendations on constitution drafting, delay on transitional justice mechanism, issues on torture, arbitrary arrest, ratification for different human rights treaties, child rights issues, status on National Human Rights Commission recommendations, human trafficking issues, natural disaster and issues on human rights defenders etc.

Sustainable Development Goal and Its Challenges on Implementation

The Sustainable Development Goals (SDGs) a universal call to action to end poverty, ensuring all people enjoy peace and prosperity has been determined with a specific goal from 2016 till 2030 led by United Nations. This development goal do not create any legal liabilities as the millennium development goal. Nepal government has shown its commitment in economic, social and cultural rights determined by the development goals which are the important progression point to entertain these rights.

The goals mentioned as development agendas by the United Nations General Assembly covers essential areas to make a sustainable development plan and a comprehensive measures which adopts the norms that every human being must entertain their fundamental rights.

Nepal also participated in determining this goal mentioned by the United Nations General Assembly, however, it faces many challenges. Some of the challenges were highlighted while implementing millennium development goals and there are possibility of repetition of this. Some of the challenges are:

1. Challenges regarding periodic planning on sustainable development goal and annual development program.
2. Question is raised on how to institutionalize sustainable development goal at the local level.
3. There is a concern on how to increase the participation of the people in implementation level.
4. How to mobilize internal and external resources to meet the goal.
5. How to develop and increase capabilities at the national level.

The post-quake issues of disaster management and reconstruction has also added extra challenges on it. Similarly, governance capacity in various level and coordination is also one of the major challenge.

National Human Rights Action Plan

Nepal formulated National Human Rights Action Plan and started to enforce it from 2004 following the United Nations Human Rights Conference in Vienna in 1993. At present, the 5th National Human rights action plan (2015- 2020) is in implementation phase. This action plan comprehensively includes the context on how state should address the human rights cases from the past learnings.

Human Rights Action Plan is also the view of Nepal Government on its commitment shown towards the Human Rights. It is important that the government bodies must be responsible on its effective implementation as the action plan is made based on recommendations received from UPR, recommendations from various human rights committees etc. National Human Rights Commission had monitored the implementation of the National Human Rights action plan in most of the districts and has found some positive results on its implementation. This year there are some positive remarks from the government. Some of the achievement gained were on Human Rights education, highlighting the cases of violence against woman and awareness raising programs. Highlighting the domestic violence incidents, interim relief to the conflict victims shows that the NHRAP is progressing to some extent.

State and Human Rights

Judiciary

Judiciary is the independent organ of the government. It is responsible on providing justice to the innocent, punishing the culprits and safeguarding the rights and duties of the citizen. The judiciary of Nepal had gained respect at all the times, even during the time of decade long armed conflict on the protection for right to life, right against torture and enforced disappearance. The judiciary of Nepal has always maintained its dignity and gained faith by protecting Nepali people's right.

Executive

This year, holding of all three levels of election on time can be taken as a major achievement. The inclusion of all the political parties and holding the election is praiseworthy. Also it can been seen on a positive note that the agitating Madhesi-centered parties also took part in the election as a way forward on the constitution implementation. In some parts of the country, series of incidents on explosions, clashes were also reported terrorizing people which showed the human rights situation not satisfactory.

Nepal being elected to the United Nation's Human Rights Council for three

years from 2017 can be seen as a big achievement of this year.

The ordinance regarding National Assembly Election presented by the government to the President for approval was delayed more than 2 months which further was also challenged in the court. Lately, the ordinance was approved by the president paving the way for National Assembly Election.

Legislature

The transformed legislature- parliament played a positive role on ending the political transition by endorsing federal constitution through second constituent assembly. Apart from that, it also formulated essential acts, policies and laws to hold central, provincial and local level elections leading country towards federal system of governance, and playing essential role to institutionalize achievements gained through democracy. Such positive aspect are important achievements for the implementation of constitution. It is believed that some of the remaining task of the legislature-parliament will be fulfilled by the newly elected federal bodies the central, province and local

Economic, Social and Cultural Rights

a. Majhi community of Panchthar

Majhi community resides in the eastern hilly part of Nepal and they have been traditionally living in the banks of the Tamor River and its tributaries. This river flows through some parts of Panchtar district. The situation of economic, social and cultural rights of this tribe is analyzed in this section. People from Kirant, Hindu, Christian and Buddhist communities live here. Likewise, indigenous nationalities, communities from Brahmin, Chettri and Dalit also reside here. Some Majhi elders say that the Majhi community migrated here more than six-seven generations ago.

b. Musahar Community of Maottari

There is a village named Bathnaha Madhawa, six kilometers away from the district headquarter of Mahottari. This village is in Manara Siswa Municipality-10 lies in the bank of Indian border. There are about three hundred houses and roads accessible from both India and Nepal.

The Musahar Community in this village are highly marginalized and who have their own identity and culture. According to 2011 census, the total population of Musahar community is 1,72,434 throughout the country. In Mahottari, there are 3262 Musahar families of which 11,630 are female and 11,734 are male. They live around Dhamaura, Bardibas, Phulkaha, Gaushala, Jaleshwor, Loharpatti, Singgyahi, Simardahi, Hattisarwa, Aurahi, Haripur, Harinmari including other area of the district. In Bathanaha, 490 people lives in 140 houses. The major occupation of Musahar is fishing, selling shells, daily labor and selling woods from the jungle.

c. Earthquake Victims and Issue of Rehabilitation

Fundamental Rights Article 37 under Part 3 of the Constitution of Nepal guarantees the right to appropriate housing for every citizen. Part 4, Directive Principle and Policies of the State, Article 51(j) 6 states 'to identify the freed bonded labours, Kamlari, Harawa, Charawa, tillers, landless, squatters and rehabilitate them by providing housing, housing plot for residence and cultivable land or employment for their livelihoods.'

There are various circumstance and reasons that lead people to migrate from one place to another. Natural disaster, better alternative to housing, employment, family revolt and other circumstantial compulsion force people to leave their place of origin to migrate elsewhere. The

circumstance to leave one's place of origin is also different from one context to another. Some migrate alone, some along with family, some with relatives, sometimes the entire village, and region, community, sometimes only an ethnic and religious group and sometimes a large section of the country migrate.

In Rasuwa, the households in some village were forced to live their place of origin due to natural disaster of 2015 April earthquake. Many families were displaced from the Haku and Dandagaon VDCs are currently living in Laharepauwa VDC (present Bogatitar, Naubise and Kavre in Uttagaya rural municipality-5) of Rasuwa and in Satbise, Shanti bazaar and other areas of Nuwakot. Some families from Haku are also residing near Dhunche, the district headquarters of Rasuwa. Among those displaced, majority of them are either victims of *Guthi* and *Birta* land tenure system or landless settlers.

d. Post-Quake Restructure in Gorkha

In Gorkha, the epicenter of the April 25, 2015 earthquake, majority of the private houses, health institutions, schools and government offices were damaged. 'Food and shelter are the most important', Sur Bahadur Ghale a victim of the earthquake at Barpak said, "Who else understood than us about the pain of having to endure the cold and rain in a temporary hut following the earthquake?" It is true as their accommodation has become painful due to lack of a residence. Majority of the survivors continue to spend days and night in the temporary shelter made from corrugated sheets. Some quake survivors are found busy in construction their houses with the 300,000 rupees provided as grant by the Government while some continue to live in the houses deemed vulnerable after being damaged in the earthquake.

e. Malnutrition in Kalikot

The malnutrition in the remote Karnali zone is becoming complex day by day. Though government and non-governmental organizations have been organizing dozens of food security and nutrition programmes in Kalikot, Humla, Jumla, Dolpa and Mugu in this region, it has not been able to make any impact. Every year, the government and non-government organizations spend millions of rupees but malnutrition has not minimized. Due to lack of nutritious food and awareness, the number of children in the remote are falling victims to the malnutrition.

In Karnali, the government's health offices are running nutrition and security programmes for children. Non-government organizations continue to run dozens of programmes. Every year, the trend of running new projects in different names continues. But instead of this children of Karnali are falling into the trap of malnutrition. A huge amount of money being spent by the government and other agencies is going to waste. A severe form of malnutrition in the district has become a matter of concern for all.

f. Flood Victims of Bardiya

Bardiya consists of Chure Hill and plain land. Apart from Chepang at Bansgadhi Municipality-1, all other parts are plain. The hilliy region of Bardiya is covered by National Conservation Park. People living there have diversity but the majority is Tharu community. It shows 52 % of the district population is covered by Tharu community.

Bardiya National Park covers 2025 sq kilometers area. Large rivers like Karnali and Babai are in this district. The district is rich in natural resources however, the utilization is very low and at the same time, people are suffering from pain

due to the lack of risk disaster reduction management. Every year these people are suffering from destruction caused by flooding and landslide by Karnali , Babai and its tributaries. Thousands of Sq Km lands are inundated due to the flood displacing thousands of people from this area.

g. Child Marriage in Baitadi

The Constitution of Nepal 2015 has described child marriage as a crime., child marriage continues to exist in some parts of the society despite being prohibited by law. Marriage before the proper age will have a negative impact on the individual as well as the society. Due to physical, psychological, economic and social impact, its effect will run through generations among the offspring, according to the experts. Furthermore, early marriage is found to lead towards problems like malnutrition, anemia, abortion, and birth of child with disability etc . Child marriage has become one of the major reasons of violence against women as well.

Consclusion

This time, the election result has reflected a hope among the people for a stable government. The left alliance has gained a majority to run the government. Nepali people have always proved themselves to be committed to democracy and change. They have sacrificed for the restoration of democracy, they have fought against autocratic system and aggression. The sacrifice and struggle of Nepali people has always been a desire for a prosperous Nepal. In the past, due the lack of policies, opportunities and lack of prioritization of living standard to the people, especially to the backward community, have compelled a significant number of unemployed youth force to go for foreign employment on a risky jobs.

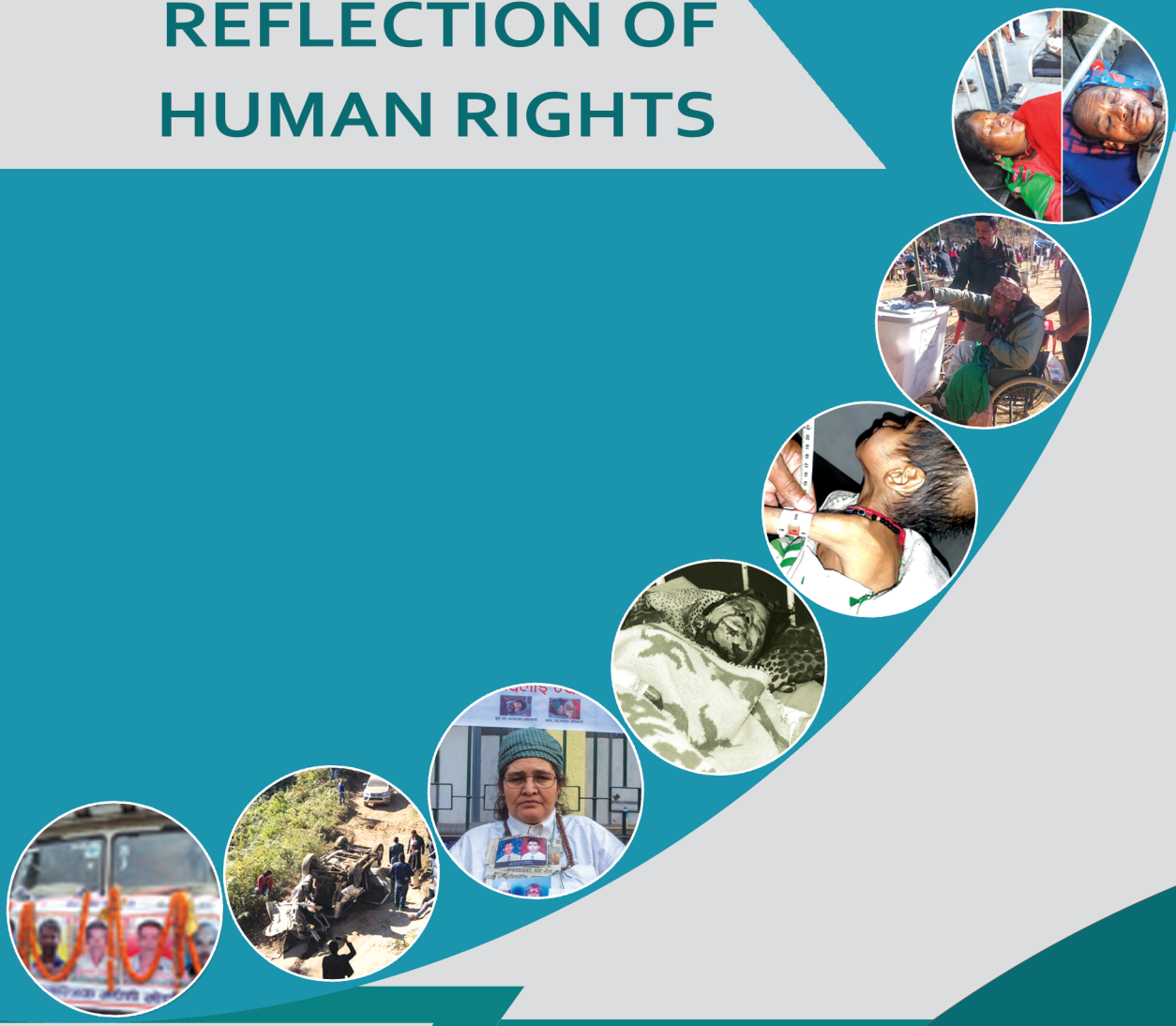
Going back to our difficult past it is hoped now that the newly formed government will build a peaceful and prosperous democratic Nepal.

Recommendations

- Follow and implement the recommendations received from United Nation's Universal Periodic review (UPR).
- Government should be accountable on implementing the Supreme Court verdict.
- Implement the National Human Rights Commission (NHRC) recommendations.
- Initiate legal action against the guilty on human rights violation to end impunity.
- Ratify the Rome Statute of International Criminal Court ICC.
- Expedite the rehabilitation process of the earthquake survivors.
- Ratify the Convention on Rights of migrant workers and their families.
- Make effective plan to implement fundamental rights such as education and health and effective Implementation of the National Human Rights Action Plan.
- Effectively enforce transparent and accountable action plan by the involving local, provincial and federal government for the effective implementation of Sustainable Development Goal SDG plan.

Bijay Raj Gautam
Executive Director

REFLECTION OF HUMAN RIGHTS



2017

Sanjan Mehata, 26 of Rajbiraj Municipality-9, Pitamber Mandal,50 of Maleth-4, and Ananda Kumar Shah 50 of Prasabani Rural Municipality-4 were killed in a police firing on March 6 in a clash with police during a demonstration organized by united Madhesi Morcha cadres against the Mehi-Mahakali campaign of CPN UML. Among the injured, Birendra Mehata,38 of Maleth Rural Municipality-2 died on March 8 and 57 years old Iner Dev Yadav of Jamuni Madhepura Rural Municipality-2, Kotbi died on March 10 while undergoing treatment at BPKHIS in Dharan. The postmortem of bodies were done at BPKHIS on a same day. The government announced to provide Rs 10,000,00 each to the victim's family as a relief and a District Security Committee formed high level investigation committee to investigate the incident and decided to write letter to Home Ministry to initiate other relief to the victim's family. The victim's family received dead bodied on March 10 and on March 11, bodies were cremated.

Photo: Manohar Kumar Pokhrel, Saptari

Vehicle that was damaged after a bomb was detonated at Kakani Rural Municipality-4 in Nuwakot on 2017 November 17 targeting constituency number 1 candidate Ram Sharan Mahat and province "B" candidate Ramesh Kumar Mahat. At least five cadres of Nepal Congress were injured in an explosion however, both candidate escaped injuries.

Photo courtesy: Ramesh Kumar Mahat, Nuwakot.

The justice demand of Ganga Maya Adhikari, 58, remains incomplete this year too. She has been active in justice campaign since 13 years demanding the action against those involved in her son, Krishna Prasad Adhikari's murder. Her husband Nanda Prasad Adhikari died on 2014 September 22 after 333 days long hunger strike and his body still awaiting for cremation in Teaching Hospital.

Photo: Bimal Chandra Sharma, Kathmandu

Anita Khatik, 22 of Nepalgunj Sub-Metropolis-12 was injured after her 26 years old husband Rajendra Khatik set her on fire over a domestic dispute on 2017 January 19. She received primary treatment at Bheri Zonal Hospital in Nepalgunj and was further referred to Kathmandu for treatment. She died while undergoing treatment at Teaching Hospital in Kathmandu on January 31. The accused was arrested by police on February 1 and by the court order on March 1 he was remanded in custody. The case remains pending till the end of this year. Overall, 80 women were killed in a domestic dispute this year.

Photo: Binod Pandey, Banke

According to the District Health Office of Kalikot, 63 percent of children in the district are still suffering from malnutrition. The effect of malnutrition could not be stopped despite of operating various project by government and non-government organizations. The study shows that, out of 4,223 children in Kalikot, 1379 (32.56%) are suffering from malnutrition.

Photo: Kali Bahadur Malla, Kalikot

Voter Krishna Bahadur Thapa, in a wheel chair, using his voting rights at Kastura Boarding School polling center in Bheri Municiplity-4, Jajarkot. This year, people's representatives were selected through local level, parliamentarian and provincial elections. The local level election was held almost after 2 decades and for the first time, the elections were held in new structure as per the constitution.

Photo: Dinesh Shrestha, Jajarkot

Bhakta Bahadur B.K, 57 and his wife Amrita B.K, 48 of Barahatal Rural Municipality-8, Damare was seriously injured in a beating by Mohan Shahi, 22 and Nanda Sahi, 24 on September 10. They were beaten on charge of their son Bal Bahadur B.K, 25 doing inter caste marriage. Both injured received treatment at sub regional hospital in Surkhet. The victim complained that they were tied with a rope before beating them by a group of 4 people including Shahi. On, September 18, the victim's party lodged complaint under caste based discrimination against the accused and on October 22, the incident was settled in District Police Office in an agreement of compensating victims for Rs 75,000 along with Rs 20,000 as a treatment cost. This year 45 people were victims in an incident of caste based discrimination.

Photo: Durga Thapa, Surkhet

Photo: Ramesh Prasad Timalsina

Chapter 2

2.1 State and Human Rights

Judiciary

1. Background

Judiciary has remained as the custodian in observance of fundamental rights and other constitutional, legal and other human rights of the citizens and in building culture of rule of law in a democratic system. The rule of law is possible only through the establishment and uninterrupted functioning of the independent and fair judiciary. Constitution of Nepal, 2015 has envisaged the Judiciary as the custodian of the people/ citizens' rights where it would work for promotion of the rule of law, protection of fundamental rights and other rights, fair and impartial justice dispensation. The efficiency and indpendence of the judiciary of any state is the indicator whether people's right in any state is protected.

This report covers the performance of Nepalese judiciary in 2017 that is the period after the promulgation of Constitution of Nepal by the II Consituent Assembly of Nepal, completion of the second year and beging of the third year of this consitution promulgation. Similary, it was the third implementing year of the Third Strategic Plan of the Nepali Judiciary (2014/15-2018/19) of the Judiciary itself. Under the differnt targets and objectives set by the strategic plan of the judiciary, it has set the goals based on no of cases to be dispensed and time period for such justice dispensation by the different courts and tribunals to ensure the easy access to and speedy justice of the people.[1] Similarly, it has also prescribed differnt standards for reduction of cases lodged at the courts.[2] Prescribing the standards and adopting the programmes alone is not sufficient to ensure access to justice and speedy justice dispensation, rather it is equally ardent to analyse the causes or factors contributing in not realizing the goals and address these causes in adoping the further programmes. Only the the set goals and objectives are possible to realize by objectively analysing such causes and making the proper timely changes in the policies and programmes and approaches.

The Judiciary, as discussed in the first paragraph, has remained as the last resort for estoring not only the fundamental rights of citizens but also all human rights of all when violation of such rights has occured or is almost sure to occur of such violation or obstruction in realizing such rights by issueing differnt orders through its ordinary and extra-ordinary (writ) jurisdictions, hence people have faith state institution i.e. the judiciary as the last resort for protector or custodians of their rights. The Nepales Judiciary has earned its reputation and trust for protecting the fundamental rights, such as right to life, rights not to be tortured, rights against enforced dissapearnce, rights to fair trial and right to justice of the people including the cadres of the then Communist Pary of Nepal (Maoist) when there was an armed conflict between the then Communist Party of Nepal (Maoist) and government security forces of Nepal for a decade.[3] Hence, so far, the Nepalese Judiciary has been able to proectet its image as the guardian of the peoples' rights which should not be tarnished at any cost.

There was considerable pressure in finalizing the complaints registred at all three tiers of courts including the Supreme Court of Nepal in this reporing period. In the fiscal year of 2072/073 BS, 11,835 new cases were registered at the Supreme Court, where 23,334 cases were transfered from the previous fiscal years as the back log cases; hence altogether there were 35,169 cases were there to be heard in the said fiscal year. Out of these large no of cases, the SC could make the

1. Preface, Supreme Court Annual Report, 2072/073 BS (2015/016 AD)
2. Preface, Supreme Court Annual Report, 2072/073 BS (2015/016 AD)
3. Tejman Shrestha, INSEC Human Rights Year Book, 2016 (Kathmandu: INSEC, 2016), p.

final hearing of only the 31.78 % cases that is 11,175 cases were finalized.[4] Thus, as the Court could make the final hearing only on nearly the 32% cases, there remaind more than 68% cases or more than 25,000 cases as a pending or back log cases. Hence thousands of Nepalese people have been deprivied of their fundamental rights of getting just in time as justice delayed is justice denied.

During the reporting period, case on removing of the CIAA Chief Commissioner Lokman Sing Karki from his post as the Court reached tot the decision that Mr Karki did not meet the requirement to remain in the post remained very highlighted case. The SC had rendered its verdic that Karki did not met the qualification to resume the post as prescribed by the Constitituion. However, the level of promptness shown by the Court was not as usual. Had the Court such kind of alertness in other cases as well, the ratio of numbers of case decided by the SC would have been gone much much higher than this and there would not have remained so much large number of back logged cases. Similarly, in another cases such as of Kathmandu National Medical College and other Medical College related ones, the judgmenet of the Court was not getting public trust. Tribhuvan University had revoked the affiliation earlier provided to Kathmandu National Medical College by it. Challenging this revoking or withdrawing of affiliation, the Kathmandu National Medical College invoked the Court againt the Tribhuvan University. Similalry, the SC issued an order of mandamus against the CJ as the Chair of the Judicial Council Shushila Karki for failing to form Constitutional Bench.

Simialry, in a separate case of PIL, a writ order of mandamus issued agains the then CJ Shushila Karki. The CJ in the capacity of the chair of Judicial Council which is responsible for not only recommending the names to be appoined as the justices of SC excect the CJ, but also for recommedning name for the Constitutional Bench (CB)at the SC, had failed to fulfil the constituional and statuory mandate to recommend the names of the justices for the CB. Similarly, Pariamentarains registered the impeachment motion against the sittting CJ, which was not logically ended, rather negotiated. So the year elapsed both with the hope and dismay in the Judiciary. Here it has been analyzed both the positive inititaves taken by the Judiciary and the ways it tarnished the images of the Judiciary in the said year.

The Judiciary has very important role in creating the just and favourable environment for exercising fundamental and other rights that are likely to be violated or limited by different authoritites while exercising the executive and other powers. The year 2017 has witnessed both positive and negative dimensions of performance of the Judiciary while discharging this role of ultimate custodians of rights of people. This write up is about how the Nepalse Judiciary contributed in and how it could have better contributed in protection of human rights and other issues related to rule of law in the year 2017.

2. Performance of the Judiciary[5]

The performance of the judiciary has be measured mostly based on the timely finalizations of the applications lodged at it. In this section it has been discussed the finalization of the cases registered in the FY 2017 and the other cases transferred from the previous fiscal years.

4. Supreme Court Annual Report, 2072/073 BS (2015/016 AD) page "ka", Table 1
5. Supreme Court Annual Report, 2072/073 BS (2015/016 AD)page "ka", Table 1

Table No. 1					
FY	**Cases transferred from previous FY**	**New Registration**	**Total cases**	**Concluded cases in %**	**Due %**
2015/016	23,334	11, 835	35,169	11,175	23,994
				31.78	68.22
Source: Supreme Court, Annual Report, 2015/16 (2072/073), p.a (Table 1)					

2.1 Performance of the Judiciary in the FY 2017[6]

The Judiciary includes the Supreme Court, subordinate courts viz High Court and District Courts, different tribunals and Judicial Council as well. During the fiscal year 2013/14, the Supreme Court could finalise only 31.78% of the total 35,169 cases which includes both the old and the new ones. The following table contains the details of the cases registered and concluded as mentioned in the annual report.[7] (See the table 1.)

The Supreme Court submitted the Annual Report of FY 2053/2016 as per the the constitutional mandate of submitting the report to the President of Nepal including the detail of all activities of its own and its subordinate courts and the Judicial Council as well. However, the annual report of the last fiscal year 2016/17 or of this review period has not been submitted yet; hence could not be available during the period of writing this report. Concluding only nearly 32 percentage of the total cases registered during the FY 2015/016 itself is quite.

2.2 Increasing Trend of Case Registration and Back Log in the Judiciary[8]

While comparing the performance of the Supreme Court with the previous fiscal years, there is increasing trend of number of the cases registered at the Supreme Court and awaiting for final hearing at the end of each fiscal year. (See the table 2.)

There was considerable pressuring in finalizing the complaints registred at all three tiers of courts including the Supreme Court of Nepal in this reporing period. In the fiscal year of 2072/073 BS, 11,835 new cases were registered at the Supreme Court, where 23,334 cases were transfered from the previous fiscal years as the back log cases; hence altogether there were 35,169 cases were there to be heard in the said fiscal year. Out of these large no of cases, the SC could make the

Table No. 2						
FY	**Cases transferred from previous FY**	**New Registration**	**Total Cases**	**Concluded Cases**		**Due**
				No	**%**	
2012/13	12714	8097	20811	4360	20.95	16451
2013/14	16451	8284	24735	5946	20.04	18789
2014/1015	18789	9486	28275	6448	22.80	21827
2015/016	23334	11835	35169	11175	31.78	23,994
Source: Annual Report of the Supreme Court, 2015/016, p 7,Table 2						

6. The Report containing total no in the FY 2017 was not available.
7. ibid
8. The Report containing total no in the FY 2017 was not available.

final hearing of only the 31.78 % cases that is 11,175 cases were finalized.[9] Thus, as the Court could make the final hearing only on nearly the 32% cases, there remaind more than 68% cases or more than 25,000 cases as a pending or back log cases. Hence thousands of Nepalese people have been deprivied of their fundamental rights of getting just in time as justice delayed is justice denied. . One of the main reasons behind the low percentage of concluded cases is due to the fewer number of the judges in comparison to the number of cases. But, becasue of constitutional provisions it is not possible to increase the number of the sitting judges at the Supreme Court of Nepal.

In the context of judicial dispensation, one of the most important aspects that has been given less priority than it should have got is that the judiciary has not taken any initiatives for addressing the long term solutions on what issues the most cases have been registered every year at the courts. The dispute has been concluded through the legal solution pertained within the case; however, the effort has not been made to see if it has given any social solution. Sorting out the case without social justice cannot be sustainable. In the fiscal year 2013/14, the highest number of cases registered in the Supreme Court, appeal courts and district courts was on the dispute of land related cases. There were total forty two thousand nine hundred and ten cases were registered on such issues in the FY 2013/14[10]. Likewise, even in FY 2012/13 including both the new and old cases, the highest number of the cases registered was on the same issue of land dispute. In that fiscal year, there were registered forty two thousand nine hundred and ten cases in total.[11] But the Judiciary has been putting less effort to find out the root causes of such disputes whereas the courts could have concluded such cases quickly and more efficiently than now had it spent its energy in digging out the causes of disputes related to that type of case. The Judiciary has not spent much effort in finding social casuses for ensuring that such kind of litigations are not brought before the courts once they are finalized by the courts. In the fiscal year both in the Supreme Court and high courts, the cases related to land issues has remained in the highest position; whereas at the district courts it is case cases related to the family disputes.

These courts concluded total one lakh tweny three thousand nine hundred and forty eight cases during the fiscal year 2014/15 on the one hand, and on the other, still total seventy seven thousand eight hundred and ninty six cases on pending. This number even went furhter in the FY 2015/016. The number of back log cases in this fiscal year was seventy nine thousand four hundred and three where as new registred cases were one lakh twenty seven thoussand nine hundred and fifty eight. This year, the courts finalized one lakh eighteen thousands two hundred and fifty one cases where as the number of pending cases were eighty nine thousand one hendre and ten.[12] So, in total ten thousand cases were back logged this year. So at least during the reporting period, the courts had more than 89,000 cases. Hence, comparatively, work loads for the courts have been increasing every year which has ben presented in the table 3[13].

While observing the performance and work load of the courts, case registration or concluding of such cases have become the biggest problem not only in the

9. Supreme Court Annual Report, 2072/073 BS (2015/016 AD)page "ka", Table 1
10. Supreme Court, Annual Report, 2013/14
11. Supreme Court, Annual Report, 2012/13 Page (d)
12. Supreme Court, Annual Report, 2015/16, page a
13. Supreme Court, Annual Report, 2013/14, page 10, ; Supreme Court, Annual Report, 2015/16, page a

Table No. 2					
Fiscal Year (FY)	**Responsibilities Transferred from the Previous FY**	**New Registration**	**Total**	**Concluded cases**	**Pending Cases**
2009/10	58985	66395	125380	70017	55363
2010/11	55363	76564	131927	72493	59434
2011/12	59621	93932	153553	87728	65825
2012/13	65825	100351	166176	86919	79257
2013/14	79257	100679	180026	103878	76148
2014/015	76,148	1,25,696	201,844	123,948	77,896
2015/016	79403	127958	207361	118251	89110
2016/017	89110	---	--	--	--
Source: Annual Report of the Supreme Court, 2015/016, p 7,Table 3					

Supreme Court but also in all three layers of the courts. Thus, having pended seventy six thousand one hundred and forty eight cases in total for its final hearing shows that the courts have not been able to seek the solution of at least the families double of these case loads who have been engaed in such legal disputes. As tens of thousands of applicants and respondents have not been able to get speedy justic, justice is not easily acceible for them since justic delayed is justice denied.

2.3 Case Hearing Schedule Management

While comparing cases sheduled for final hearling at the Supreme Court and number of cases heard on the scheduled day, the ratio is even less than 50%. Hence, it shows that

case hearing schedule management is a serious problem of Nepalese judiciary. Hunreds of parties to the case wait for whole day at the Supreme Court and return home in dismay. It is not only case with the clients but also with the defending lawyers as well.On one one hand there is increasing trend of number of the cases registered at the Supreme Court and awaiting for final hearing at the end of each fiscal year and on the other less than the scheduled cases are heard on the scheduled days.

3. New Head of the the Judiciary and Skepticsm on the Head

In the legal history of Nepal, there has been a trend of appointing Chief Justice from among the senior most judges of the Supreme Court. That's why the tenure of the CJ is not so long. During the beging period, Justice Sushila Karki was appointed as the CJ on 2073/06/27 and she retired from the post on 2074/02/23, whereas, till the date of completion of this report i.e. 2074/07/16, Gopal Prajauli has been residing in the post of Chief Justice of Nepal. Even before he assumed the post of the Rt' Honourable CJ of Nepal, he was commissioned as the Acting Chief Justice dated on 2074/01/17 when the motion of impeachment was filed against the then Chief Justice Sushila Karki. Tshus, the tenure of the CJ in Nepal is very short.

One of the most read daily broadsheet, the Kantipur National Daily, published the news related with the academic certificates and having two birth dats of the present CJ with utmost importance in series. The news covered that there was no record of SLC certificate at the academic institution that he has attended and also there was correction of date of birth of the Chief Justice Gopal Prajuli. However, no complaint in this regard was filed in the Parliamentary Hearing Committee, which is a constitutional provi-

sion. Hence, if there were any wrong with the person who is going to head the entire judiciary, the must be raised on his credibility. If there is no any subtantive wrong, then the image of the would be CJ should not tarnished in way of creating havoc in the society. The closeness or affiliation of any person, recommended by Constitutional Council for being appointed in the post of Chief Justice, with any of the political parties prior to his/her appointment, doesn't matter that much but what it matters is once he is appointed in such post, whether he has been discharging his duties to fulfill the interest of any political parties or for protecting and enhancing the propriety of the Court and delivering justice for victim. If anyone expresses their distrust towards the Court and the Chief Justice on the basis of published and unpublished opinion or affiliation or connection with any political parties prior to his appointment in such post, it will not ensure the smooth administration of justice, in fact, it will create many more hindrances. Distrust towards judiciary is far more dangerous than contempt of court. The strong and institutionalized judiciary will only be able to protect the right to legal remedy of citizen when their rights are infringed by ruler. As distrust towards judiciary leaves negative message for society, it will make law violator more anarchist.

4. Issuance of Mandamus to Constitute the Constitutional Bench

In a writ petition filed by Advocate Madhav Kumar Basnet[14], the Supreme Courrt has issued an order of mandamus against the sitting CJ Shulia Karki as the chair person of Judicial Council of Nepal. Section 13 (1) of the Judicial Council Act, 2047 had entrusted on its chair to call the meeting of the Council. The Judicial Council Act, 2073 replaced the previous Act on 2073/06/03, the Act has further strengthened the role of chair of the JC by having such provision that the meeting of JC will convene in the place and on the date as decided by the Chair as required.[15] The then JC Chair CJ Karki did not show the willingneness to call the meeting of the CJ as she did not call the meeting of the Council even after the promulgation of Act.[16]

As it has been felt that the formation of Constitutional Bench at the Supreme Court and continued service delivery by it is quite mandatory and as there is no prescribed or recommended justices for formation of such Bench, because of such non-recommendation of the justices for the said bench, the justice dispensation process under constitutionally guaranteed fundamental rights of the citizens as per the Art. 133 (1) of the Constitution itself has been obstructed for long, and also it is also required to consider for ensuring that implementation of the constitutionally accepted principles of justice, objectives and spirits would not be obstructed in the days to come, recalling the above discussed issues, this order of mandamus has been issued against the judicial Council that the recommendation of the adequate number of justices be recommended within the 15 (fifteen days) of this issuance of order. Thus, issuance of such writ of mandamus against the sitting judge of the Supreme Court against his own supervisor for not fulfilling his constituional and legal obligation indicates that even the CJ is dillydallying in fulfilling her constitutional and legal obligations.

The origin of the writ of Mandamus took place in the British legal sys-

14. Adv. Madhav K. Basnet v. Judicial Council and Others. Writ No. 073-WO-0779
15. Section 35 (1)
16. Adv Madhav K. Basnet v. Judicial Council and Others. Writ No. 073-WO-0779

tem.[17] This kind of writ is issued by the higher level of Court to the individuals, instituions, agencies or to the lower level of courts for carrying out their particular legal duties or to work for the protection of public interest. The purpose of this writ is to improve the legal errors that the institutions have not fullfiled which they were supposed to do so. So it was an ommission rather than commission; which also equally matters in safeguarding the rights of the people. Thus, then then Rt Hon. CJ Shushila Karki had commited an ommission by dillydallying in consitutiting Constitutinal Bench as per the Consitutional and statutory provisons. So, on the one hand nepalese media spends much time provocating the mistrust against the CJ failing to assist anrd strengthen the constittuional mechanism and on the ohter do not worry on making healthy comments on the ommisions comitted by the Judiciary itselt. It never strengthens the democracy, rule of lae and culture of accountability.

5. Tabulation of the Impeachment Motion against the Chief Justice at the Parliament

In the judicial history of Nepal as the first woman Chief Justice Right Honourable Sushila Karki was appointed on 27th Asar 2073. During the period of the report (17 Poush 2073- 16 Poush 2074), her tenure was continuing in the early part; hence this report reviews her tenure too. The first female Chief Justice, Karki was alleged to interfere the rights of the executives during the promotion process of the IGP and the 249 member of the house of parliament from both Nepali Congress and the CPN Maoist tabled the impeachment motion against her on 11th Baishakh 2074.

Chief Justice Karki was alleged the following while the impeachment motion was tabled against her:

- delivered her verdict interfere the rights of the executives to promote the suitable candidate as IGP during the promotion process of the IGP which has not be included/ mentioned in the Nepal Police Rule;
- rendering her verdict by modifying performance evaluation fact of first and high scored one as the second;
- raising the question of independence and fairness of the judiciary by included the limited justices including oneself repeatedly while forming the bench while there were still other 19 justice present;
- not following important and obligatory procedural law during the justice delivery;
- delivering the verdict without following accepted principles of law and encouraging groupism in judiciary;

Considering the impeachment motion against the provision of the constitution, the writ petition was filed in the Supreme Court for the Chief justice's immediate restoration[18]. Adv. Sunil Ranjan has filed a writ petition against Nepali Congress, CPN Maoist Center and the legislative parliament for the impeachment motion against the Chief Justice saying that the motion has encroached the constitutional provision and the acting Chief Justice Gopal Parujli was also made respondent[19].

17. Surendra Bhandari, Constitutional Law. Pairabi Books KTM, 2054,p337; Halsbury's Law of England. Vol 1, 4th ed. p. 111/ Marbury v. Madson, (1803)%US 137
18. www.bbc.com/nepali/news-39762580 ; visited on 23 January 2018.
19. www.bbc.com/nepali/news-39762580 ; visited on 23 January 2018. http://nepaliheadlines.com/%E0%A4%AE%E0%A4%B9%E0%A4%BE%E0%A4%85%E0%A4%AD%E0%A4%BF%E0%A4%AF%E0%A5%8B%E0%A4%97-%E0%A4%B5%E0%A4%BF%E0%A4%B0%E0%A5%81%E0%A4%A6%E0%A5%8D%E0%A4%A7-%E0%A4%B8%E0%A4%B0%E0%A5%8D%E0%A4%B5%E0%A4%BE%E0%A5%87/

6. Appointment of Three Justices at the Supreme Court

There is the provision of having maximum twenty additional justice along with the Chief Justice in the Supreme Court according to the Constitution of Nepal, Art. 129 (1). Thus, there is the constitutional provision of having total twenty-one justices. During the review period, as there was the vacant position of four justices, three justices are appointed on 24th Ashoj 2074. The President Bidhya Devi Bhandari has appointed Bam Bahadur Bhandari, Dambar Bahadur Shahi and Tank Bahadur Moktan as the justices of the Supreme Court. In the presence of the President, Chief Justice Gopal Parajuli made the justices take an oath of office and secrecy. Before the appointment the justices were working in different High Courts as the chief judges: justice Bhandari was at the High Court in Tulsipur, Shahi was at the High Court in Surkhet and Moktan was at the High Court in Patan. The appointment and the oath taking was held after the ratification of the committee of special parliamentary hearing . Along with this appointment, now the Supreme Court has total twenty justices including the Chief Justice. In the meeting dated 28th Bhadra 2074 the Judicial Council had recommended them as the justices of the Supreme Court of Nepal.

7. Transitional Justice

In the process of transitional justice of delivery, the Supreme Court has not delivered such landmark decision this year that will have long term impact in jurisprudence. Likewise, the lively communication between the TRC commissions and the judiciary is hardly observed/ experienced. One of the maosit leaders and a member of the First Constitutional Assembly Bal Krishna Dungle has been arrested and sent to jail as per the verdict of the Supreme Court in a conflict era related case; Mr Dhungle was convicted by the District Court and sent to jail and later he was released during the appeal by the then Appellate Court.

8. Protection of Economic, Social and Cultural Rights

The urbanization has made the development inevitable. But due to the physical development, degradation in ecology, increase in pollution has negatively affected the availability of the clean air which is the basic element of the right to life. The legal remedy is important for its solution too. The Supreme Court has given the interim order against the government in writ petition by advocate Padam Bahadur Shrestha to control the air pollution in Kathmadu, watering is considered a must/ mandatory while expanding the road or pipe ling work for drinking water project paying attention to the health of the general public[20]. The quality of air in Kathmadu has been reported to be one of the worst in the world in different research[21]. Centre for Environmental Law and Policy (Yale University) and Center for International Earth Science Information Network, Columbia University in association with World Economic Forum has carried out the research on environmental condition in 180 countries in the world. The research has shown that the air in Kathmadu as one of the worst. As per the report, not only in Kathmadu, the air quality in many parts of the country can be considered of low quality since many households in villages still rely on firewood and the considerable amount/ portion of the population is in the risk of P.M 2.5 (small particles of pollution that can not be seen by eyes). Environmental condition in Nepal is poor in terms of "Indicators of the Environ-

20. Adv. Padam Bahadur Shrestha Vs Government of Nepal
21. Online Khabar

- The developmental work that invites threat to the human livelihood can not bring a balanced development. The developmental work which can have serious effect in the environment, can be dangerous to the human existence, too. So, such types of developmental work can turn into curse as well. Instead of making human life easier, such works bring a lot of difficulties. It is common responsibility of every individual to save the environment to live a quality life, save our future and secure the life of future generation.
- It is undebatable that the government and the institutions under it has to make everyone responsible towards saving the environment. It is one of the essential parts of the commitment that the government of Nepal has made regarding the protection of environment in different international forums. Many different laws have been introduced by the government for environmental awareness. However, just introduction of the laws can not be considered as the fulfilment of the liability of the government. (No. 3)

mental Health", too. Nepal is in the 176th rank out of 180 countries in Environmental Performance Index-2018. Despite such terrible conditions, the initiatives /efforts taken by the country to make the people aware of its consequence is insufficient. In regards to such condition, the Supreme Court's verdict in the writ petition of Adv. Amit Gautam Paudel is that the though the development work is necessary for the prosperous life, it should not create any threat to human livelihood.

9. Implementation of the Federal Structure

9.1 Implementation of the Federal Structure and Inclusion

In the writ petition seeking to arrange for the election of the local governemnts, provincial governments and the federal government, the Court issued an order to have such election in time. The writ was petioned by Adv. Dr Chandra Kant Gyawali[22] and entertaining the writ with issuance of the order, the Court has further taht for the institutional devlopemnt of the democracy, periodic election has no any alternatives; without periodic election even the imagination of democracy is not possible.

9.2 Legal Provisions Related to Election and Writ

Though the implementation of the federal system has remained highly aspiring for all, some incidents have proven taht we have to walk a long journey to adopt them as our life style for all. The political parties have tried to be benifitted fromt the loopholes of the statutory provisions.

Soon after CPN (Maoist Centre) Cadres, by entering into vote counting station, started to tear ballot paper in the course of counting vote of Ward no 19 of Bharatpur Metropolitian City, Chitwan, National Election Commission postponed counting process and formed 3 membered Investigation Committee under the Coordination of Joint Attorney Gita Prasad Timilsina to carry out the investigation into such incident. On the basis of report submitted by the Committee and aso on the basis of the chief election officer which stated that the number of ballot paper that was torn was 90. It was proven that there had been unauthorized capture of vote counting station as mentioned in Local Level Election Act 2073 sec 50(1)(b). So, Election Commission through its decision declared remaining vote of Ward No 19 of the said Metro City invalid and ordered to hold re-polling in

22. Ne Ka Pa. Part 59, Year 2074 Jeshtha Issue 2, Dec No 9770 p 133, Dec date 2073/11/11

Some Major povisions of the Verdict

- Democracy is the system of running by the elected represensatives. Only when the people are participated in the ruling system through their elected representatives and such representatives are dedicated for theri uptimum welfare and buidling the system accoutable to these people, there will be sustaianability of the democracy. Political system where there is no people's participatin and no representation of the people, can't be considered to be democratic one.
- No democracy can be envisoned in the absent of periodic election. Government employees or ad hoc committees recommended by the political parties should not be equated with the elected representatives of the people.
- It is one of the very crucial part of the civil rights to have participation in the periodic election exercising their adult franchise. It is right of the peole to participate in the periodic election where as State has obligation to ensure the observance of this rights by conducting fair and independent election timely. As there is legal provison of running state mechanism by the three tiers of the government and the state authority also has been shared or divided in these three levels of the governemnts, the Constitution has also made provsion such mechanism by the elected representatives. (paragraph no 2.)

accordance with Sec 50(4)of the same Act on 2074/02/20. Challenging the decision of Election Commission, the writ was filed at the Supreme Court[23], demanding an order for continuation of counting of rest of ballonts by keeping the torn vote in the list of void vote as per sec 50(1) (c) of Local Level Election Act, 2073, in which the Court had made decision dated on 2074/04/15.

Decision and task performed by the Election Commission was held to be in accordance with Local Level Election Act sec 50(1)(b),50(2),50(3),50(4) and 50(5). Supreme Court in that decision had analyzed about the existence of necessary elements to constitute unauthorized capture of vote counting station. The applicant of writ had claimed that, in order to constitute any act of unauthorized capture of vote counting station, there must be compulsorily the presence of both the provisions of Local Level Election Act 2073 sec 50(1) (a) and (b), but it was evident from the legal provision that the presence of any one of the provision either Sec 50(1) (a), (b) or (c) can constitute the act of unauthorized capture of vote counting station.

In this case, Devi Gyawali, vying for the post of Mayor from the UML, after the incidence, filed complaint accepting the fact that the person who have been acting as representative had torn the ballot paper in an unauthorized manner. But when the case for tearing the ballot paper was filed in Court against defendant as per Election (Offences and Punishment) Act 2073, Mr Gyawali filed disposition contrary to his complaint that means he denied the fact that vote counting station was under unauthorized capture. In this regard, the Court held that the complaint filed by person is considered to be filed by himself/herself, so Devi Gaywali had to be answerable for the complaint that he had already made. That's why the complaint filed by Devi Gaywali was taken as evidence against himself.

Though this case has been criticized on the ground that it will encourage the offence of tearing ballot paper and will lay down wrong precedent , legal provisions have not made provision

23. Gunjaman B.K v. National Election Comission, Writ No 074-WO-1272, Certiorari

for allowing the continuation of counting of remaining vote by declaring only the destroyed vote as void as claimed by applicant. The clear provision of Act has been interpreted by court clearly. This has prevented from the creation of judicial anarchism. Its the duty of legislature to ameliorate such type legal lacunas and is necessary to be corrected through the use of their knowledge.

10. Formation of Additional Benches at the Supreme Court

To ensure the speedy justice, the Supreme Court has commenced consitutiting or forming additional benches at the Supreme Court. As per the Cabinet decision of the 28th Dec. 2017, the judges will be paid maximum amount 50% of thier basic salery as incentives for conducting additional benches for 2 (two) hours in addition to their regular jobs. For that such bench has to come into function at 9 AM; however, no such benches have ever formed desptite the fact that justices are paid for that.[24]

After the enactment of new rule of the Supreme Court, constitituting of such bench has become possible. As per this new provision, such bench can be consituted even on the public holidays.[25] It is expected that each bench would hear two additional cases in such benches besides the regular benches.[26] As tens of thousands of cases are pending at the Supreme Court, if the said benches are constituted to meet the set objectives, it can be very much useful in ensuring the speedy and timely justice.

11. Tussle Bettween the Executive and the Judiciary on the issue of Promotion of the DIG of Nepal Police

This year, the Judiciary has been dragged in confrontation with the executing ultimately leading to the tabulation of the motion of impeachiment againg the sitting Chief Justice. The fundamenatal cause of that confrontation was the promotion of a police officer.

Background

Soon after the decision made by Supreme Court declaring the promotion of Jay Bahadur Chand in the post of IGP void dated on 2073/12/8 as per the legal remedy sought in the writ No 073-WF-OO22 filed by DIGP Nabraj Silwal, Council of Minsters promoted Prakash Aryal in the post of IGP through its decision on 28th Chaitra 2073 as the Supreme court had issued an order in the same writ to promote the person in the post of IGP from among the ones who had scored highest in average in the "Performance Evaluation Report" of four consecutive years. As not satisfied with the decision of the Council of Minsters, DIGP Nabraj Silwal again filed the writ in the Supreme Court.

Subject Matter of the Writ

According to Nabraj Silwal, he had scored 263 marks which was the highest in average and so obviously higher than that of Prakash Aryal (262) in the "Performance Evaluation Form" of 4 consecutive year. So he was the one who deserved to be promoted as IGP .But the council of Minister decided Prakash Aryal to be promoted instead of him .As the decision is contrary to Rule 41 of Police Regulation 2071, Principle of Legitimate Expectation and Art 17(2)(vi), 18(1)(2), 25, 33, 75, 128 of the Constitution, he claimed to make the decision of Council of Ministers void by the writ of Certiorari and to promote him in the post of IGP.

Defendant's Claim

Prakash Aryal was promoted in the post of IGP as he was the one who had

24. Gorakhapatra National Daily, year 117, edition 248, 16 January 2018, Page no 1
25. Supreme Court Manual
26. Gorakhapatra National Daily, year 117, edition 248, 16 January 2018, Page no 1

scored highest i.e 38.5 than that of Nabraj Silwal who had scored only 38.1167 as per the "Performance Evaluation Form" of four consecutive year submitted by the Committee formed to evaluate their performance. So his promotion is in accordance with Constitution, Act and Rules and has not violated the legitimate expectation or any other rights of applicant hence writ has to be quashed.

Decision of Supreme Court

In regard to this issue, comprehensive full bench of Chief Justice and other justices quashed the writ and issued the following orders-

1. As per the Constitutional provision and Principle of Separation of Power, executive body has full right and authority to execute laws, carry out the administrative activities, and appoint the government employee. Art 75(1) of Constitution has vested the executive power upon Prime Minister and Council of Ministers. Thus inferring from this provision, Prime Minister and Council of Ministers can decide on their own whom to appoint or promote in the post of IGP. But at the time of making such decision, they are also under obligation to fulfill the criteria, procedure prescribed by Constitution and other laws. They can't act arbitrary and in contrary to law. If they act arbitrary, Supreme Court has right to make Judicial Review of such act provided that there is some mistake of law or error of law. Except in this case, the court has no right to intervene on executive function. If court goes on sitting over executive function the principle of Rule of law and Separation of Power will prove to be futile. As in this case applicant has not been able to clarify how, where, when and which provision of law has been violated by Council of Minister while making the decision of promoting the Prakash Aryal in the post of IGP, Judiciary cant intervene in this decision made by council of Minister on the basis of report published by Committee formed in accordance with law.
2. As per Rule 41 of Police Regulation 2071, it is not only the Task Execution Evaluation of a person that qualifies him/her to be promoted as IGP. Along with it, other qualifications are also required to be fulfilled, but in this case ,mainly the question regarding task execution evaluation of Nabraj silwal and Prakash Aryal has been raised, upon observing, examining ,scrutinizing and evaluating various sealed documents related to their task execution evaluation submitted by Public Service Commission and other authentic bodies of Government of Nepal on the request of Court, Court found that Prakash Aryal had scored highes. Hence, the decision made by Council of Ministers was upheld.
3. Supreme Court corrected its earlier decision in same issue made in writ No o73-WF-0022 where it has declared Nabraj Silwal, without having and examining any authentic data, as highest scorer in "Performance Evaluation Form" of 4 consecutive years by this decision.
4. Supreme Court analyzed the trend of misusing the notion of Public Interest Litigation as the individual are filing the PIL Cases through their lawyers even in the matter of their individual interest and rights and has made all aware of not to do so. Furthermore it has entrusted Bar Association with the obligation of keeping record of it thereof.
5. Upon receiving the sealed Personal Appraisal Form, which has to be kept confidential as per the law, it does not reveal the socre as claimed by the writ petioner in the document he has sub-

mitted along with his writ application, the Court also orders to investigate and punish necessarily for those who were involved in such act i.e. altering the socre of PAF different.

Good Aspects

1. This case is very much significant from the perspective of constitutional law and administrative law as it has enshrined the various principles associated with effective functioning of system. As per the principle of separation of power judiciary should not intervene in the decision made by executive in accordance with constitution and other laws. The notion of the fact that, if judiciary goes on encroaching the function of executive ultimately the concept of Rule of law, Good Governance justice will be futile, has been explicitly mentioned and shown in this case. Moreover this case has encouraged the judiciary to discharge its duties with honesty and proprietary.

Criticism

This case was decided by giving much priority in a speedy manner by full bench of Chief Justice and other justices whereas the cases of similar nature keep on pending for years and years. Many critics have claimed that as it was the case of DIG, a high profile person ,court settled it very fast ignoring the procedure and because of which doubt has been created in regard to matter of impartiality independence and procedural fairness of court among general public. Hence it is a duty of court to remove such doubt.

12. Removal of the CIAA Chief Commissioer Karki from the Post[27]

In a writ Adv Om Prakash Aryal v Lokman Sing Karki, the bench presedid by the Chief Justice Sushila Karki decided the appointment of Lok Man Singh Karki in the post of Chief Commissioner of CIAA as void by the writ of Certiorari. Many considered Chief Justice Sushila karki as courageous justice for this decision. As per the decision, the expectation of something right and good cant be meet by the person who are incompetent, incapable, corrupted and lack high moral character. If the authority of some very sensitive and delicate organ is given in the hand of such person it will definitely brought disaster .That why to prevent such disaster, Constitution and law has prescribed the minimum qualification to be fulfilled by person to be appointed in constitutional post which requires accountability towards general public.

Is the order issued by the division bench dated on 2071/06/08 correct or not, the order of Certiorari and Mandamus as claimed by applicant has to be issued or not?

Court held that Lok Man Singh Karki has not fulfilled the qualification prescribed in Art 119(5)(C), as per which he must has at least twenty years of experience in the field of either accounting, revenue, engineering, law, development or research and has to be distinguished person, and art 119 (5)(e), as per which he has to possess a high moral character .Instead it has been seen that he has submitted forged documents to be appointed in the post of chief commissioner of CIAA and has been recommended by Constitutional Council arbitrary without making objective inquiry on his qualification that he needs to fulfill under Art 119(5) of Constitution and Sec 5(2) of Constitutional Council (Power, Duties, Rights and Procedure) Act 2066. So his appointment can't be considered in accordance with Consti-

27. Writ No 073-NF-0003, Adv Om Prakash Aryal v Office of the Rt Hon. President of Nepal , and others

Some Highlights Interpretation of the Case

It has be considered whether the order issued by the division bench dated on 2071/06/08 correct or not, the order of Certiorari and Mandamus as claimed by applicant has to be issued or not. Court held that Lok Man Singh Karki has not fulfilled the qualification prescribed in Art 119(5)(C), as per which he must has at least twenty years of experience in the field of either accounting, revenue, engineering, law, development or research and has to be distinguished person, and art 119 (5)(e), as per which he has to possess a high moral character .Instead it has been seen that he has submitted forged documents to be appointed in the post of chief commissioner of CIAA and has been recommended by Constitutional Council arbitrary without making objective inquiry on his qualification that he needs to fulfill under Art 119(5) of Constitution and Sec 5(2) of Constitutional Council(Power ,Duties, Rights and Procedure) Act 2066. So his appointment can't be considered in accordance with Constitution and law. Thus the decision made by the division bench dated on 2071/06/08 declaring the writ void is reversed and recommendation made by constitutional council dated on 2070/1/22 for the appointment of such incompetent person in the post of chief commissioner of CIAA, his appointment by President dated on 2070/1/25 ,administer of oath to him by chief justice and all other procedure related to his appointment shall be declared as void by the writ of Certiorari.

There is an interrelationship between the effectiveness and capabilities of any organization and the qualification and abilities of human resources working in it. Organization will achieve fruitful result only when person running it is competent. As per the decision, the expectation of something right and good cant be meet by the person who are incompetent, incapable, corrupted and lack high moral character. If the authority of some very sensitive and delicate organ is given in the hand of such person it will definitely brought disaster .That's why to prevent such disaster, constitution and law has prescribed the minimum qualification to be fulfilled by person to be appointed in constitutional post which requires accountability towards general public. Such qualifications are something that has to be adopted practically and mandatorily. Recommending or selecting the best from all qualified candidates is the responsibility of concerned recommending or appointing official or body. The notion of" Right person at Right time" has to be internalized in regard to matter of appointment of members of Constitutional Bodies. While appointing any person as the member of constitutional bodies, such person has to be appointed only after making objective inquiries on his/her qualification .Appointment of a unqualified person as a member of constitutional bodies in an arbitrary way amounts to violation of Constitution and other laws.

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13. Reinterpreation or Misuse of the Writ of Habeas Corpus[28]

The CIAA has arrested and sent to its custody Chundamani Sharma for evasion of taxes while settling taxes of the large companies. In mid-July last year, CIAA had filed a corruption case against Sharma, and two other officials of the Tax Settlement Commission - the commission's chief Lumdhwaj Mahat and member Umesh Prasad Dhakal-accusing them of embezzling Rs 10.02 billion while settling taxes of 45 companies.[29] As Sharma could not produce the bail as demanded by the Special Court on July 24 2017, he was compelled to be behind the bars.[30] Challenging the custody of the Special Court, his wife had registered the petition at the Supreme Court seeking the writ of habeas Corpus.[31]

This case has raised two questions: First whether the CIAA can review the tax settlement under the tax laws of Nepal? and second can the judicial custody itself be the incommunicado detention? To the first question, it is spelled out in the tax law that the decision of the tax clearance commission cann't be judicially reviewed. It is arranged so under the acceptance that colleting tax is uniqe job, so it must be left in discrition of the tax collecting athorities. In the second question, once a person is kept in cusody by the order of the competent court, there can't be issued the order of habeas corpus. Hence, Sharma was in remand once he cannot produce the bail as per the Special Court order, he was in legal detention. However, the Court has arrived in the conclusion that his detention was not legal. So, this question has raised the second quetion. Moreover, it has made the people frustrated that the bribers or people with immorality will lurk in the sociey by exploring the loopholes of the law. However, it has also got audience who belive that the accused must be given ample opportuntiy to defend himself rather than plancing him into custody. Yet it will be too early as many cases with him are still subjudice.[32]

28. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08
29. http://www.myrepublica.com/news/35144/?categoryId=81
30. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08
31. Justices Dipak R Joshi, Dipka K Karki, Kedar P Chalise, Sharada P Ghimire and Anil K Sinha
32. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08

14. Creation and appointment of the Chief Registrar at Judiciary

In the mid of this reporting year (2017, June) the position of the Chief Registrar was created in the Supreme Court for the first time in the history of Judiciary[33]. After the Judiciary following federal structure, this is the position created in the highest authority in the Supreme Court that is equal to the Chief Secretary. The Judicial Service Commission meeting had recommended the then Secretary of the Judicial Council, Nahakul Subedi for the post[34]. Mr Subedi was appointed for the post as per the recommendation of the Judicial Council made on that date for the service of the Nepal Govornement[35]. Before this, as per the provision of having chief secretary in the Nepal Government's Civil Service, General Secretary in the parliament, the preparation was made to create the equal post in Judiciary too; however, it could not be implement due to the lack of drafting the necessary laws. This post was necessary to coordinate all three bodies of the Government and motivate (keep the high morale) of the employees in Judiciary, too.

15. Judiciary in Social Reform

There is the prohibition of the allegation of witchcraft; however some people have been alleged for such witchcraft and they have been made victim of quite inhuman practices like, cutting hair, forcing to eat stools, assaulting them physically. And the Supreme Court has rendered its verdict that such kind of inhuman practices must be strictly penalised. The superstitious practices like witchcrafts existing in the society can not be eradicated simply through the introduction of laws; there is the necessity of the implementation of such punishment policy strictly[36]. The court has encouraged to punitive approach but along with this approach different awareness programmes in education system seem essential.[37]

16. Conclusion

The Judiciary that restores not only the fundamental rights of citizens but also all human rights of all when violation of such rights occurs or is almost to occur, is the final protector and custodian of such rights and upon which the people have faith as the institution of last resort. Followings are the findings of this report.

a. In this year the Court rendered its landmark verdict such as removal of the CIAA Chief for not meeting the constitional requirement of tenure of service and having the high moral, settlement of the IGP appointment by the executive, not to misuse the extra-ordinary writ jurisdiction of the Court through PIL.
b. Long awaitd constiutional provisoin of the appointment of the district judges by examnination system has been implemented for the first time. As per the constititutional provisions, 80% judges at district courts have to be appointed through the examination process.
c. The relationship between the Judiciary and the Executive could not remain warm as there was tussle between these two organs of the goverment in the issue of promotion of the police officers to its highest post. The sitting CJ was criticised

33. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08
34. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08
35. Arun Baral "Relese of Chudamani Sharma: Castration of Habeas Corpus" onlinekhabar.org) 2074/10/08
36. Ne Ka Pa Year 2074 Issue 4, Dec No 9791, Har BDR BK v.Govt . of Nepal
37. Ne Ka Pa Year 2074 Issue 4, Dec No 9791, Har BDR BK v.Govt . of Nepal

for not treating her colleagues fairly and even the motion of impeachment was tabled against her in the Parliament and she was suspended after that. It indicates that this constitutional provision could be misused in the days to come, that utltimately may influence to create the directed judiciary.

d. Judiciary has witnessed attack on it instead of seeking the recourse from the consitutionally available means, that ultimately intended to increase the mistrunst on judiciary. Etablished media houses raised the integreity of the sitting CJ that ultimately influences the judiciary. The judiciary also must have high morality to be exemplary in the socity to convince the people as it is the final custodian of the rights. Otherwise, independence and impartial of judiciary cannot be maintained.

e. The Judiciary has played very crucial role in the context that State has adopted federalism by issuing very landmark decions to running the state by elected representative on the basis of adult franchise and to ensuring the inclusive characteristics in the legislative bodies of the government.

f. This period seems discouraging in terms of case hearing schedule management. There are more than eighty thousand cases pending that needs the early hearing. As justice delayed is justice denied, timely settlement of the cases is a must.

Lastly, the bitter power tussle between the judiciay and the executive, impeachment motion registered at the parliament against the sitting CJ, huge time and human resources of the judiciary spent for a case of a government employee can be characterised as the dark side of the judiciary whereas court order in implementation of the federal structure through the elected representatives of the people, inclusive federalism, removal of the CIAA chief and protection of the fundamental and human rights are the brighter side of the judiciary in this reporting time period.

Photo: Ramesh Prasad Timalsina

Chapter 2

2.2 State and Human Rights

Executive

Background

It is realized that the nation has been heading towards the implementation of the constitution with the timely completion of the three elections-- local, provincial and federal (House of Representatives). The state is responsible and has a great role in protecting, preserving and implementation of human rights. People have trust and faith in the executive as it exercises the state and executive power. The Executive has various important roles to protect human rights and they include tabling the government Bills in the Parliament, providing sufficient agendas and discussion issues to the Parliament, implementing the laws endorsed by the Parliament, implementing the fundamental rights of the citizens, maintaining peace and security in the society, preparing policies, programmes and budget for the development of the nation. It also has an important responsibility to maintain the dignity of the nation among the international community. People can realize human rights with the functions of the state.

The Prime Minister is considered as the leader of the Parliament under the parliamentary democratic system.

The executive has special importance under the prime ministerial system as the prime minister is elected with majority in the parliament. The executive is much responsible and accountable towards the people as the government is run by the representatives elected by the people. The coalition government led by CPN-Maoist Centre had conducted first phase of local level election. The Nepali Congress joined the CPN-MC led government which had replaced the government led by the CPN-UML.

The local level election was held in 34 districts on May 14, 2017, in 35 districts on June 28, 2017 and in 8 districts of Province No. 2 on September 18, 2017. The election scheduled for two phases by the government of Nepal could be held in only 6 provinces of total 7 provinces due to agitating political parties in Terai Madhesh. The local poll was held in Province No. 2 on 18 September 2017 following an agreement among the political parties.

The elections to the House of Representatives and Provincial Assembly including the second and the third phase of local level elections was conducted by the government which was led by Nepali Congress and in which CPN-Maoist Center was a coalition partner. But this coalition could not stand till the time of the election to the House of Representatives. Portfolios of the government minister representing the CPN-Maoist Center were withdrawn immediately after the CPN-UML and CPN-MC formed alliance some time before the election to the House of Representatives. The government could not be stable owing to frequent changes of the government, and political agreements to run the government in turn. As it resulted in political instability and affected not only the development activities but also peace and order, political transition gave rise to despair in the people.

Elections to the House of Representatives and Provincial Assembly were held in two phases on November 26 and December 7, 2017. At a situation when there was political debate whether all three tier elections could be held within 21 January 2018 for the implementation of the constitution, the Election Commission stated that the elections were held in a peaceful manner.[1] However, National Human Rights Commission stated that there was a situation of fear and intimidationdue to violence that occurred in course of the elections.[2]

This year, Nepal was elected a member of the UN Human Rights Council for three years. Its election to the UN Human Rights Council helped Nepal have a

1. For details, refere to statement of Election Commission issued on 7 Dec 2017.
2. NHRC statement issued on 7 Dec 2017.

good impression in the international community.[3]

Fundamental rights enshrined in the constitution is said to be the heart of the constitution. When any rights are provisioned as fundamental ones in the constitution it is perceived that the state has capacity, resources and means to guarantee the rights. However, it is not found that Nepal's capacity, economic status, resources and means were kept in mind while promulgating the Constitution of Nepal 2072. Article 47 of the constitution states that the state shall as per necessity formulate laws to implement fundamental rights within three years from the date of promulgation of the constitution. However, no such laws to implement the fundamental rights have been made even after a long time since the constitution promulgation. As the government has not been able to make Bills and register them in the parliament for ensuring laws to implement fundamental rights, implementation of fundamental rights has suffered an adverse impact. This year the government was not found to have kept formulation of laws related to implementation of fundamental rights in priority.

The course of government changes in turn and political instability continued this year too. Although the government presented proposal in the parliament to amend the constitution with a view to addressing the demands of the Madhes-based political parties, the proposal failed. But, the political parties prioritised the issues of Madhesh in their election manifestos. The political polarization that started along with the election to the local level went to further height during the provincial and federal elections. The political parties presented economic prosperity, political stability and development as main agenda in their election manifestos. Following the results of the elections, it can be expected that the people's aspiration for the country taking strides in stable government, political stability, prosperity and development will be addressed. As the left alliance and the democratic alliance highlighted the agenda of political stability, prosperity and developmentin their commitments and election manifestos issued before the election and now, with the election results at hand, the left alliance has a comfortable majority, people has expectation that stable government, development and prosperity will be achieved.

The elections conducted this year have been proved to be milestones in implementation of federalism and democratic system. Constitutionally, it is seen that the people's representatives will play remarkable role in delivering economic, social and cultural including necessary services and facilities. The Government of Nepal formed a high level probe commission under the coordination of former justice of the Supreme Court, Girish Chandra Lal, to conduct investigation of truth and facts relating to events of murder, arson, vandalism and violence that occurred in course of the agitation of different political parties in areas of Terai Madhes and Tharuhat. Although the commission submitted its report to the Prime Minister by the end of the year, the government did not make the report public.

Human Rights National Action Plan

Three years have elapsed by since the Government of Nepal brought to implementation of the fourth Human Rights National Action Plan (2071/2072-2075/2076 BS or 2014-2019). The Human Rights National Action Plan of the Government of Nepal has incorporated 18 different areas of priorities including education, health, nutrition and population, labour and employment, cultural, legal improvement and justice administration, environment and sustainable develop-

3. NHRC statement issued on 17 October 2017.

ment, women, children, disability, senior citizen and sexual minority, implementation of Nepal's international liability, food security, transitional justice and conflict victim, human rights education, inclusive development, housing, social services and security, implementation of the verdict of the Supreme Court and recommendation of National Human Rights Commission, improvement and institutioinal strengthening of custody and prisons. However, implementation aspect of this action plan has been very weak and most chief district officers and assisting agencies are found to be unaware in issues relating to the action plan and its implementation. Annual report of the National Human Rights Commission states, based on its monitoring in over 57 districts, that implementation of the action plan has not been satisfactory and that the chief district officers of the districts in which the monitoring was conducted were found unaware about the action plan.[4]

The action plan does not coorelate with the UN sustainable development goals (SDGs) and that no action is found to achieve objectives of both the action plan and the SDGs. Effective implementation and proper assessment of these two can result in protection of economic, social and cultural rights which also helps in improving ovearall human rights situation. Lack of knowledge on the part of the chief district officers about the action plan and the failure of the committees formed by the action plan to hold meetings are found to be main weaknesses in relation to implementation of the action plan.

Right to Life

People's right to life got eroded in the events such as death of demonstrators and the general public by the police firing at Maleth of Saptari district in course of the agitation in Terai Madhes and in the events of vandalism and arson by the activists of United Democratic Madhesi Front that was leading the movement.[5] Government of Nepal decided to declare those killed in the events of Terai Madhes movement as martyrs and provide a million rupees as compensation to the victim family. Some people were killed and many got injured and disable in the incidents of violence in course of the elections. Incidents of bomb explosion targeting the candidate occurred in districts such as Morang, Jhapa, Bara, Mahottari, Bhaktapur, Lalitpur, Nawalparasi and Gulmi. (*Please refer to description of the given districts)*

Transitional Justice

Mechanisms related to transitional justice as envisioned in Nepal's constitution and Comprehensive Peace Accord 2006 were formed very belatedly. These mechanisms could not be formed as per national and international standard and the mandamus/ruling of the Supreme Court.[6] These could not perform tasks within the term as fixed in the Act and even in the added timeframe, the Commission of Investigation on Enforced Disappeared Perosns (CIEDP) and the Truth and Reconciliation Commission (TRC) have not been able to deliver justice with reparation to the victim by conducting investigation of the truth and inquiry.

Because of such kind of dillydallying, the transitional justice mechanisms have been unable to win confidence of the victims and this has also resulted in their poor performance. Objectives and responsibility of the commissions on transitional justice have been creating a situation of reconciliation in the society, establishing truth of the incidents of human rights violation during the armed conflict by conducting effective investigation and ensuring reparation to the victims and legal action against the culprits of inci-

4. NHRC statement issued on 9 March 2017
5. NHRC statement 29 Nov. 2017
6. GoN, Cabinet decision on 8 May 2017

dents of serious human rights violation. However, despite the fact that three years have gone by, no effective work has been done toward this[7]. Victims of incidents of murder, enroced disappearance, abduction, torture and beating, sexual violence, amputation, property capture and damage and displacement by force have not been able to get justice and reparation even after a decade of the Comprehensive Peace Accord. The commissions formed in relation to transitional justice are found to proceed ahead works such as colletion of complaints, forming taskforces to probe the cases of complaints and initiating preliminary investation into the cases. It is doubted whether they would be able to perform their tasks even within the added timeframe.

There is national as well as intenational concern over the TRC and the CIEDP. These two commission are found to be failing to perform well due to lack of formulation of laws as per the order of the Supreme Court, lack of international official recognition arguing that present laws do not comply with international standard, lack, supply and implementation of skilled human resource to manage the cases and failure to perform well by winning confidence of the victim. Transitional justice has been further difficult and complicated due to reasons that families of those killed during the armed conflict have not got reparation and proper compensation, families of the disappeared persons have not got any truths and facts and those who were internally displaced because of arson and property looting. This year[8], Government of Nepal approved Procedures for Determination and Review of Percentage of Disability of those who got injured and disable during the armed conflict.

It is believed that this Procedure will remain as guidance in an indirect way to address transitional justice.

7. NHRC Annual Report 2016/2017
8. GoN, Cabinete decision 22 May 2017

Rule of Law

Human Rights cannot be imagined without rule of law. Human rights and rule of law are complementary. The constitution of Nepal envisions preservation of rule of law and human rights.However, lack of justice delivery to the conflict victims as considered enemy of the rule of law and inability to bring those convicted of serious human rights violation during the conflict to justice gives a feeling that impunity has been promoted. Impunity has remained as a main challenge to protect human rights. Rule of law cannot be guaranteed and practiced as long as impunity remains intact. A situation of promotion of culture of impunity and a bigh challenge to rule of law is found due to failure of the stateto punish individuals who violated human rights and humanitarian law and those convicted by the Sureme Court and the National Human Rights Commission in cases of serious human rights violation.

Failure to bring to justice to individuals involved in incidents of serious violation of human rights and international humanitarian law during the armed conflict in Nepal, to not conduct investigation of the incidents, to not implicate, and to fail to deliver justice to the victims or reject directly or indirectly for justsice delivery constitute elements of impunity, which show that rule of law is very poor in Nepal. Although the state has accepted recommendations made in the worldwide periodic assessment by Human Rights Council and the Human Rights Committee associated with the UN treaty for full guarantee of rule of law in Nepal,effective implementation of the recommendations is lacking. Even then, Government of Nepal has endorsed action plan to implement recommendations received through the worldwide assessment.

Rights against Torture and Status of Prisoners/Detainees

Government of Nepal delayed in submitting periodic reports pertaining to Convention against Torture 1984, to which Nepal is a party, to the UN committee. There was not effective implementation of recommendations related to torture that Nepal received from two cycles of global periodic review. The Bill formulated to provision about control of actions of torture or cruel, inhuman and insult, 2071, could not be endorsed by the legislature parliament despite the fact that the parliament session lasted for long. According to a report published by the National Human Rights Commission, keeping those whose imprisionment was usually fixed by the court, those convicted of serious crimes and minor ones in the prison under the same category neglected the psychology of other inmates.

It is found that the staying in custody or prison in Nepal is out of minimum standard on the basis of humanity, and there is lack of infrastructure and necessary budget in matters including drinking water and medical treatment. Given the present ratio of inflation, the daily living allowance of Rs. 45 given to prisoners and Rs. 10 to dependent children and the festival allowance of Rs. 300 seems to be too insufficient. The state has not been able to address problems pertaining to custody and prison situation and their weak physical infrastructure and number of prisoners far above the capacity of the prison.[9] Although the prisons across Nepal have the capacity to house 10,000 individuals, there are over 18,000 prisoners/detainees in the country.

Right to Food

Right to food is linked with right to health and right to life. Constituion of Nepal, 2072, has provisioned right to food and food sovereignty, among others, as fundamental rights. Nepal is a party to Convention on economic, social and cultural rights 1966. However, the state has not been able to make legal provision to fully ensure and safeguard right to food. Likewise, the state is not found to be working with plan in relation to scarcity of food in Karnali which occurs almost every year, problem of access to food and modern agriculture system. The state does not seem to have accorded serious priority to guarantee right to food as food remains stored in the warehouse when it needs to be transported to needy areas.

The state has not been able to formulate laws related to right to food and food sovereignty as provisioned in the constitution. However, the human rights action plan has the objective to provide quality food (rice, maize and wheat) in a reasonable price, before the start of rainy season, to people of 30 districts of hilly and extremely remote Himalayan area.[10] The state has failed to work with long-term planning for communities such as Chepang, Raute, Musahar, Dalit, Badi, Haliya and Bote which have been undergoing difficult living conditions due to lack of food. Works of Poverty Elimination Ministry and Poverty Elimination Fund do not seem to be effective for citizens who lack access to food due to poverty.

Right to Education

In comparison to the past, literacy percentage in Nepal and the number of districts declared as literate has been increased. There has been norms and theory that every citizen creates opportunity for self-emplyement with social norms and values, learning, skill and efficiency and technological knowledge. There is lack of teacher as per teaching staff posts in school, school lacks infrastructure or has verey dilapidated infrastructure and

9. Report of Monitoring on Status of Prison and Custody Condition, NHRC, (2016/2017) p. 62,63
10. Fourth Human Rights National Action Plan of GoN, Office of the Prime Minister and Council of Ministers (2013/2014) p. 58

there is lack of textbooks and educational materials. In many schools, it is found that students are beaten with plastic and similar pipes or slapped, ear-pulled as punishment, and compared to community school, practice of corporal punishment is found to be much more in institutional or private schools.[11] The state does not seem to be working with due priority as envisoned in UN Sustainable Development Goals. No effectiveness is found in works to discourage tendency to drop out of school and to attract children of those parents who cannot afford to buy educationam materials, stationery and uniforms. Teaching learning activities of students in community schools have been affected due to failure of reconstruction of most of the schools damaged by the earthquake.

Right to Health

Government of Nepal has made provision for providing grant to patients of chronic disease such as cancer and alzaimer's. Similarly, provision has been made for free dialosis, 10 per cent free bed in private hospitals for the poor and subsidised gerimatric ward for the old aged. Nepal government has done works aimed at decreasing child death and maternity death rates and increasing nutrition awareness. Ministry of Health is found to be working effectively in relation to communicable disease and endemic diseases like cholera, dengue and birdflu. Works related to health insurance which is to be done by the government have been initiated. Issues such as shortage of medicines provided free by Nepal government and lack of distribution of such medicines to health centers, lack of physicians in government hospitals as per the posts, lack of lab including x-ray machines in health centres, much political interference in management of government hospitals also got continued this year as well.

News reports were published about shortage of medicine in health institutes across the country due to lack of stock of medicine, lack of distribution of stored medicine to the patients in time and lack of distribution of the supplied medicine in time. Lack of access to health centres for patients living in geographically remote area and lack of intensive care unit and medical equipment are also found to have continued this year.

Right to Housing

The government could not carry out effective works to ensure right to housing of the freed bonded labourers, Haliya and the landless people. The state does not seem to be takig initiative to infrastructure development and creation of access to housing. No planned programme with budget toward providing housing to the poor has been implemented.Works and efforts made by the state for those turned homeless due to natural disasters such as earthquake, floods and landslides could not be satisfactory. Due to lack of housing, people of remote areas, the poor, dalit, children, senior citizens, pregnant women and patients were affected. The government decided to provide a sum of Rs. 200,000 with relief materials to those households turned homeless by floods and landslides in the Terai and hilly areas. Relocation of those rendered homeless permanently was not found to have taken place. The state did not show willingness to address problems of the landless squatters.

Rights of the Migrant Workers

Those who work outside the country as migrant workers make a big contribution to Nepal's economy. Nepal has not ratified Convention on rights of the migrant workers and their families 1990 although the National Human Rights Commission has recommended to approve it. Despite the fact that the state has implemented foreign employment policy and the foreign employment Act 2064 for

11. NHRC Annual Report 2016/2017 p. 37

managing and controling foreign employment and migrant workers, incidents of migrant workers being cheated and suffering from injustice got repeated this year as well.The state has not been able to keep actual details and data about Nepali migrant workers who reach abroad through legal as well as illegal channels. It is widespread that workers going abroad for job from Nepal suffer misbehavior and get dominated even at the airport and inside the plane, lack adequate information on issues including agreement paper and details of documents relating to the work and the employer. Many issues remain unclear including which country the workers are going for what kind of work, what the pay and perks is, what the working hour is. No achievement has been made to send skilled workers for foreign employment due to lack of, among other things, knowledge about fooding, culture and language. Nepali migrant workers are found to be suffereing from extreme exploitation abroad for incidents that they are employed in other work than the one agreed in the labour contract once they reach the employer company, they are given lower remuneration and facilities when they reach the destination country and they are forced to sign different agreement in the local language. Nepali migrant workers have been unable to get quality services and facilities due to lack of sufficient orientation and skill-oriened training. Law related to foreign employment has not been effectively implemented and the government agencies has not been able to effectively monitor it. Incidents of labour exploitation emerge as serious problems starting from Nepal to destination country due to lack of works according to the concept of 'free visa, free ticket.' Nepal has signed labour agreement with only 5 countries andit has signed minimum wage agreement with 6 countries.[12]

But the situation is that Nepali migrant workers are found in over 110 countries, because of which human rights of the Nepali workers and their families have been under risk.

No uniformity is found in data about the number of Nepalis gone abroad. It is found as pervasive practice that the foreign employment companies charge workers a hefty sum as service fee, do not provide work as per agreement and that they are more focused on business income than on security of the workers. News reports have been published about prevalent incidents of human trafficking, sale and transportation through brokers in the name of sending abroad for foreign employment. The state has not been found performing effectively in works related to rescue of those miss their ways after reaching abroad for employment and bringing the bodies of the Nepalis home from abroad immediately. Works done by related embassies and labor attache about Nepali workers cheated by the employment companies and those who do net get pay and perks as fixed from the employing companies are not found to be satisfactory and they are not found to be focused on providing justice at the earliest to the workers. This year the council of ministers approved third amendment to Guideline on sending domestic workers in foreign employment 2073.[13] Similarly,the Cabinet has endorsed Employment Permission System (Operation and Management) Guideline 2073.[14]

Child Rights

Children cover a large part of Nepal's total population. In addition to Government of Nepal, different non-governmental organisations as well as Central Child Welfare Board and National Human Rights Commission are found active in protecting child rights. Article 39

12. NHRC Annual Report 2016/2017, p. 46
13. GoN, Cabinet Decision 8 March 2017
14. GoN, Cabinet decision 11 Jan. 2017

of the constitution of Nepal has provision that every child has the right to have personal identity names, for growing, to get basic health facilities and social security, rights against physical, mental and other exploitation, rights to get special facilities from state for helpless, orphan, mentally weak, conflict victim, displaced and those children in risk and street children. There is constitutional provision that children cannot be employed in mines and other similr risky works and they should not be used in army, police, and in conflict.

The trend of getting enrolled in a very low number and dropping out from school, very low improvement in awareness level of children from communities of minority and dalit and the situation of children getting deprived of right to education due to poverty and geographical remoteness does not seem to have stopped.Corporal punishment has not been found completely eradicated from school although trend of such punishment has gone down. The state has not been able to rescue and re-instate child workers employed in risky jobs and those who are working in transportation, hotel and restaurant sectors. Due to practice of employing children as domestic workers and child porters in hilly areas such children are found directly deprived of right to eduction. Effectiveness of policy and programmes brought forth to end child labour has not been seen. Child rights could not be protected this year due to incidents violation of child rights such as violence against children, child marriage, corporal punishment in school, adverse impact on teaching learning activities of children due to Terai Madhes movement, use of children by political parties in rallies and demonstration in course of the three tier elections.

Women's Rights

The constitution of Nepal has stipulated as fundamental rights that women have rights to reproduction health and reproduction rights and that no women shall be discriminated because of her sex. Similarly, the constitution provisions that no physical, mental or any other violence shall be done against women and such activities are punishable by law and that sons and daughters have equal right to parental property. Although constitutional and legal provisions are strong enough, women were still victimised from social ill-practices, violence against women and discrimination and touchability and that the fact that they could not get established in the society as the men still continued.

Right against Racial Discrimination

Negation, exclusion and other discriminatory activites carried out on the basis of race or caste have been termed as racial discrimination and made punishable as per law and all forms of racial and sexual discrimination are to be ended by law in order to make all equal before the law. Rights to equality has been ensured as fundamental rights in the Constitution of Nepal, 2072 and there are provisions that the state shall not discriminate its citizen on the basis of caste and there shall not be any form of untouchability and racial discrimination, discriminatory behavior shall be punishable and the victims shall get compensation as determined by law.

The Racial discrimination and untouchability (crime and punishment) Act, 2068 has determinied racial discrimination and untouchability as punishbale and it provisions for punishment. It is found that despite wide prevalence of racial discrimination and untouchability in the society, effective implementation of The Racial discrimination and untouchability (crime and punishment) Act is lacking and that impunity has been encouraged due to the practice of incidents of discrimination and untouchability in agreement contracts.This year the Cabinet decided to endorse the first amendment Bill 2074

related to the Racial discrimination and untouchability (crime and punishment) Act to present in the legislature parliament.[15]

Right of the Senior Citizen

Senior citizen comprise of 8.13 of the total population of Nepal. The government has been providing social security allowance to senior citizen aged or above 70 years and dalit and people of Karnali aged or above 60 years. Senior Citizen Act 2063 has the provision that the senior citizen get 50 per cent discount in public transport and other services. However, there has not been effective implementation of the Act. Respect to the senior citizens as they are entitled, their security and effective implementation of the Act are found to be lacking. Although arrangements have been made distribute allowances to senior citizen through banks, problems have arisen as there are no banking services in remote rural areas.

Right of the Disable

There is a provision of 5 per cent quota in government employment for acess to and protection of people with disability.However, due to lack of construction of disability-friendlyinfrastructure, access of the disable has not been found to be ensured. Children with disability living in many part of rural and geographically remote area are still away from access to education due to absence of facilities including scholarship to children with disability. While issuing building construction permission by the local agency for effective implementation of Disability Act 2074, the local agency is not found to have followed the Act and paid special attention to disability friendly constructions.

Natural Disaster

Many difficulties arose this year in course of search, rescue and relief for the people affected by inundation, floods and landslips in Terai and the Chure area. Due to lack of adequate preparedness, resuce and relief operation was initiated by the Home Ministry after the problems of floods and inundations became acute due to incessant rains.The Council of Ministers had decided to formulate immediate, short-term and long-term plan by conduting evalution of loss of life and property in the affected area with a view to implement the plan under the coordination of Home Ministry, to provide financial assistance of Rs. 200,000 to the family of those who lost life in the disaster and to arrange for free treatment of the wounded in government hospials.

Issues of the Earthquake Victim

The earthquake victims could not get housing services for many reasons such as frequent change of leadership in the national reconstruction authority that was formed in view of housing rights of the quake-affected, political interference, legal complexity and the lack of delivery of assistance as committed by the donor agencies. Reconstruction authority has fixed that the quake victims should receive first tranche of grantwithin the period of mid-January 2018. It is found tha the authority has made the provision that if those over 677,000 clients who have entered grant contract for housing construction do not take the first tranche of grant by the fixed period of mid-January, they will not get any further grant. So far, 215, 570 private houses, 125 government offices, 1400 educational institutes, 111 cultural heritage, 119 health institute, 140 security agencies' buildings, and 165 drinking water infrastructures have been reconstructed.[16]

Most of quake victims could not construct houses due to lack of grant at one go and price hike in construction materials. Role of the reconstruction author-

15. GoN, Cabinet Decision 4th May 2017
16. Naya Patrika National Daily, year 11, volume 261, pa 1, news published on 8th January 2018.

ity could not be effective due to frequent changes of chief executive officer of the authority, political tussle, lack of coordination between the authority and local agency, unwillingness of the engineers to go to the villages and the provision of providing the second and the third tranche of grant only on the basis of the recommendation of the engineers.

Organiations Working on Human Rights Sector

The Constitution of Nepal 2072 has accorded constitutional status to other thematic commissions besides National Human Rights Commission. Thematic commissions are placed under the title of the other commission in chapter 27 of the constitution and Article 265 has the provision that federal parliament shall evaluate justification, necessity and effectiveness of these commissions ten years after the commencement of the constitution. The commissions thus to be reviewed are national women's commission, national dalit commission, national inclusion commission, indigeneous, ethnic nationality commission, Madhesi commission, Tharu commission and Muslim commission.

Bills relating to formation of these commissions have been endorsed as per the constitution this year. Recognised as national human rights institute as per Paris doctrine, the National Human Rights Commission has been continued as per the constitution andn it has been working whereas the other commissions could not be formed this year as well.

Roles and responsibilitiese of the national women's commission, national dalit commission and national inclusion commission have been stipulated in the constitution and the laws. Jurisdiction of these commission covers protection and promotion of human rights of women, particular caste/race and community. Accordingly, they exercise limited powers that incude receiving cases from individuals of concerned community and issuing directives to concerned agencies to improve status of human rights situation. Laws relating to indigenous/ethnic nationality, Muslim have fixed their jurisdiction to work for protection and promotion of common rights of the concerned community. According to the provision, they have to write to the concerned officials when they recive cases. A situation of confusion with regard to operation is likely to emerge as the law is silent on which commission has the jurisdiction in case of human rights violation, how to coordinate and how to coordinate when jurisdiction of the National Human Rights Commission and that of the other commissions overlap each other.

(a) National Human Rights Commission

National Human Rights Commission has been recognized as an A class commission as per categorization since its establishement. Its responsibility covers ensuring respect of human rights, protection and promotion and its effective implementation. The Commission has the jurisdiction to initiative action by taking complaints from anyone on behalf othe victim in the event of human rights violation or its possibility. The commission has the powers to rescue victim of human rights violation, recommend for compensation and relief, recommend for action against the perpetrators, to keep records of those institutes/individuals who do not take action against the violators of human rights as per its recommendation and those who do not implement its recommendation.

Only 12 per cent of recommendations the commission made to the government has been implemented. Although works have been initiated to formulate guideline to make public the names of individuals and officials who do not implement recommendation of the commission, it was not found this year as well that the names were not kept in records as per the constitution.

(b) National Women's Commission

Appointment of office bearers to the National Women's Commission could not take place this year. The commission has the objective to bring women to mainstream of development by protecting and promoting their rights and to maintain sexual justice. The commission remained soley dependent on office staff as tenure of a remaining office bearer ended this year. Activities such as receiving cases related to issues of violation of human rights of women due to ill practices of discrimination against women, violence, domestic violence, Chhaupadi, reestablishing the victim, providing legal assistance free of cost etc. This year, the women's commission started a 24-hour hotline service. The women's commission performed some remarkable works this year such as advocacy to take action against those found to be guilty during monitoring of the events relating to violence against women.

(c) National Dalit Commission

The Bill relating to National Dalit Commission which has status of being constitutionally recognised for protection and promotion of rights of the dalit community was endorsed this year. As the tenure of the office bearers of this commission formed by the government as per the ruling for the formation ended, the commission performed its task depending on its employees. Although the racial discrimination and untouchability (crime and punishment) Act, 2068, terms untouchability and discrimination on the basis of caste/race as a crime, no decrease is seen in events of untouchability and discrimination due to traditional ill-practices, lack of awareness and practices of discrimination.

Article 40 of the constitution of Nepal 2072 guarantees the rights of the dalit to have participation in all organs of the state on the basis of proportional inclusion. Provisions relating to making special arrangement by law for empowerment, representation and participation of dalit community in public services and other employment areas, making arrangement for free education with scholarship to dalit students, provisions of health, social security, housing with land for landless dalit could not be implemented in absence of laws.

Access of dalit women to elected people's representatives has increased because of legal provision for mandatory representation of dalit women in local level. The national dalit commission is yet to work effectively for bringing the appropriate constitutional provision into practice. Mainly, there could not be work relating to forwarding suggestion to the government by conducting research on overall development of the dalit community in the light of plan, policy, budget and programme that the government formulates in accordance with the necessary strategy, working policy, plan for upliftment and development of the dalit community as per powers bestowed by the constitution and the laws. Even then, the national dalit commission conducted joint monitoring in cooperation with national human rights commission, national women's commission, office of the Prime Miniser and Council of Ministers on incidents of racial discrimination, untouchability and violence and advocated foraction against the guilty perpetrators.

(d) National Academy for Upliftment of the Indigenous/Ethnic Nationality

The national academy of indigenous/ethnic nationality has been working for economic, cultural, social development and upliftment of indigenous/ethnic nationality of Nepal. It has conducted various programmes to bring indigenous nationality to mainstream of national development and to make their right to social justice guaranteed. The academy has been performing perfectly its duties such as conducting study and research on language, scrip, art, literature, tradi-

tion and culture of indigenous peoples for disseminating information and news and running different programmes in the mother tongue of the indigenous peoples and nationality and sending recommendation to different agencies including the Public Service Commission for identity of the indigenous peoples and nationality. However, it could not perform tasks in a result oriented way toward protection and promotion of collective rights of the endangered, marginalized and oppressed community among the indigeneous peoples due to limited means and resouces and manpower for bringing into practice the the right to participation in state agencies on the basis of theory of proportional inclusion as ensured in the constitution of Nepal.

(e) National Muslim Commission

As the National Muslim Commission which has got constitutional recognition has not been formed, this commission performed its tasks depending only on the employees. It has been making recommendations to authorities like the public service commission for identity of the Muslim community. Although it has the responsibility, including, to conduct interaction, discussion, seminars in central, provincial and local level and create public awareness through media on issues concerning to and in the interest of the Muslim community, the Muslim commission has been unable to expand its outreach for overall development such as education and health of the Muslim community due to lack of access on its own part to the local level.

Conclusion

Holding in time of the local level, proncial and House of Representatives election which were from the perspective of implementation of the constitution can be said as the main achievement made by the executive. To be able to hold elections at a time when the human rights situation had been quite fluid due to continued agitation of the Madhes-centric political parites following the promulgation of the constitution by involving even such agitating parties can be taken positively not only from the viewpoint of the executive but also from the perspective of the implementation of the constitution of the country.Because of an environment of fear and terror owing to clash, bomb explosion in various districts of the country including the capital city in course of the election, overall situation of human rights could not remain satisfactory.Election of Nepal to UN Human Rights Council for three years in this year can be taken as a positive side. As the President did not approve the ordinance relating to election of the National Assembly presented by the government, this issue reached the court as a constitutional dispute. All the process of election of the national assembly moved ahead as the President eventually approved the ordinance.

The local level election held after two decades has kindled a big hope and confidence among the general populace. Because of the laws issued with a view to limit constitutionally bestowed powers of the local level, autonomy of the local level has come into question and effectiveness of the local level has been also come into question due to the lack of management of adequate human power, of capacity strengthening and of physical resources. Although important achievements were made this year for civic and political rights, full observance of human rights from the view of economic, social and cultural rights, rights to development and peace and security could not take place. Even the thematic constitutional commissions which needed to be formed as per the constitution could not be formed this year as well.

Concrete achievement was not found even in implementation of the fourth five-yearly human rights national action plan of the Government of Nepal.

The central committee for monitoring of the action plan and the district-based committees could not hold even the meetings, uniformity in undersanding about the action plan was lacking among the responsible government authorities and there was lacking of coordination and cooperation. As only 12 per cent of the recommendations of the national human rights commission and 27 per cent of the verdict of the Supreme Court has been implemented, there is no situation to take works and performance of the government agencies which are entitled to implement ruling, verdict and recommendations as satisfactory.

Hence, although human rights situation of this year cannot be said to be hopeless, it can neither be said to be satisfactory as such. There is enough room for improvement of overall situation of human rights in the days ahead. It is found that the government needs to follow human rights approach to move forward peace, security, development and human rights intricately.

Suggestion

1. Presenting of the Bill at the parliament with due priority to make laws in time as stipulated by the constitution for implementation of fundamental rights provisioned in the Constitution of Nepal 2072 is found to be necessary.
2. Thematic commissions as envisioned by the constitution should be formed and they should be equipped with adequate means and resources.
3. It is necessary that federal, provincial and local level have to move forward development and prosperity effectively as per the people's aspiration and in accordance with human rights approach to development for overall development of the country.
4. Effective monitoring about status of implementation of human rights action plan of the Government of Nepal should be conducted and its publicity should be made to the local level.
5. There should be action plan, budget and programmes as well as capacity strengthening programmes for the involved employees for implementation of recommendations from the national human rights commission and the Supreme Court, global periodic review of Nepal as per Nepal's international human rights commitment and recommendation of comittees related to the convention.
6. Physical structures of the prisons and custodies accorss the country should be improved.
7. Capacity enhancement and training is necessary along with widespread publicity about human rights to make the works and actions of the provincial and local level government human rights friendly as they also have important roles to play in implementation of human rights.
8. Effective performance of task is necessary to ensure housing rights of the victims who have been waiting for reconstruction while living in an arduous condition as rebuilding of the houses of the earthquake victims has not taken place although about three years have elapsed since the earthquake.
9. Improvement in physical structures should be made with necessary budget and programmes for easy access of the people with disability.
10. It is necessary to take effective measures for bringing those found involved and guilty in incidents of racial discrimination and violence against women.

Photo: Bimal Chandra Sharma

Chapter 2

2.3 State and Human Rights

Legislature

Introduction/Backgound

The legislature as the democratically elected representative body in the 21st century globalized world has to play very crucial role in the protection and promotion of human rights of its citizens. The modern state and government system is based on the popular concept of the separation of power, as advocated by French philosopher Montesquieu in 18th century and the concept of checks and balances, as practiced by the US political system. According to the theory/ concept of the separation of power, the three organs of government are independent to perform their constitutionally guaranteed powers and responsibilities. The legislative organ of the government is entrusted the responsibility of framing laws for the nation and the people, and amend them/frame new ones according to changing time and situation. In the British model parliamentary system, the concept of parliamentary sovereignty/supremacy has, at least in theory if not in practice, has been accepted. . The cabinet, headed by powerful prime minister, has to be accountable and responsible towards democratically elected representative body. The popular body In the British model parliamentary system can pass vote of no-confidence motion against the prime minister. But in practice, it has become a prime ministerial system because of the powerful head of the government and nominal head of the state. If controversies develop between the prime minister and the popularly elected body, the former, as practiced in the British model parliamentary system, has the power to dissolve the lower house of the parliament. The legislature in the West Ministerial model has to perform a number of responsibilities. It has to enact new laws and amend the existing ones according to the need of the time and situation; act as maker and unmake of the cabinet headed by the Prime Minister, exercise control over the executive, including the passing of no-confidence motion against the ruling Prime Minister. As the representative body, it has complete authority/control over national purse/finance. It has also to act as the communication bridge between the people and the government.

Like the British parliament, the American legislature-Congress exercises immense powers in the field of law making and its power over legislation can only be limited by the judicial review, power of the US Supreme Court which is regarded as the most powerful apex court in the world. the US Congress (both the Houses) control national finance, control over foreign affairs (particularly Senate); acts as court of impeachment (in case of Senate only) against president, vice president, Chief Justice of the US Supreme and other judges; constitutional or other high ranking important officials of the US. The US legislature-Congress can also play role in the development and amendment of the US Constitution according to time and situation. The US legislature has complete authority to convene and adjourn its own sessions without any interference from the executive (e.g. head of the state/head of the government).

Role of 21st Century Legislature in the Protection and Promotion of Human Rights of the Citizens

As democratically elected representative body, the legislature has to play very significant role in the, protection and promotion of human rights of its citizens/ people in different forums and capacities. The legislature in the British model parliamentary system has, to act as the agency of listening the issues of people and respecting public opinion and ventilating the grievances, problems and difficulties of the people. As the Members of Parliament (MPs) are granted special parliamentary privileges, including right to expression inside and outside parliament, they can freely raise the issues and griev-

ances of the people, including the issues of violations of human rights. The Members of Parliament can raise the issues of the people, including the issues of human rights, in different parliamentary deliberations, formal and informal meetings, Zero/Question hour, and open discussions in the full House and in the various discussions in the various committees. Like the British parliament, the legislature in the American political system- Congress also plays important role in the protection and promotion of human rights by performing a number of activities/responsibilities including the framing of new and amending existing old laws according to time and situation and making them human rights friendly in practice; controlling executive (president and secretaries/ministers who disrespect Human Rights , and by impeaching president, if needed, by appointing committees to investigate and report on the administration of the president (if issues of human rights and irregularities are involved) and (Senate) exercising effective control over the administration of the nation (through these committees). As the Congress, particularly the Senate, enjoys greater freedom of speech, it can raise the issues relating to human rights in its formal and informal discussions, and Zero Hours. As the senators can go on speaking for any length of time, (technically known as filibustering in the US), it can enable them a full length debate, including on the issues of human rights and can carry on full length discussion. As the highest policy making body, the legislature can play very crucial role in the protection and promotion of human rights of the citizens in performing a number of activities including making human rights friendly laws, amending the Constitution and existing laws accordingly; presenting such bills in the House that respect human rights, discussing the issues of the people including human rights in the popular chamber, passing vote of no-confidence against the Prime Minister (in case of British model parliamentary system) and impeachment motion against the president (in case of presidential system). On the analysis of these global legislative practices, it is obvious that the legislative body can play very significant role in the protection and promotion of human rights of the citizens by performing a number of activities. The performances of Nepalese legislative body- legislature-Parliament in the year 2017 have to be judged on the basis of these global legislative practices.

Factors that Determined/Conditioned the role and Performances of Nepalese Legislature-Legislature Parliament in the Year 2017

In course of critically evaluating the role played by Nepalese legislature-Legislature Parliament in the year 2017, it would be appropriate here to analyze those factors that determined/conditioned its role and performances in the year 2017. The domestic, regional and global factors and the Composition and Structure of the Nepalese Legislature Parliament itself also set certain limitations in the activities of the legislative body.

Globalization and Global Political Environment

The universalization of the global system and the economic reforms advocated by the World Bank and global waves –globalization, privatization and liberalization and other powerful waves including democratization have direct impact in a small least developed, landlocked and politically instable Nepalese society. The erosion of national sovereignty under the direct impact of globalization has, among other things, made the weak Nepalese state weaker even weakening the role of the national legislature. The change of leadership in the US and the growing strategic relationship between India and the US and the worsening Ne-

pal India relations due to its undeclared economic blockade against Nepal made Nepal's position more vulnerable in international arena virtually weakening the role of Nepalese legislature- Legislature Parliament in the year 2017. As the major global powers\actors- the UN, the US and the major powers showed no positive response to the 2015 Constitution, the Global political Environment did not become favourable to Nepal.

Regional Political Environment and India's Mood and Intention Towards Nepal

The existing Regional political Environment remained unfavourable for Nepal in the year 2017. The worsening Nepal India relations due to its undeclared economic blockade against the earthquake- hit Nepal and the growing closer strategic relationship between India and the US due to China factor and India's non-support/noncooperation to the newly declared Constitution of Nepal, and the direct support to the Madhesh movement made Nepal more vulnerable in international arena and added new difficulties in the life of the Nepalese people. These factors, among other things, had negative impact in the performances of the Nepalese legislature- Legislature Parliament in the year 2017.

Nepal's Internal Domestic Political Environment

Like the regional and global political Environment, Nepal's internal political Environment was also not favourable for the proper functioning of the Nepalese legislature- Legislature Parliament in the year 2017. The year 2017 witnessed a number of ups and downs in Nepalese politics, including the Madhesh movement and the movement of the dissatisfied groups, including the Tharu and other smaller groups. India's support to the Madhesh movement and its nonsupport to the Constitution of Nepal, 2015 (2072 BS) further complicated the Nepalese politics. Moreover, the issue of amending the constitution of Nepal, 2015 further ignited the situation in the western hills and Terai for few months.

Internal Conflicts and Ideological Differences among the Parliamentary Parties within the Nepalese Legislature Parliament in the Year 2017

The capability and proper functioning of the Nepalese legislature was also adversely affected by the unnecessary internal conflicts and ideological differences among the parliamentary parties within the Nepalese Legislature Parliament. The heterogeneous nature of the Composition of the Nepalese Legislature Parliament added more challenges in this direction[1]. The existing structure and composition of the Nepalese legislature (After the Constitution of Nepal 2015 was formally declared by the 2nd CA, it was transformed/ converted into Legislative Parliament, the law making body in Nepal under the parliamentary setup under the transitional provisions of the new constitution)

1. The Second Constituent Assembly, after it declared the constitution of Nepal,2015, was later converted into law making body- Legislature Parliament in 2015 where 30 political parties were represented .Under the Proportional representation (PR) system, Nepali Congress (with 91 seats), CPN-UML (with 84 seats), UCPN-Maoist (with 54 seats) and Rastriya Prazatantra Party, Nepal (with 24 seats) remained as the largest parties in the 2nd CA. Terai Madhes Loktantrik Party (with 7 seats), Nepal Sadbhavana Party (with 5 seats), CPN-ML (5 seats) Sanghiya Samajbadi Party, Nepal (5 seats) stood in the 2nd row. Rastriya Janamorcha (with 3 seats), Nepal Communist Party (Samyukta) (3 seats), Rastriya Madhes Samajbadi Party (3 seats), Nepal Majdoor Kisan Party (3 seats), Rastriya Janamukti Party (2 seats), Terai Madhes Sadbhavana Party Nepal (2 seats), Tharuhat Terai Party Nepal (2 seats), Nepal Pariwar Dal (2 seats), Dalit Janajati Party (2 seats) remained in next row in respect to numerical strength. Ten parties won one seat each under the proportional representation (PR) system.

had shown the complex nature of legislative body adding challenges to its operational level. Though it was inclusive in nature, it posed threat in the operational level of the legislature. The composition and structure, in short, of the legislative body conditioned its capability at performance level. As the House remain highly fragmented on several grounds including political/ideological, socio---cultural, regional, and religious ones, its functional capability remained weak, though it was one of the world's most democratic parliament from the view point of inclusive democracy[2]. In short, the existing global, regional and national political environment and the unnecessary power struggles, particularly among the largest parliamentary parties, the Internal conflicts and ideological differences among the parties within the Nepalese Legislature Parliament in the year 2017 had set several limitations for the proper functioning of the Nepalese legislature- Legislature Parliament, virtually making it less effective in the year 2017. The capability of the Nepalese Legislature Parliament in the protection and promotion of human rights of Nepalese citizens in the year 2017: would, thus, be judged in the background of these factors.

The functioning and Operation/Performance level of the Nepalese Legislature Parliament in the Year 2017

The Nepalese Legislature Parliament in the year 2017, in spite of the above mentioned limitations, performed, and in some cases, historic performances/ activities which contributed, among other things, in the termination of decade long transitional phase in Nepalese politics, in the implementation of the new federal constitution, and creating favourable environment for the federalization of the nation, to mention a few.

Positive Achievements of Nepalese Legislature Parliament in the Year 2017

In spite of above mentioned limitations, the Nepalese Legislature Parliament[3], like other legislative bodies in the world, played very significant role in the protection and promotion of human rights of Nepalese citizens and addressing the grievances of the people and enacting new laws and amending them according to the spirit of the time and situation in the year 2017. Like other legislative bodies in the world, in the year 2017, It had played significant role in the protection and promotion of fundamental human rights of the citizens by performing a number activities/responsibilities including making human rights friendly laws and amending them according to the need of the time and situation, enacting legislation according to the spirit of the international instruments of human rights (of which Nepal is a party). Under the British model parliamentary political system,, the existing eleven parliamentary committees of the legislative body including the Committee relating to Social Justice and Human Rights,(particularly dealing with the issues of human rights within the House) remained very active in raising the voices/issues of the people and protecting and promoting the situation of human rights in the country, by performing a number of activities including the monitoring the situation of human rights, field visits and giving directives to the concerned ministries and other stakeholders. These committees, besides other things, submitted their formal yearly reports to the full House.

In the year 2017, the Nepalese Legislature Parliament, like other legislative bodies in the world, performed a number of activities that, in one way or

2. Insec(2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*
3. The tenure of the Legislature parliament, according to the provisions of the new constitution, terminated on Sept.13, 2017(Bhadra 28, 2074 according to the Vikram Calender).

the other, intended to make the government accountable to the popularly elected body. In the year 2017, the Nepalese Legislature Parliament has performed some historic functions by accepting the Yearly reports of important bodies[4] including the Supreme Court and other constitutional bodies including Public Service Commission and Election Commission. More important to this, in the year 2017, it was historic for the Nepalese Legislature Parliament and the concerned committee - Social Justice and Human Rights Committee (SJHRC) of the Legislature Parliament, to conduct, what the Committee calls, "historic discussion" over the Yearly Report of The National Human Rights Commission(NHRC) and submit report in the full House with necessary comments.. The Committee calls it a" historic achievement "in the history of legislative body in Nepal. [5] The Legislative body in the year 2017 has hold extensive discussions over the reports submitted by the apex court and other Constitutional bodies and has recommended the government to take actions against those authorities who are found involved in the misuse of power and authority and disrespect human rights. The Social Justice and Human Rights Committee (SJHRC) of the Legislature Parliament has also monitored about the execution of human rights provisions and practically acted as the effective human rights enforcement agency in Nepal. The Committee has also pressurized and directed the concerned ministries and offices of the government to abide by the contents of the report submitted in the full House. The role of the Nepalese parliamentarians in holding open, free and frank discussions about issues of human rights and other issues in different deliberations including in Zero Hours, special hours, special proposal, in the full house of the parliament and its various committees were no less important in the year 2017.

The Legislature Parliament and its several committees in the year 2017 have in practice, acted as effective legal enforcement mechanism by giving several directives to the government and also putting moral pressure on the government to abide by them in practice. As democratically elected representative body, the Legislature Parliament and its several committees in the year 2017 have demonstrated their accountability and responsibility to the voters by performing a number of activities including raising/holding discussions on public issues, raising the problems and grievances of the people, including those of human rights. These parliamentary activities, in practice, intended to make the executive accountable to the parliament highlighting the principle of legislative control of executive in Nepal. As representative body, it has also played significant role in respecting and promoting the global values of democracy, good governance and international spirit of international instruments of human rights. In course of promoting and respecting the spirit of human rights, it has given preference in respecting the spirit of multi-lateral treaties, covenants and conventions (of which Nepal has become a party). The role of Nepalese parliament in framing human rights friendly new

4. According to the constitutional provisions in Nepal, the apex court and other Constitutional bodies submit their reports to the president, who later sends them to the legislative body for discussion.
5. Social Justice and Human Rights Committee, (SJHRC), Legislature Parliament 2074), *Yearly Report of SJHRC of Legislature Parliament 2074(Fiscal Year 2073-74)* Kathmandu: Parliament Secretariat, p.
Executive summary. Also see, Social Justice and Human Rights Committee (SJHRC) Legislature Parliament (2073), *Yearly Report of SJHRC of Legislature Parliament,2073* Kathmandu: Parliament Secretariat, pp. 4-5.

laws and amending the existing ones are no less important in this direction. These things were done by the popular House or through its committees (including Social Justice and Human Rights Committee, which is mainly responsible in dealing with human rights issues) In essence, the role of Nepalese parliament in protecting and promoting the human rights of the Nepalese citizens was particularly significant. The Nepalese Legislature Parliament in the year 2017 was successful in achieving a number of successful achievements, even historic in some cases. These successful achievements, among other things, included the positive steps taken by it in the implementation of the newly declared federal constitution, implementation of federal provisions in the constitution, creating favorable /enabling environment in the direction of the federalization of the nation according to the spirit of the new constitution, enacting laws according to the need of the time and situation and raising the issues and grievances of the people.

The parliament and its committees also strongly opposed and took strong action, against those who were involved in corruption scandals including the case of Gopal Khadka, the former Chief of Nepal Oil Corporation (NOC) who was charged of involving in controversial land purchase for the NOC. These successful and "historic" achievements have been outlined in brief below:

Positive Steps taken by Nepalese Legislature Parliament in the Year 2017 in the Implementation of the Newly Declared Federal Constitution

The 2nd CA, after it declared the 2015 Constitution of Nepal was transformed/converted into legislature parliament in 2015, and since that date it has been performing all those functions which the legislature in all political systems of the world, including the parliamentary one, perform. It has also played effective role in the implementation of the 2015 Constitution. The Nepalese Legislature Parliament in the year 2017 played historic role in the implementation of the newly declared federal constitution by performing a number of activities, including the enacting of essential laws; performing deliberations on the current issues of the days, preparing for the background of local, provincial and central parliamentary elections.(by making essential laws). The Nepalese Legislature Parliament in the year 2017 was also successful in bringing the Madeshi people to participate in the local elections in 2017, who were long agitating against the implementation of the new constitution.

Role of Nepalese Legislature Parliament in the Year 2017 in the Implementation of Federal Provisions in the Constitution

The role of The Nepalese Legislature Parliament in the year 2017 in the implementation of federal provisions in the constitution was no less important. The Nepalese Legislature Parliament was politically committed to implement the federal provisions in the constitution and enacted several laws in this background including the elections at central, provincial, and local levels, and also making laws concerning the Pradesh parliament, Pradesh chief and cabinet. The role of Nepalese Legislature Parliament in the year 2017,thus, in creating favourable/ enabling environment in the direction of the federalization of the nation according to the spirit of the new constitution was less important.

Role of Nepalese Legislature Parliament in the Year 2017 in the Democratization /in the Institutionalization of Democratic Polity

The Nepalese Legislature Parliament in the year 2017 has played very significant role in the in the institutionalization of democratic polity or in general, the democratization of the nation. Some of the parliamentarians were found very responsible, accountable and regular in

the parliamentary deliberations actively participating in the discussions and in the proper enactment of laws according to the need of the time and situation. They were found very responsible and disciplined and punctual in parliamentary activities. The issues which they raised were also very genuine and for the cause and for the interests of the nation and the people at large. Their activities, in general, promoted democratic parliamentary culture within the House.

Role of Nepalese Legislature Parliament in the Year 2017 to Convince the Madeshi Population to Participate in Local Elections, 2017

The Nepalese Legislature Parliament in the year 2017 remained successful in convincing the long agitating the Madeshi population to participate in local elections, 2017 and the central provincial elections.

Role of Nepalese Legislature Parliament in the Year 2017 in Enacting Laws According to the Need of the Time and Situation

As democratically elected representative body, the Nepalese Legislature Parliament in the year 2017 left no room in enacting laws according to the demands of the people and need of the time and situation.

Presentation of the Bills in the Nepalese Legislature Parliament in the Year 2017

The capability and quality of performances of the legislative body could be judged on the basis of a number of legislative indicators including the nature and quality of the bills presented in the popular body. Moreover, its effectiveness can also be judged on the basis of the legislative measures taken by the full house and its committees in respecting, promoting and protecting the fundamental human rights of the citizens (e.g. On the basis of the bills presented in the popular House). Moreover, the success of the legislature also depends on, in general, making the executive accountable and responsible to the sovereign legislature in different ways and forms .Its credibility also depends on to what extent it can act as communication bridge between the government and the people.

Constitutional Provisions regarding the Presentation of the Bills in the Nepalese Legislature Parliament

According to part-9, Art.109-114 of the constitution of Nepal, 2015, money bill, bills regarding security officials-Nepal Army, APF and Nepal Police would be presented in the House as government bills only.[6] This practice existed even in the former questions of Nepal, including that of 2007 interim constitution. The legislative measures taken by the full house and its committees, among other things, intend to promote the human rights of the citizens; address the grievances of the people. Nepal has specific methods of presenting the bill in the House.[7]

6. GON, Law, Justice, Constituent Assembly (CA) AND ministry of Parliamentary Affairs, Law Books Management Committee (2073) *Constitution of Nepal,2015(2072 BS).Kathmqndu,pp53-56.*
7. Nepal has specific and unique methods, styles and procedures of passing/presenting the bills in the popular House. Bills in Nepalese legislature can be broadly classified into government and private ones and according to the established practice, the bills are presented in the House by the concerned ministries as government Bills. The Bill is prepared by the concerned ministry and passed it by the cabinet and sent it to Ministry of Law to find out whether the bill is contradictory to the existing laws of Nepal or not. After this, the Bill is formally registered in the Parliament Secretariat and if the speaker thinks that the bill needs extensive discussions, than s/he sends it to the concerned committee, where the bill is discussed in the presence of the presenter of the Bill (Ministers), MPs and experts (if essential). The bill is listed in the agenda of the House; passed by majority and sent to president for its final approval. After it gets the final approval of the president, the bill becomes an Act in Nepal. INSEC (2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp. 87-104.*

The Bills Passed by the Legislature Parliament During 2017

In the year 2017, varieties of bills were presented, discussed and finally passed by the legislature, certified by the House Speaker and formally approved by the president following the prescribed constitutional and legal processes. In the year 2073 BS, a dozen of Bills were passed by the Legislature Parliament, which, among others, included bills relating to the federalization of the nation. The bills were related to the remuneration and facilities of the authorities and members of federal legislature; bill related to the powers and functions of Election Commission; bill related to the voters' list, bill related to the conduct of election at local level; bill related to the demarcation of Electoral constituency; bill related to the determination of the numbers of village councils and municipalities; bill related to political parties and bill related to the amendment and integration in the Company Act,2063[8]. Similarly, according to the information/ statistics provided/supplied by the Legislation Section of Legislature-Parliament Secretariat, 47 Bills (both new bills and the amendments in the existing bills) were formally approved by the Nepalese head of the state during the year 2074 BS[9]. These new Bills were also related with the federalization of the nation at large. These new Bills, among others, included the Bill (2074) related to the remuneration and facilities of the president and vice-president; the Bill (2074) related to the election of the president and vice-president; the Bill (2074) related to the conduct of local government; the Bill (2074) related to the Amendment in the civil cases in civil code of 2020; the Bill (2074) related to the Amendment in the criminal cases in civil code of 2020; the Bill (2074) related to the remuneration and facilities of the Pradesh Chief; and the Bill (2074) related to the establishment of Rajarshi Janak University at Janakpur Dham, Dhanusha.[10]

Establishing the Popular Concept of Parliamentary Supremacy or Making the executive Accountable to Legislature

The success of parliament largely depends on how much it would make executive body accountable to the representative body. In the British model parliamentary system, this is very crucial. the legislature acts in practice as the maker and unmake of the parliament and controlling the cabinet, PM and other ministers making them accountable to parliament through a number of activities including the passing of vote of no-confidence against the prime minister and impeachment against the head of the state and pressuring or ordering to tell some individual minister to present in the parliament and answer the questions raised by the MPs. The legislature and its committees have authority to issue directives to the government and compel to abide by its orders, and decisions. By performing these activities, the legislatures in different political systems of the world, particularly in West minister model, in practice establish the popular concept of parliamentary supremacy or making executive accountable to legislature in practice. The Nepalese Legislature Parliament in the year 2017 tried to exercise all its constitutional powers and no left no rooms to

8. Legislature-Parliament Secretariat (LPS) (2073), *Samsad Darpan,* Year 2, Issue 6, Kartik 2073,pp.38-61. Legislature-Parliament Secretariat (LPS) , Legislation Section(2074),*Collection of Bills*; Second Session, part-2, (2072-73).Kathmandu,pp.1-217.

9. Legislature-Parliament Secretariat (LPS), Legislation Section(2074), *Description of Bills formally approved during the year2074*; a two-page typed bulletin).Kathmandu,pp.1-2.

10. Legislature-Parliament Secretariat (LPS) , Legislation Section(2074), *Description of Bills formally approved during the year2074*; a two-page typed bulletin).Kathmandu,pp.1-2.

establish the popular concept of parliamentary supremacy or making Nepalese executive (cabinet headed by the PM) accountable to legislature in practice. In the year 2017, a number of such activities were noticed including making constitutional bodies/ authorities accountable to parliament.

Accepting and Discussing the Yearly Reports of the Supreme Court of Nepal

According to the constitutional provisions in Nepal, the apex court and other Constitutional bodies submit their reports to the president, who later sends them to the legislative body for discussion. According to this constitutional provisions, the Nepalese legislative body and its concerned committee accepted, on Chaitra 9, 2073, the three Yearly Reports of the Supreme Court of Nepal of Fiscal Year 2069/070, Fiscal Year 2070/071; Fiscal Year 2071/072, .Similarly, on Chaitra 28, 2073,the the Yearly Report of the Supreme Court of Nepal of Fiscal Year 2072/073 was formally accepted.[11]

Accepting and Discussing the Yearly Reports of the Constitutional Bodies of Nepal

In the year 2017, the parliament also accepted the reports of the constitutional bodies of Nepal. on Chaitra 28, 2073, it accepted the Yearly Report of the Attorney General of Nepal for the fiscal year 2072/073; Yearly Report of the CIAA of Nepal for the fiscal year 2072/073; the two yearly reports of Public Service Commission for the fiscal year 2071/072 and 2072/073; and the two yearly reports of election Commission of Nepal for the fiscal year 2071/072 and 2072/073.[12] In the history of Nepalese legislature, these activities conducted in the year 2017 were historic in making constitutional bodies/ authorities accountable to parliament and asserting its own rile in Nepal.

Role of Nepalese Legislature Parliament in the year 2017 in Raising the Issues and Grievances of the People

In this connection, the functioning and operation/performance level of the Nepalese Legislature Parliament in the year 2017 would thus be judged on the basis of a number of indicators including the passing of the bills, the nature of parliamentary deliberations and discussions, raising of the issues of human rights and public concerns, nature of zero hours and special hours,, nature of boycotting and obstructing formal sessions, the performances of the committees within the House.

Parliamentary debates/deliberations of public concerns in the year 2017

The Nepalese Members of Parliament (MPs) in the year 2017 left no rooms in raising the issues of public concerns in different ways in different forums. As the democratically elected representatives of the people, it is the responsibility of the MPs to demonstrate accountability towards the voters by raising their issues, problems, and grievances and do justice to their voters.

Role of MPS from Larger Political Parties

The MPS representing larger and national level political parties within the parliament also remained dynamic in raising the issues of the people at large and demonstrating national character. But in many cases, their presence remained not so remarkably, often involving in unnecessary party dictates.

11. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 8,Baisakha, Kathmandu, 2074, LPS, p.1
12. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 8,Baisakha, Kathmandu, 2074, LPS, p.1.

Role of MPS from the Backward and Remote Areas and Communities

The MPs elected from the backward and remote areas and communities were found effectively demonstrating accountability towards theirs and doing justice to their voters by raising their issues, problems, and grievances in different forums and forms. Some of them were also found expressing their dissatisfactions in doing illegal things from their voters. The MPS .particularly elected from the backward and remote areas and communities were very dynamic in performing these roles in the form of interest articulation, and interest aggregation.

Role of MPS from Madesh Parties

The representatives of the Madesh parties largely boycotted and obstructed the formal sessions of the parliament raising their regional issues outside parliament. Those who participated in such sessions spent most of their times raising the problems and grievances of the Madesh only.

Role of MPS from Smaller Political Parties

The MPS representing smaller political parties within the parliament also remained dynamic in raising the issues of the people at large and demonstrating national character.

In the year 2017, the crucial issues of public concerns were seriously raised by the parliamentarians in different forum and in different forms. Under the globally accepted parliamentary practice, the parliamentarians enjoy a number of privileges which enable them to raise the issues of the people freely inside and outside parliament. Like other parliamentarians of the world, the Nepalese parliamentarians in the year 2017 raised the issues of the people freely inside and outside parliament exercising such parliamentary privileges granted under the new constitution (2015).

Raising Public Issues and the Special Constitutional Privileges Granted to Nepalese Parliamentarians

The Nepalese parliamentarians, under the nine sub-articles of Art.103, and Legislature Parliament Rules 2073, like other parliamentarians of the world, are entrusted special privileges and immunities, which, among other things, enable them to raise the issues of public concerns freely. As the Members of Parliament (MPs) enjoy various immunities and privileges which enable them to become active in Parliament and its various committees, the parliamentarians have become very powerful and effective in practice in raising the issues of the people. The Nepalese parliamentarians in the year 2017, like previous years, were completely independent to raise issues and grievances of the people due to several reasons. The parliamentarians of Nepal, as in other democratic countries, including the US, the UK, France and India, exercise a number of privileges and communities. They can exercise full freedom of speech and no member can be arrested detained or prosecuted in any court of law for anything said or any vote casted in the House. It can regulate its internal business and undertake rules for this about which no question shall be raised in any court of law. No legislative proceedings shall be initiated in any court against any parliamentarians for speaking and publication of any document, report, vote or proceeding. No parliamentarians could be arrested during the session period. Legislature can take action in the case of contempt of parliament[13]. The House can

13. Insec(2017) *Nepal: Human Rights Year Book 2017.Kathmandu, pp.87-104.*

formulate its own rules and manage its own committees.[14] These constitutional provisions have enabled the parliamentarians to raise the issues, problems and grievances of the people/ public concerns freely in the Parliamentary debates/deliberations in the year 2017. The raising of such issues in the Parliamentary debates/ deliberations was also essential for the parliamentarians to demonstrate their capabilities before the people and fulfill their responsibilities towards the voters.

The issues of Public Concerns as Responsibilities of the Parliamentarians towards the Voters

The Nepalese parliamentarians**, as** elected representatives of the people in the year 2017, had to raise the issues and grievances of the people in different legislative forums for different reasons. For those Nepalese representatives who consider "politics as profession" had to raise the issues of the people to give them good impression and demonstrate that they are dynamic and energetic within the House. Most of the parliamentarians had raised the issues (including of issues of human rights) of the people in loud voices and defending the cause of the people. According to the established democratic practice, it was their duties to be accountable and responsible to the voters and leave no room in raising the grievances of the people in the House.

Performances of the Nepalese Parliamentarians in Raising the Issues of Public Concerns the Year 2017

Like in the previous years, the parliamentarians in the year 2017 had successfully raised the issues of public concern and problems and grievances of the people in the formal and informal discussions, Zero Hours and special sessions in the full House and in various committees. They raised these issues to make cabinet accountable to legislative body and convert public problems into public policies. During these formal and informal discussions, several issues including political, economic, socio-cultural, religious, health, education, and employment (to mention a few) were raised by the parliamentarians in the year 2017.

The issues raised by the parliamentarians in the year 2017, among other things, included the issues of violations of human rights in different parts of the country, the worsening situation of roads in Kathmandu valley and other parts of the country, Delay in the works of Melamchi drinking water project, events of corruption (e.g. of Gopal Khadka, to mention a few) and good governance , the cheating of Nepali workers in Gulf countries by the Nepalese manpower companies. The issues of the victims of the earthquake living in the ill-equipped temporary tents, the slow and inadequate relief measures undertaken by the government ,their ill or degrading health and sanitation condition were also raised by the by the parliamentarians in the year 2017. Similarly, The issues of the flood and natural calamities affected people raised, including in Saptari and other parts of the country were also raised by the by the parliamentarians in the year 2017. The issues of roads and public health, the condition of ill-equipped public hospitals in different parts of the country (e.g. lack of doctors, medicines and facilities) also found priority in such debates. The parliamentarians left no rooms in raising the issues, problems and grievances of the teachers, students, doctors and medical practitioners and farmers (e.g. lack of fertilizers, tools,

14. Such privileges were granted to MPs/Parliamentarian under the Constitution of the Kingdom of Nepal, 1990; Interim Constitution of Nepal, 2007 and the present Constitution of Nepal, 2015 (2072 BS). Also, Ram Kumar Dahal, 2001, *Constitutional and Political Development in Nepal,* Kathmandu: Ratna Pustak Bhandar.

food, and seeds stating that the government is less sensitive in addressing their issues). But the peasants and workers expressed their dissatisfaction over the fact that their genuine issues were not raised by the" irresponsible" parliamentarians in the year 2017.They stated that their issues remained in shadow in the year 2017.The parliamentarians in the year 2017, among other things, also undertook field visits to observe, monitor, the progress of works going on in the field of road construction.

Utilization of Zero Hours and Special Hours in Legislature Parliament in the Year 2017

The proper utilization of Zero Hours and Special Hours in Legislative body in ventilating the grievances of the common people by their representatives has been regarded as one of the indicators of judging the activities/functioning of legislature in today's globalized world. The Zero Hours and Special Hours are important in almost all political systems of the world, including in the British model parliamentary system in ventilating the grievances of the common people. The Nepalese parliamentarians in the year 2017 left no rooms in the Utilization of Zero Hours and Special Hours in Legislature Parliament in ventilating the grievances of the Nepalese people and drawing the attention of the government towards their hardships (e.g. price rise, commercialization of education and health, to mention a few). Constitutionally and legally speaking, there is no fixed predetermined agenda in such periods, and the parliamentarians, by taking permission from the House Speaker, had successfully raised the issues of public concerns, had drawn the attention of the government and concerned stakeholders had even demanded to make the government accountable to the sprit and mood of the representative body. Like in the previous years, in the year 2017 also, a number of parliamentary forums and platforms, discussions and motions including attraction motion, proposal regarding asking questions to the ministers concerned, motion of necessary public importance, discussion motion of half an hour, suspension motion vote of thanks motion were used by The Nepalese parliamentarians in the year 2017 in addressing issues of people. During the year 2017, the zero hours and special hour remained very effective legislative forums for the Nepalese parliamentarians, particularly from those political parties which were not in power The opposition parties, including the smaller ones raised the issues of implementing the new constitution, the federalization of the nation in the new political context, human rights of the women, child labour and the problems faced by the women (including the charges of witchcraft and domestic violence). The issues of making the government accountable to legislature, problems of the earthquake affected people living in tents, impractical policies of government in distributing food and tents, misuse of such goods and issues of the flood and natural disaster affected people were also raised by the parliamentarians in the year 2017. The government was also criticized for becoming less sensitive or ignoring sectors like education, health and transportation.

Effectiveness of Zero Hours and Special Hours in Legislature Parliament in the Year 2017

But a number of opinions were expressed regarding the effectiveness of these legislative forums and measures. The parliamentarians in the year 2017 were also blamed for its failure in putting effective pressure on the government and the concerned stakeholders regarding the issues raised by them in zero and special hours. The low percentage of attendance/ presence of parliamentarians, in the for-

mal meetings of the House, has raised the crisis of credibility and honesty on their part. Their absence in the parliamentary deliberations and their absence of effective participation in the formal deliberation wakened their credibility and confidence on them. Such irresponsible and even undemocratic culture demonstrated by them made these legislative measures less effective. In the context of rising expectations (with high ambitions and aspirations in their minds) of the Nepalese people from their elected representatives in post 2006 days, their ambitions were turned into roaring frustrations in the year 2017 due to their failure to play effective and dynamic role as per their expectations.

Weaknesses of Nepalese Legislature Parliament in the Year 2017

In spite of the above mentioned achievements (and in some cases historic also) of the Nepalese Legislature Parliament in the year 2017, its activities are seriously criticized by the people from different perspectives. Some of their activities remained highly controversial in different ways. Some of these highly controversial and much criticized activities have been outlined below:

Constitutional weaknesses/Activities of the Parliamentarians in the Year 2017

The Constitutional activities of the parliamentarians in the year 2017 also criticized by the people in different ways.

Issues of the Proposed Amendment in the Constitution of Nepal, 2015 in the year 2017 as the Wastage of Fertile Time Only

The proposed amendment bill in the present constitution- the constitution of Nepal, 2015 in the year 2017 by the two largest political parties within the parliament-NC, and The Maoist Centre, led by Prachanda was heavily criticized by the people in different ways, including calling it "the wastage of fertile time" which could have been diverted towards some constructive achievements in the short life of the Nepalese Legislature Parliament in the year 2017.The issue was raised in Nepalese politics when the Prachanda government in December 2016, registered amendment bill in the Constitution in a number of areas including in the representation in the Upper House-Rastriya Sabha, changes in the border of Pradesh, conferment of honorary citizenship, and language issues. According to the amendment bill registered in the Parliament Secretariat by the Prachanda government, some changes were made in Pradesh No. 5, according to which the hill districts-Palpa, Gulmi, Arghakhachhi, Rolpa, Peuthan, Eastern Rukum are to be included in Pradesh No. 4. In the new proposed system, the districts of Terai-Nawalparasi (East of Bardaghat Susta), Rupendehi, Kapilbastu, Dang, Banke and Bardia are to be included in Pradesh No. 5. In the new proposed system, Gorkha, Lamjung, Tanahu, Kaski, Manang, Mustang, Parbat, Syangza, Myagdi, Banglung, Palpa, Gulmi, Arghakhachhi, Nawalparasi (East of Bardaghat Susta), Rolpa, Peuthan and Rukum (eastern part) were involved in proposed Pradesh No. 4).[15] In opposition to the amendment bill proposed by the government, one of the largest political party in the House-CPN-UML and other parties had obstructed the House disturbing the regular session in December 2016 and few months in 2017. The legislature parliament in the year 2017 had to spend their valuable time in these unnecessary and unproductive things. It was considered as the wastage of fertile time and the time could have been used for other constructive purposes, including in the enact-

15. *Kantpur,* Marg 15, 2073 (Nov. 30, 2016); *Kantipur,* Nov. 29, 2016.

ing new laws and amending the existing ones to meet the spirit of new constitution and federalism.

Legislative Weaknesses of the Parliamentarians in the Year 2017

A number of Legislative weaknesses of the parliamentarians were noticed in the year 2017, which, among others include.

Low Presence of the Parliamentarians in the Year 2017

The legislature parliament in the year 2017 also noticed/witnessed the Low presence of the parliamentarians in the year 2017 in the formal meetings of parliament. This led to the suspension of the House activities due to the lack of required Quorum as mentioned in the present constitution and the House Rules. This demonstrated the less political dedication of the MPs in their activities. The Low presence of Madeshi parliamentarians in the year 2017 in the formal meetings of parliament was particularly noticed/ witnessed. The Madeshi parliamentarians were for a long time engaged in the protest activities against the newly declared constitution of the nation.

Absence of Parliamentarians in the Formal Meetings of Parliament in the Year 2017

The complete presences of the parliamentarians in the formal meetings of parliament in the year 2017 were also noticed in the year 2017.This led to the suspension of House activities by the speaker putting it formally in the next deliberations.

Numbers of Bills in Pending

In course of executing the new constitution and implementing the federal provisions of the constitution, it was essential for the legislative body to enact nearly 200 laws to adjust with the new changed political and constitutional situation. But the legislature parliament, in the year 2017, failed to enact those laws which would have made the implementation of the new constitution and the federalization of the nation easier.. The legislature parliament, instead of doing these things quicker, was involved in unnecessary debates and quarrels.

Economic Weaknesses/Activities of the Parliamentarians in the Year 2017

The economic activities of the parliamentarians in the year 2017 were also criticized for several reasons.

Taking their Monthly Salaries and Allowances and Economic Benefits Even though they Remained Absent for a Long Time in the Formal Deliberations of the Legislature

The economic activities of the parliamentarians in the year 2017 were also heavily criticized in different ways. They were criticized for accepting /taking their monthly salaries and allowances and economic benefits even though they remained absent for a long time in the formal deliberations of the legislature. The Madhesi parliamentarians, who were engaged in the protest activities against the newly declared constitution of the nation, were particularly found doing these things during the year 2017.

Misuse of Parliamentary Fund

Some of the parliamentarians in the year 2017 also criticized for misusing parliamentarians fund for various purposes.

Attempts by the Parliamentarians to take Pension and other Facilities after their Retirement

In the year 2017, the parliamentarians also demonstrated some unhealthy and anti-people activities within the parliament. This included, among

other things, included the attempt by the MPs to take pensions for them after they retired from parliament. Some of the MPS were actively involved in this in the month of November and December, few days. Similar attempts were made during the second multiparty parliamentary experiment during 1991-94 periods by the lower house of the Nepalese parliament-HOR, which was outlawed by the order of Nepal's highest court. The same unsuccessful attempts were repeated in 2017 disrespecting the order of the independent judiciary and even undermining the democratic values and norms even forgetting the hardships suffered by nearly 70 per cent of the poor people living below poverty line.

Monopolizing Development Funds after the Formal Termination of Parliament

In post-November days, even after the formal termination of parliament[16], the MPs were found utilizing, influencing and recommending the use of government funds, formerly in their pocket, including the Infra structures development funds of the Electoral Constituency, and Constituency Development Fund. Keeping in view of the forthcoming parliamentary elections foe the centre and the Pradesh (province) and the election code of conduct, the Election Commission of Nepal issued special order for blocking these activities. It also issued special orders to all concerned government agencies not to release funds for those programs under their recommendations.[17]

Political Weaknesses of the Parliamentarians in the Year 2017

The parliamentarians in the year 2017 were also criticized for various political activities, including

Obstructions in Parliamentary Deliberations in the year 2017

The obstructions by the parliamentarians in the formal Parliamentary Deliberations, including the boycotting of the regular sessions and *Dharna/ Gherao* in front of the House Speaker can also be considered as one of the indicators in judging the effectiveness, credibility and trust of the parliamentarians and representative institution. These obstructions by the parliamentarians in the formal Parliamentary Deliberations, sometimes may led to negative attitude of the people towards the entire multiparty democratic set up. The Obstructions of such preplanned and routine calendar of parliamentary deliberations have become one of the important aspects of Nepal's democratic experiment in post 1990 days where the parliamentarians were found obstructing the regular sessions of the House. The parliamentarians were also involved in the demonstration of unparliamentary behavior by involving in the destruction of the physical and other infrastructures of the House. Like in previous years, such obstructing activities were also noticed in the year 2017. The parliamentarians were involved in blocking/obstructing the preplanned calendar of the session. Due to the political differences among the parliamentary parties, this practice got inspiration. The obstruction of the regular session of the House on political or ideological ground and other basis has been interpreted in different ways in Nepal. A group of political parties, particularly the smaller ones and leaders and ethno-activists believe that, as the obstruction of the session is an effective means of pressurizing the government, it can be considered as "democratic exercise within democratic practice." An-

16. The tenure of the Legislature parliament, according to the provisions of the new constitution, terminated on Sept.13, 2017(Bhadra28, 2074 according to the Vikram Calender).
17. Kantipur, Oct.30, 2017(Kartik 132074), p.8.

other school of thought believes that it would be unwise or even undemocratic exercise to obstruct pre-planned parliamentary deliberations. The parliamentarians have to find out regular democratic and Constitutional mechanisms to solve their problems instead of choosing the obstruction and disturbances in the formal meetings of the House. The Legislature Parliament should not be considered as a place of addressing private, individual and party interests. It has to be developed in promoting democratic practice and culture promoting the respect to human rights of the citizens.[18] In the last weeks of December, 2016 and few months in 2017, this trend continued when the Prachanda government registered amendment bill in the Constitution in a number of areas including in the representation in the Upper House-Rastriya Sabha, changes in the border of Pradesh, conferment of honorary citizenship, and language issues. In opposition to the amendment bill, the CPN-UML and other parties had obstructed the House disturbing the regular session in December 2016 and few months of 2017. In the year 2017, the Terai-based political parties, as in 2016, went on obstructing the regular sessions of the House several times by criticizing the newly declared Constitution (2015) and blaming the ruling government not becoming sensitive to the issues of Madhesh (Terai)[19]. This included, among others, shouting slogans in front of the House Speaker the boycotting of parliamentary deliberations leading to the absence of required quorums[20] needed to conduct the regular sessions.

In course of the future institutionalization of the democratic polity and demonstration of parliamentary democratic culture, it would be wise for the political to act according to the aspirations of the people following constitutional, democratic and parliamentary norms, and values making the House truly accountable to the voters/people, which would increase the capability and credibility of the House in the democratic set up.

Role of the Parliamentary Committees in the Preservation and Promotion of Human Rights in the Year 2017

The issues of human rights violations and abuses were also seriously raised in the full House and particularly in the Social Justice and human rights Committee. The effectiveness, credibility and reliability of the legislative body can also be judged on the basis of the performances of the committees within the parliament, because in today's globalized world every activity is conducted/performed in practice by the existing committees of the parliament. In the present day democratic practice, there is strong need of such committees to enhance the capability of the popular house. The committee system in the present globalized context has become very popular in the legislative procedure and has become inseparable part of legislature. These committees have become popular in the democratic countries including in the UK, the US, Japan and India. The committee system in the present day world has become very popular and an essential part of procedure for various reasons. Firstly, the legislature is large in size and creating difficulties for effective and detail discussions. For this, this role and responsibilities are assigned to small committees where the bills can be discussed in detail. Secondly, modern legislature, as democratically elected

18. Insec (2017) Nepal: Human Rights Year Boob 2017.Kathmandu.
19. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol.8, Baisakha Kathmandu, 2074, LPS, p1.
20. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol.8, Baisakha Kathmandu, 2074, LPS, p1.

body, has to perform a number of activities which cannot be conducted within the fixed time in the full House. To reduce the growing pressure of legislative work, the committee system became significant in the legislative procedure. Thirdly, in the context of the 21st century, modern legislation has become highly technical and specialized activity which can only be performed by its experts and knowledgeable persons than the representatives. Fourthly, the committees can have careful and thorough examination and comprehensive discussion on the various aspects of the bill which becomes impossible in the full House. Fifthly, the full House/ large assembly lacks technical knowledge and time to deal with the Bills. In this sense the committees become effective means/devices for speedy and effective work. These committees in practice, have become very popular in the major political systems of the world, including in the British model parliamentary system, US model presidential, French model mixed System, Swiss model direct democracy and confederation and the Chinese model communist (in practice or Constitutionally socialist) system. In the lower House of the British Parliament- the House of Commons, these committees are very popular and effective. The Foreign Affairs committee of the Upper House of the US Congress- Senate is very powerful and exercise effective control over the foreign affairs powers of the US president. In People's Republic of China (PRC), the Standing Committee of the Chinese unicameral legislature- National People's Congress (NPC) serves as the permanent body acting on behalf of NPC[21]. In essence, committees are important in the legislative body having different political systems. Nepal is not an exception to this. The need of the committee system was realized in Nepal in post 1960 days and the existence of the committee system within the legislative body is, thus, not a new phenomena /new practice in Nepal. The Panchayati Constitution- the Constitution of Nepal, 1962 had made provisions of various committees under the unicameral legislature- Rastriya Panchayat. The other Constitutions of Nepal- the Constitution of the Kingdom of Nepal, 1990, the Interim Constitution of Nepal, 2007 and the current Constitution of Nepal 2015 (2072 BS) have given continuity to the committee system in Nepal. Under the 2015 Constitution (Part-8, Art. 97) both the Houses of the Nepalese Central Legislature, Parliament- Rastriya Sabha (National Assembly) as the Upper House and the House of Representatives (acting as Lower House) can form their own committees according to the Constitution and federal law. In case of differences between the two Houses, there is also provision of Joint Committee for setting the disputes between them. As the Members of Parliament (MPs) enjoy various immunities and privileges which enables them to become active in various committee, these committees have become very powerful and effective in practice and can formulate rules to regulate them and their activities[22].

Performances of the Parliamentary Committees in the Year 2017

Like in the previous years, the eleven committees of the Legislature Parliament remained very active in the year 2016 raising issues of public concern including the protection and promotion of fundamental human rights of the Nepalese citizens. These committees played constructive role in this direction by performing a number of activities including raising the issues of the people; and mak-

21. Insec(2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*
22. Insec (2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*

ing government (Cabinet) accountable to the popularly elected body. As human rights are multidimensional and cross cutting issues, almost all of the committees have raised such issues in one way or the other, playing constructive role in the protection and promotion of human rights. The committees of the Legislature Parliament, by raising different issues relating to human rights have also made important contribution in trying to make government accountable to the legislative body and trying to protect and human rights of the citizens in financial sectors/ economic rights in different manners[23]. In this connection, the roles and functions of individual Committee in the House in the year 2017 have been outlined here:

1. Performances of the legislation Committee in the year 2017

The legislation Committee, which has to play significant role in preparing the drafts of the bills to be presented in the formal sessions of the House, performed important functions in the year 2017 including the dealing with the draft bill relating to the remuneration and other facilities of the judges of the Supreme Court, High Courts and District Courts under the new federalized structure[24].

2. Performances of the State Affairs Committee in the year 2017

The State Affairs Committee, one of the very powerful committees in the parliament dealing with political and governmental non-economic political issue, played very significant role within the parliament by performing a number of important functions in the year 2017 including the complete studying of the bills relating to Election Commission, 2073; bills relating to voters' list, 2073 and sending them to the full House. It also took initiative in providing training to newly posted officials to match with new federalized structures of the nation[25].

3. Performances of the Public Accounts Committee in the year 2017

The Public Accounts Committee (PAC), one of the very influential committees in the parliament remained very dynamic and energetic in asserting its powers and had, like in the previous years, performed important responsibilities in protecting and promoting financial /economic interests of the citizens by giving directives and recommendations to the concerned ministries of the government and other stakeholders regarding economic irregularities and misuse of fund. The Committee performed some important activities in the year 2017 regarding the economic irregularities and misuse of fund. It also studied the issue relating to the income tax of N CELL; drew the attention of the government in making delays in distributing benefits to the earthquake-affected people and the less use of development funds in the country. Similarly, several sub- Committees were formed to deal with those financial irregularities and misuse of fund. A sub-Committee of the Committee in the year 2017, made investigation regarding the economic irregularities in NTV [26].

4. Performances of the Good Governance and Monitoring Committee in the Year 2017

The Good Governance and Moni-

23. Insec (2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*

24. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol 9, shrawn Kathmandu, 2074, LPS, p.2-3.

25. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 8,Baisakha, Kathmandu, 2074, LPS, pp.3-5.

26. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.5-.10.

toring Committee (GGMC) of the Legislature Parliament, like in previous years, also performed important functions in respecting, protecting and promoting the human rights of the citizens in one way or the other. It had given directives and recommendations to the concerned ministries and government to make service delivery mechanisms of the government more trustworthy, effective and qualitative in nature. It had also monitored, evaluated and examined the activities of the government whether the latter was responsible, transparent and effective or not and had reported to the full House regarding this in the form of yearly report.[27] In the year 2017, the Committee performed important functions regarding the issues of governance, including the holding of discussions on the report of security system in the Tribhuvan International Airport; and complaint regarding the closed Everest Hotel. It also issued directives to the office of the PM, Council of Ministers and Home Ministry to develop up to date record/statistics of government vehicles.[28]

5. Performances of the Committee Relating to Industry, Commerce and Consumer Interests in the Year 2017

The Committee relating to Industry, commerce and consumer interests, like other parliamentary committees, also performed important functions in the year 2017.It has played, in particular, crucial role in the protection of the rights of the consumers in Nepal. The Committee, among other things, outlined the need of timely changes in the existing consumer protection Act, 2073; discussed the decision of Nepal Oil Corporation (NOC) and directed the concerned ministry, Supply Ministry and NOC not to do that .It issued directives to the Supply Ministry to take advice from Ministry of Finance in doing such things. It also discussed the issue of the import of LP Gas[29].

6. Performances of the Agriculture and Water Resources Committee in the Year 2017

The Performances of The Agriculture and water resources Committee in the year 2017 was also notable. The Committee had drawn serious attention of the government for not presenting the Electricity Bill in the Parliament; issued directives to the concerned ministry for effective quarantine test, and the honest implementation of the decisions and directives of the Committee by the government.[30]

7. Performances of the Finance Committee in the Year 2017

The Finance Committee[31], According to the CA Rules 2070 BS, was to look after and monitor the activities under its jurisdiction of Ministry of Finance (MoF) Cooperatives, Poverty Alleviation Minis-

27. Good Governance and Monitoring Committee Secretariat Legislature Parliament Secretariat (2072), *Yearly Report of the Good Governance and Monitoring Committee,* Kathmandu, p. Introduction.
28. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.4-10.
29. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.10-12.
30. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.12-14.
31. **the Finance Committee** was formed on Baisakha 14, 2071 according to Vikram Year/calender, under rule 110 of the Constituent Assembly (conduct activities of Legislature Parliament) Rules 2070 BS

try and National Planning Commission (NPC). The Finance Committee also performed important functions in the year 2017. It has played, in particular, crucial role in the Bill(2073) making timely amendment in the Bonus Act,2030 and also necessary directives to Ministry of Finance for this. It also gave necessary directives to the concerned ministries to take strong actions against those who were identified by the anti-corruption mechanism-CIAA on the charges of involving in the corruption and misuse of government fund. Moreover, the Finance Committee in the year 2017 had also issues necessary directives to the concerned ministries- Ministry of Finance, Ministry of Labour and Nepal Rastra Bank for bringing the remittances from foreign countries and making their proper utilization in the present context. The Finance Committee in the year 2017 further directed them to open bank accounts in Rastriya Banijya Bank (Government-owned Commercial Bank) in the name of their relatives who were working in foreign countries and make proper use of such remittances[32]. In this connection, the Finance Committee outlined the weaknesses of these ministries and commission and had given directives and recommendations to the government to take essential steps to improve their functional capabilities. In spite of the above mentioned activities, It had also given directions to the concerned ministries and to the NPC in regard to formulation, implementation and monitoring of the periodic plans. Moreover, it had also directed the concerned ministry and the NPC and attracted their attention regarding the maximum utilization of the development budget and fund and providing benefit to the beneficiaries and stakeholders.[33]

8. Performances of the Environment protection Committee in the year 2017

The Environment protection Committee in the year 2017 performed some positive activities. In the year 2017, it gave directives to the Melemchhi Drinking Water Project Directorate, Drinking Water and Sanitation Ministry, Population and Environment Ministry and Kathmandu Valley Drinking Water Ltd (KUKL) regarding the affect of the people by the dust particles created by the construction of roads in Kathmandu Valley. The Committee also issued directives to identify for the short and long term measures in the protection of the public health (in the context of the adverse effect caused by the dirty particles in connection of the construction of roads in Kathmandu valley).It further gave directives and dictated to timely monitor the use of plastic bags which were outlawed (forbidden/ banned) by the government in keeping in view of the protection of the health condition of the people in capital city[34]. These activities have played very significant role in the protection and reservation of public health and respecting the right o life and right to live in clean environment.

9. Performances of the Development Committee in the Year 2017

The Development Committee had performed some important functions in the year 2017 and had played crucial role in the protection of the human rights of the citizens including respecting the right development of the citizens. The Commit-

32. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.14-17.
33. Legislature Parliament Secretariat (LPS) (2072), *Yearly Report of the Finance Committee of the Legislature Parliament,* Kathmandu: LPS, Singha Durbar, p. Introduction.
34. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.28-31.

tee, in course of conducting its business and performing its duties and responsibilities has monitored all the development activities going in all parts of the country. The Committee members, in course of conducting its business in the year 2017 undertook field visits/observation of progress in road construction in several places including Mailung- Syaprubasi section of the roads, Rasuagadhi-Kerung and Narayanghat-Muglin section of the roads .After the field visits, The Committee members had given directives to the concerned Ministries, including the Ministry of Roads. It had also directives to the concerned Ministries, including the Ministry of Construction and Urban Development, Kathmandu and other Municipalities in the Kathmandu valley to improve the quality of roads in Kathmandu valley and construction of overhead bridges in the urban roads[35]. The Development Committee had made some historic and very practical observation in the existing development pattern of Nepal. It had clearly pointed out the complete absence of coordination among those offices which were involved in the construction/expansion of roads in Nepal, particularly in Kathmandu valley[36]. Interestingly enough, the committee, in its yearly report (2074)[37] has drawn some historic and practical conclusion stating that in the last 6/7 decades no single physical infrastructures needed for concrete development had been developed in Nepal that could contribute for the long term development of the nation and that could contribute to the long term national macro economy.[38]

10. Performances of the Women, Children, Senior Citizens and Social Welfare Committee in the Year 2017

The Women, children, senior citizens and social welfare Committee in the year 2017 also performed important functions and has played crucial role in dealing the Bill (2072) regarding the protection of the rights of the persons with physical disability/differently abled persons It had also given directives to the concerned ministries regarding the proper management of *Ayurvedic* hospitals and dispensaries in all parts of the country, particularly Pashupati Homeopathy dispensaries in the premises of Pashupatinath Temple in Kathmandu, keeping in view of their long health services to the people, particularly the senior citizens.[39]

11. Performances of the International Relations and Labour Committee in the year 2017

The International Relations and Labour Committee (the only Committee within the House dealing with Nepal's Foreign affairs and the problems of the labour particularly working abroad) also tried its best to respect, protect and promote the fundamental human rights of the Nepalese citizens within and outside the country in the year 2017 by performing a number of activities . The committee in the year 2016 had played historic role in promoting effective foreign policy of the nation. It had drawn serious attention of the Ministry of Foreign Affairs (MOFA) and had expressed deep concern regard-

35. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.18-22.
36. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.18-22.
37. The Development Committee was one of the four Committees to publish its annual report for the year 2017(2074 BS).
38. Legislature Parliament Secretariat (LPS) Development *Committee* (2074), *Yearly Report of the* Development *Committee* of *the Legislature Parliament,* Kathmandu: LPS, Singha Durbar, p. Executive Summary.
39. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9,Shrawn, Kathmandu, 2074, LPS, pp.17-19.

ing the growing external intervention in Nepalese Foreign Policy. It further directed to raise Nepal's international personality in global politics, to make immediate appointments of the ambassadors; recommended to appoint qualified, honest and competent persons as ambassadors, conduct independent foreign policy and develop independent international personality. It also gave instructions to government and MoFA to determine valid grounds and qualifications for their appointments. Moreover, the committee directed and recommended MoFA and the government to undertake independent foreign policy increasing its capability in international arena. The Committee further outlined problems and issues of human rights violations of the labour inside and outside the country. It further drew the attention of the concerned ministry and government how the Nepalese labour working outside the country, particularly in Gulf countries, were exploited cheated and betrayed. It gave clear instruction to the concerned ministry and government to stop the violation of their human rights (as set in the ILO standard) and undertake immediate and necessary steps to stop these activities.[40] The Committee performed its duty/responsibilities by outlining the issues, problems and challenges in Nepalese foreign policy and of the migrant workers seeking job opportunity outside the country[41]. The International Relations and Labour Committee like in 2016, performed important functions in the year 2017 by outlining the major issues, problems and challenges in Nepalese foreign policy and identifying the major issues of the migrant workers seeking job opportunity abroad. The Committee in the year 2017 had discussed the Bill (2072) which intended to provide social security .In course of studying the status of migrant workers seeking job opportunities in Gulf countries, the committee members undertook field visits of countries including Saudi Arabia, Quater, Kuwait, and UAR and had given directives to the concerned ministries to improve their status. It also discussed the Bill (2072) relating to labour, and raised serious concern over the trafficking of Nepalese women in gulf countries[42].

But as the concerned stakeholders- government and concerned Ministry-MoFA, Ministry of Labour paid no proper attention to implement these directions and recommendations into practice, the activities of the Committee remained in shadow.[43].

12. Performances of the Social Justice and Human Rights Committee in the Year 2017

The Social Justice and Human Rights Committee (SJHRC)[44] is the only committee within the House to deal with the issues of human rights and Social Justice. Like in the previous years, the Committee had played very significant role in the year 2017 in the protection, promotion and monitoring of human rights activities making attempts to make the government accountable to the legislative body.

40. Legislature Parliament, International Relations and Labour Committee (2072), *Yearly Report of the International Relations and Labour Committee 2073*, Legislature Parliament Secretariat, p. Foreword.
41. Insec (2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*
42. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 8 Baisakh, Kathmandu, 2074, LPS, pp.19-24.
43. Insec (2017) *Nepal: Human Rights Year Book 2017.Kathmandu,pp.87-104.*
44. The Social Justice and Human Rights Committee were formed in Chaitra 26, 2070 BS. under the Legislature Parliament Rules, 2016 (2073 BS), its jurisdiction, powers and functions include the monitoring of human rights activities of various ministries and different commissions, including National Human Rights Commission of Nepal.

The committee, throughout the year, had been monitoring the human rights activities and situation in Nepal (whether the human rights had been respected or not) and the attempts made in this direction in promoting and protecting human rights, the concrete activities undertaken for the effective execution of human rights (in practice), whether the violators of human rights were brought within legal and judicial framework or not; what efforts were made to develop political consciousness about issues of human rights. In these sectors, the committee had been involved in monitoring and evaluating such activities intending to make the government accountable to the popular House.[45]

Like in the year 2017, the committee had performed tremendous activities in the year 2016[46]. In the year 2017(as in the year 2016), the Social Justice and Human Rights Committee had made various attempts to promote the Human Rights situation in the country by monitoring and directing the concerned agencies/ authorities. According to the Legislature Parliament Rules, 2073, the committee used to conducted discussions, monitoring, field visits regarding the issues of human rights which were considered very important in this direction[47].The committee, in its yearly report (2074)[48] , it has summarized its positive achievements , including the monitoring of human rights situation in different parts of the country, field visits of those areas, evaluating the human rights situation, submitting its final report to the full House, issuing directives to the ministries and stakeholders and recommend strong actions against those who were found guilty in the violation of human rights[49]. But the Social Justice and Human Rights Committee had itself acknowledged that due to a number of challenges, including lack of trained human resources and lack of adequate budget, the passive attitudes of the government and stakeholders,' absence of appropriate laws and uncooperative attitude of the government, human rights

45. Social Justice and Human Rights Committee (SJHRC) Legislature Parliament 2073), *Yearly Report of SJHRC of Legislature Parliament,* Kathmandu: Parliament Secretariat, pp. 4-5.
46. The committee instructed the Truth and Reconciliation Commission to perform effectively those activities determined/ set in its working plan within time frame. The committee also instructed the office of the Prime Minister and Council of Ministers to perform essential activities in this direction. The Committee, thus, made attempts to make executive accountable to Legislature Parliament. In order to study the real/actual situation of human rights, the Committee members also undertook field visit of some HRs sensitive districts including Jumla, Rukum and Achham. In order to promote and protect women rights, the Committee also formed Women Rights Study and Monitoring Working Team. In course of inquiring about the disappeared persons, the Committee had given instruction to office of the Prime Minister and the Council of Ministers to undertake immediate measures and undertake necessary action in this direction. In the case of cheating regarding the providing of job opportunity in ships in S. Korea, the Committee had given necessary instruction to the concerned authorities and expressed dissatisfaction in the delays made in the execution of its directives. It also assured to take action against those officials who were involved in such cheating scandal. It also discussed the field report submitted by its members who had visited Jumla, Rukum and Achham. It further decided to discuss about the transitional justice even including its experts in the core discussions. The Committee also discussed about the issues (salary and other facilities) of former officials of the Casino in Hotel Soaltee Oberai. Similarly, the committee discussed the issue of rape case by the police of the Bindyabasini Armed Police Force (APF) at Chandrauta in Kapilvastu district. It also gave instruction to the concerned authorities to immediate strong action against those HRs violators in the rape case. Source: Legislature Parliament Secretariat (2073), *Samsad Darpan* (Parlament Mirrors), Year 2, Issue 5, Shrawn. Kathmandu: Singha Darbar, pp. 12-15.
47. Legislature Parliament, Social Justice and Human Rights Committee (2073), *Annual Report of the Social Justice and Human Rights Committee,* Kathmandu: pp.4-5.
48. The Social Justice and Human Rights Committee is one of the four committees which has published its yearly report for the year2017(2074)
49. Legislature Parliament, Social Justice and Human Rights Committee (2074), *Annual Report of the Social Justice and Human Rights Committee,* 2074 Kathmandu: p. executive summary.

situation did not undergo any substantial changes in Nepal.[50]

Evaluation/Effectiveness of the Performances of the Parliamentary Committees in the Year 2017

The Parliamentary Committees prepare their annual reports, which include all the activities conducted by the committees throughout the year, present them in the full House for detail discussion and after discussion are well documented in the documentation centre of the Parliament Secretariat. In such discussions on the various reports, the MPs have raised various issues of human rights violations and institutionalization of the democratic polity in Nepal. The Social Justice and human rights Committee has played significant role in particular in protecting and promoting human rights of the citizens in Nepal. These committees, among other things, in their reports had given directives to the government and the concerned ministries and stakeholders, had drawn their attention to various issues, problems and challenges (e.g. particularly in the observance, promotion and protection of the human rights of the citizens) and had recommended to the government, concerned ministries and stakeholders to undertake essential measures to improve the situation (of human rights and others). But these reports express their dissatisfaction about the low level political commitment shown by the government and the concerned ministries to effectively implement them in practice. As the government was less sensitive in implementing these reports, their utility and contribution to human rights and democracy were also seriously questioned by the critical mass in Nepal. Regarding the effectiveness of the Performances of the parliamentary Committees, the Social Justice and Human Rights Committee, in its yearly report, has remarked very beautifully stating that the decisions and recommendations of the committee are not effectively implemented into practice because of absence of the sensitivity on the part of the government[51]. But as the government remained less sensitive in implementing those recommendations and directives given by the Committees, the activities of the committees remained in shadow and un-reflected among the public. Moreover, the parliament and its committees could not take strong against Gopal Khadka, the former Chief of Nepal Oil Corporation (NOC) who was charged of controversial land purchase for the Noc.

Performances of the Special Committee of Parliamentary Hearing in the Year 2017

The Special Committee of Parliamentary hearing in the year 2017 **(**Like in 2016[52]) also made some important deci-

50. Legislature Parliament, Social Justice and Human Rights Committee (2073), *Annual Report of the Social Justice and Human Rights Committee,* Kathmandu: pp.4-5
51. Legislature Parliament, Social Justice and Human Rights Committee (2073), *Annual Report of the Social Justice and Human Rights Committee,* Kathmandu: pp.4-5
52. In the year 2016, the Committee discussed about the hearing of the proposed member of the Judicial Committee- Ram Prasad Sitaula. It also decided to open the complaint against Sushila Karki, who was proposed for the post of Chief Justice of the Supreme Court of Nepal and the proposed members of the Election Commission. It also decided to open the complain- sheet and decide parliamentary hearing of proposed eleven judges of the Supreme Court of Nepal; decided to conduct the hearing of proposed ambassadors and Permanent Representative in different countries. It also gave directives to MoFA and cabinet and invited them regarding why and how before appointing them as ambassadors, the agrimo (consensus) of these countries were sought. In this connection, it also invited Secretary of MoFA giving directives that until the procedure in the special hearing in the Committee is completed, no further action be taken in this direction. But it decided to conduct the hearing of four proposed ambassadors.The parliament hearing conducted by the committee during the period Shrawn-Kartik 2073 (according to Vikram Calendar) was the hearing of proposed ambassadors, which is important in the history of legislature, intending to make executive accountable to parliament and establish the concept of parliamentary supremacy/sovereignty in Nepal. Legislature Parliament Secretariat (2073), *Samsad Darpan* (Parliament Mirror), Year 2, Issue-Kartik, Kathmandu, pp. 24-30.

sions and performed important functions. In the year 2017, it received recommendations and, thus, conducted hearings of the proposed Ambassador to Spain, Bharat B. Raimaghi; proposed CIAA chief Dip Basnyat; proposed Auditor General Tanka Mani Sharma; and proposed Chief Justice Gopal P. Parajuli. The Committee had finally ratified them all.[53]

Effectiveness of the Works of Special Committee

The Effectiveness of the works of the Special Committee during the year 2017 has always been questioned by the critical mass stating that the hearings were only formal and the Committee failed to respect the voices of public protests on those proposed appointments.

Impeachment Practice in Nepalese Legislature Parliament in the Year 2017

The popular and democratic concepts of the supremacy/sovereignty of parliament or legislative control of executive and constitutional authorities are established in different political systems, including in the British model parliamentary system differently. Under these concepts, the government/ executive and constitutional authorities are made accountable to the popular House. The practice of presenting/ tabling impeachment motion against the head of the state, and other top-ranking constitutional authorities by the Legislature on the grounds of misconduct and incapability is a globally accepted practice in almost all the major political systems of the world. In the US model presidential system, the US Congress (particular the Upper House-Senate) can pass impeachment motion against the president, chief Justice of the US Supreme Court and other constitutional authorities. This system also exists in the British model parliamentary system. The Practice of impeachment is not new in Nepalese political system. In post 1990 days (after the restoration of multiparty democracy in 1990), gave continuity to this system. The Constitution of the Kingdom of Nepal 1990; the Interim Constitution of Nepal, 2007, and the Constitution of Nepal, 2015 (2072 BS) have clearly incorporated this system. According to the ten sub-articles of Art 101 of the 2015 Constitution, the Nepalese federal legislature can exercise this power against the Chief Justice and other Judges of the Supreme Court of Nepal, Members of the Judicial Council and Constitutional authorities (Art. 101(2). The Impeach Recommendation Committee of the Lower House of the Nepalese federal legislature- House of Representatives (consisting of 11 MPs), after detail inquiry has to recommend it in the full House where the motion has to be passed by two thirds members of the total members.[54] The Legislature Parliament Rules 2073 BS (under chapter 21) makes further provisions regarding system and procedure of passing such motion by the Impeachment Recommendation Committee and by the full House.[55] These constitutional provisions intend to make the executive and constitutional authorities accountable to the popular House.

Impeachment Motion against the CIAA Chief Lok Man Singh Karki

In the last month of 2016 and few months of the year 2017, Nepal experimented impeachment motion in its democratic exercise it intending to make the constitutional authorities accountable

53. Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan(Parliament Mirror),*year 2,vol. 9, Shrawn, Kathmandu, 2074, LPS, p.23.
54. Constituent Assembly (CA) Secretariat (2016), *Constitution of Nepal, 2015 (2072 BS),* Kathmandu: Singhdarbar, Art. 101, pp. 51-52.
55. Legislature Parliament Secretariat (2073), *Samsad Darpan* (Parliament Mirror), Issue 6, Kartik, pp. 35-36.

to the popular House. On the ground of incapability and abuse of authority, the 157 MPs of the two largest parties of Nepal- UCPN-Maoist (led by Prachanda) and the CPN-UML filed an impeachment motion in Legislature Parliament against the chief of the Commission for the anti-graft constitutional body-. Investigation of Abuse of Authority (CIAA)- Lok Man Singh Karki. The issue/question of incapability of the appointment of Chief Karki was also discussed in the apex court of Nepal. The case against CIAA Chief Karki was discussed by the parliament and the Sub-committee under the Impeachment Recommendation Committee (IRC) of the parliament after detail investigation in Feb.9, 2017 had found CIAA Chief Karki guilty in most of the charges labeled against him through the motion registered in the House. The Supreme Court of Nepal, on Jan.9, 2017, in its historic verdict, had disqualified CIAA Chief Karki as CIAA Chief.

Impeachment Motion against the first woman Chief Justice of the Supreme Court of Nepal, Sushila Karki: a emocratic exercise or direct intervention in the affairs of independent Judiciary?

On April 30, 2017, the Nepalese legislative body witnessed once again the registration of Impeachment Motion against the Chief Justice of the Supreme Court of Nepal, Sushila Karki, who had assumed her office in Aug.2016 and was to retire one month later. A total of 249 law makers from the two major political parties in power- the NC,CPN-Maoist Center(led by Prachanda) has signed the and registered in the Legislature Parliament. The proposal was proposed by the NC law maker Min B.Biswokarma and seconded by Maoist Center lawmaker Tek B. Basnet. Chief Justice Karki was accused of interfering in the jurisdiction of the executive and issuing prejudiced verdicts. Most of the practitioners of law in Nepal were agreed on the point that the Impeachment Motion against the Chief Justice Karki was unjustified. The case was settled when the single bench of Justice Cholendra SJB Rana of the Supreme Court of Nepal issued a stay order to parliament not to move forward with the Impeachment Motion against the Chief Justice Karki. The order had directed to allow her immediately to resume work in her capacity as Chief Justice. The case was finalized when the two major political parties in power- the NC, CPN-Maoist Center, filing the Impeachment Motion had withdrawn the Impeachment Motion after the decision of the court.

Conclusion

After the 2nd CA declared the present Constitution of Nepal in 2015, it was transformed/ converted into Legislature Parliament, performing the entire responsibilities of parliament in post 2015 days. The Nepalese legislative body in the year 2017 has played very important role in the implementing new Constitution and its federal provisions. In course of federalization of the nation according to the spirit of the new constitution, it had framed many new laws, amended the existing ones, thus, contributing in the creation of favorable/enabling environment for the federal government at three levels-central, Pradesh and local ones .It, thus, played role in the termination of the transitional phase in Nepalese politics existing 2008. It remained successful in satisfying the dissatisfied elements, including the Madeshi community and including them in the local elections (2017) who have been opposing the Constitution from the day it was declared It had also enacted laws according to the need of the tome and situation and according to the aspirations and expectations of the people in the new changed political context. In the contest of existing and fast changing national, regional and global envi-

ronment, its activities and performances were remarkable. Its role in the year 2017 was significant in protecting and promoting the human rights of the citizens of Nepal was significant because it performed a number activities /responsibilities including providing directives to the government ministries and stakeholders, attracting their attention in the domain of rights, trying to make executive body accountable to the popularly elected House; giving directives to undertake new laws to promote and protect human rights and amend them according to the spirit of the new federal constitution. The parliamentary deliberations including the formal and informal discussions within the House (e.g. in Zero Hours, Special Hours, Half an Hour discussion etc.) in most cases remained fruitful because of the deep concerns of the Parliamentarians over the public issues, problems and grievances. One of the important achievements of the Parliamentarians in this regard was the raising of the issue of promoting laws and policies respecting international instruments of human rights and international humanitarian laws, international laws covenants agreements and treaties (of which Nepal is a party) and enacts laws accordingly.

The role and functions of the parliamentary committees, including the Social Justice and human rights Committee (dealing with human rights of the citizens) of the House in the year 2017 were no less important. These committees, among other things, played very significant role in the protection and promotion of the human rights of the citizens. Their annual yearly reports, among other things, issued directives to the government to undertake essential measures to improve the existing situation (including in the field of human rights) and recommended the government ministries and stakeholders to undertake essential measures in improving the existing situation (including in the field of human rights). In spite of the criticisms and questions raised regarding the effectiveness and utility of the reports prepared by the committees and issues raised in the House by the parliamentarians due to the non-respect shown by the government, they have their significance in the legislative history.

In spite of the above mentioned positive achievements, the Nepalese legislature (in the context of the last earth quake and events of natural disaster) in the year 2017 failed to fulfill the growing aspirations and expectations of the people and consequently, the rising expectations of the people turned into roaring frustrations. Moreover, it also failed to enact nearly 200 new bills and amend the existing laws to adjust with the spirit of federal system. These things have shadowed the positive achievements of the representative body.

References

- Constituent Assembly (CA) Secretariat (2016), *Constitution of Nepal, 2015 (2072 BS),* Kathmandu: Singhdarbar, Art. 101, pp. 51-52
- Dahal, Ram Kumar (2001), (2063), *Comparative Government and Politics,* Kathmandu: Diksanta Prakhasan (Text in Nepali).
- Dahal, Ram Kumar (2001), *Constitutional and Political Development in Nepal,* Kathmandu: Ratna Pustak Bhandar.
- Ebenstein, William and others (19700), *American Democracy in World Perspective* (2nd edt.), New York: Harper and Row Publishers.
- GON, Law, Justice, Constituent Assembly (CA) and ministry of Parliamentary Affairs, Law Books Management Committee (2073) *Constitution of Nepal, 2015(2072 BS).Kathmqndu, pp53-56.*
- Good Governance and Monitoring Committee Secretariat (2073), *An-*

nual Report of the Good Governance and Monitoring Committee of the Legislature Parliament, Kathmandu: LPS.
- Good Governance and Monitoring Committee Secretariat Legislature Parliament Secretariat (2072), *Yearly Report of the Good Governance and Monitoring Committee,* Kathmandu, p. Introduction
- Government of Nepal (GoN) (2006), *Interim Constitution of Nepal, 2016*, Kathmandu: GoN.
- INSEC, (2017) *Nepal: Human Rights Year Book 2017.Kathmandu, pp.87-104.*
- INSEC, *Nepal: Human Rights Year Books,* 2006-2015, Kathmandu: INSEC.
- Kantipur, Oct.30, 2017 (Kartik 13, 2074), p.8
- Kantipur, Oct.30, 2017 (Kartik 132074), p.8.
- *Kantpur,* Marg 15, 2073 (Nov. 30, 2016); *Kantipur,* Nov. 29, 2016.
- Legislature Parliament Secretariat (2073), *Samsad Darpan* (Parlament Mirrors), Year 2, Issue 5, Shrawn. Kathmandu: Singha Darbar, pp. 12-15.
- Legislature Parliament Secretariat (2073), *Samsad Darpan* (Parliament Mirror), Issue 6, Kartik, pp. 35-36.
- Legislature Parliament Secretariat (LPS) (2072), *Yearly Report of the Finance Committee of the Legislature Parliament,* Kathmandu: LPS, Singha Durbar, p. Introduction
- Legislature Parliament Secretariat (LPS) Development *Committee* (2074), *Yearly Report of the* Development *Committee* of *the Legislature Parliament,* Kathmandu: LPS, Singha Durbar, p. Executive Summary
- Legislature Parliament, International Relations and Labour Committee, 2073, *Annual Report o the International Relations and Labour Committee,* Kathmandu: LPS. Singha Darbar.
- Legislature Parliament, International Relations and Labour Committee (2072), *Yearly Report of the International Relations and Labour Committee 2073*, Legislature Parliament Secretariat, p. Foreword.
- Legislature Parliament, Social Justice and Human Rights Committee (2073), *Annual Report of the Social Justice and Human Rights Committee,* Kathmandu: LPS.
- Legislature Parliament, Social Justice and Human Rights Committee (2074), *Annual Report of the Social Justice and Human Rights Committee,* 2074 Kathmandu: p. executive summary.
- Legislature-Parliament Secretariat (LPS)(2073), *Samsad Darpan* (Parliament Mirror), Year 2, Issue 5, Shrawn 2073.
- Legislature-Parliament Secretariat (LPS) (2073), *Vyavasthapika Samsad Artha Samitiko Barsik Prathivedan, 2072* (Annual Report of the Finance Committee, 2072 BS), Kathmandu: LPS.
- Legislature-Parliament Secretariat (LPS) (2016), *Description of the Bills Registered in Legislation Section, a typed Bulletin.* Kathmandu: LPS.
- Legislature-Parliament Secretariat (LPS) (2072), *Byabasthapika-Samsad Ra Byaasthapika-Samsad Sachivalaya Sambandhi Parichaya* (Introduction to Legislature Parliament and Parliament Secretariat) (2072), Year 1, Issue 2, Kartik 2072, Kathmandu: LPS.
- Legislature-Parliament Secretariat (LPS) (2072), *Samsad Darpan,* Year 1, Issue 3, Magh 2072.
- Legislature-Parliament Secretariat (LPS) (2073), *Samsad Darpan,* Year 2, Issue 6, Kartik 2073.

- Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan (Parliament Mirror),* year 2, vol. 8, Baisakha, Kathmandu, 2074, LPS, p.1.
- Legislature-Parliament Secretariat (LPS) (2074), *Samsad Darpan (Parliament Mirror),* year 2,vol. 9, Shrawn, Kathmandu, 2074, LPS, p.23.
- Legislature-Parliament Secretariat (LPS) Legislation Section(2074), *Collection of Bills*; Second Session, part-1, (2072-73). Kathmandu
- Legislature-Parliament Secretariat (LPS), Legislation Section (2074), *Collection of Bills*; Second Session, part-2, (2072-73). Kathmandu
- Legislature-Parliament Secretariat (LPS), Legislation Section (2074), *Description of Bills formally approved during the year2074*; *a two-page typed bulletin*). Kathmandu, pp.1-2.
- Social Justice and Human Rights Committee (SJHRC) Legislature Parliament (2073), *Yearly Report of SJHRC of Legislature Parliament, 2073* Kathmandu: Parliament Secretariat, pp. 4-5.
- Social Justice and Human Rights Committee, (SJHRC), Legislature Parliament 2074), *Yearly Report of SJHRC of Legislature Parliament 2074 (Fiscal Year 2073-74)* Kathmandu: Parliament Secretariat, p.
- The Foreign Language Press (1987), *The Constitution of the People" Republic of China 1982,* Beijing: First Edition.

Chapter 3

3.1 Socio-economic and Cultural Status of the Highly Marginalized Majhi Community of Panchthar

Background

Nepal is a multi-ethnic, multi-lingual, multi-religious, country full of geographical and bio cultural diversities. The country is home to various ethnic groups, languages, and religions. Nepal has 125 ethnic groups that speak 123 languages as their mother tongue. The country is physically divided into mountains, hills, and plains. In fact, the very Nepali identity and heritage stem from these cultural and geographical diversities.

Among the various ethnic groups living in Nepal, the indigenous nationalities are some of the oldest residents of the country. Indigenous nationalities are communities that have their own language and custom, own distinct cultural identity, social structure and written and/or oral history. The population of indigenous nationalities in Nepal stands at 35.2 percent. The Government of Nepal has enlisted 59 ethnic groups of the country as indigenous nationalities, further categorizing them into five groups—endangered, highly marginalized, marginalized, disadvantaged and advanced. Of them, Shiyar, Majhi, Lhomi, Thudam, Dhanuk, Chepang, Satar (Santhal), Jhangad, Thami, Bote, Danuwar, and Baramu constitute as the highly marginalized ethnic groups.

The Majhi community is one such indigenous group that have their own distinct language, custom, culture, and religion. They have been traditionally living on the banks of the Saptakoshi River and its tributaries. The Majhi community live around the Indrawati River of Sindhupalchowk, Tamakoshi River of Ramechap and Dolakha, Likhu River of Okhaldhunga, Dudhkoshi of Okhaldhunga and Khotang, Arun River in Bhojpur, Sankhuwasabha and Dhankuta and the Tamor River in Dhankuta, Paanchthar and Terthahum. Likewise, the Majhi community also reside along the banks of Sunkoshi river in Sindhupalchowk, spreading from Kaping Majhi village to Kavre, Sindhuli, Ramechhap, Okhaldhunga, Khotang, Bhojpur, Dhankuta, Udayapur and Madhuban of Sunsari, on the banks of the Sunkoshi and Saptakoshi, along the banks Bagmati River, in Makwanpur, Kavre, Sindhuli, Marin and Kamala river of Sindhuli and the Triyuga river of Udayapur. The Majhi people call Nepal their ancestral land and have been found migrating from one place to another within the country. Also, Majhi elders claim that Majhi people living in Makanaha and Haripur in Poorniya district of Bihar, in Darjeeling and Assam of North- East India, and in Galephu and Chirahad of Bhutan migrated only seven to eight generations ago from these very

Koshi riverbanks. The Majhi elders in India, as well as Bhutan, name the villages and surroundings of the Koshi riverbanks as their place of origin. In the eastern hills of Nepal, the Majhi community is mainly found living in and around the banks of Tamor River. This river also passes through some parts of Paanchthar district, and efforts have been made here to explore the socio-economic and cultural situation of the Majhi community living in this area. As per the current territorial classification of Nepal, Paanchthar lies in Province no. 1 and the erstwhile Mechi zone of the Eastern Development Region. Paanchthar is a district befitting of the larger diversity of the country. In the latest restructuring of the state, this district has been delineated into one electoral constituency for the House of Representatives and two constituencies for the State Assembly. People of Kirant, Hindu, Christian and Buddhist faiths live here. Likewise, people of indigenous nationalities, Brahmin, Chettri and Dalit communities reside here. Local Majhi elders say that the Majhi community migrated here six-seven generations ago.[1]

The Majhi community live in close proximity to the Tamor River. In the district, the Majhitar near the confluence of the Tamor and Hewa rivers in Phidim municipality and Hilihang rural municipality-7 are places having larger Majhi settlements. With the construction of the road sections adjoining Phidim of Paanchthar and Aathrai of Terhathum, the daily lives and lifestyle of the Majhi people of these settlements have seen a drastic change. This study of the socio-economic and cultural situation of the Majhi community has been carried out with the intention of drawing the attention of the stakeholders for bringing this community into the national mainstream.

Objective of the Study

- To take stock of the status of the socio-economic and cultural status of the Majhi community.
- To identify problems facing the Majhi community and ways to resolve them.
- To acquire information about the status of implementation of policies and programmes developed by the state for indigenous nationalities.
- To understand the impact of the failure of effective implementation of government's policies and programmes on the target communities.
- To shed light on the problems of the Majhi community and alert the stakeholder agencies for bringing them to the mainstream nation building.

Rationale of the Study

Ethnic Studies is a reflection of the society. Studies like these of any ethnic group is important to understand about the historical occurrence and social origin, to generate a feeling of curiosity to explore the unknown, to gaining actual knowledge about the rapidly changing society and its impact on human nature, and to explore the outcome of cultural mixing.[2] This study explores the financial status, vocation, language, custom and traditions, and situation of health and education of the Majhi community. In the present situation, it is also equally important to alert the stakeholders by studying the effect and impact of globalization on life and livelihood of such communities. The lack of monitoring and evaluation of the status of the policy and programmes adopted by the state for these communities is also a matter that needs serious attention. Hence, a need was felt for a comprehensive study on the initiatives taken in the socio-economic and cultural sectors,

1. Based on conversation with President of Nepal Majhi Uplift Association, Paanchthar, Jas Bahadur Majhi
2. Madhu Sudan Pandeya, Nationalities of India/pg 14

especially in the wake of political changes that have occurred in the country of late.

With a focus on these issues, an effort has hereby been made to develop a write-up concerning the highly marginalized Majhi community that live in Paanchthar district. This study is expected to generate appropriate resource materials and important documents to understand the status of the Majhi community not only for the district but for the nation as a whole. As a result, this study showcases the current status of the Majhi community and the study could also serve as an important reference material to develop policies, plans and programmes for this community in the future.

Methodology

- Study tour
- Discussion
- Interview
- Explanation
- Study of secondary reference material

Limitation of the Study

- This study is focused on the highly marginalized Majhi community who are listed as indigenous nationalities and live in various wards of Phidim municipality, Hilihang rural municipality and Kumyak rural municipality of Paanchthar district.
- This study features the socio-economic and cultural aspects of the highly marginalized Majhi community.
- Effort has been made in the study to review the state of implementation of the policies and programmes formulated by the state for the indigenous nationalities.
- The information mentioned in the study have been collected from both primary and secondary sources.
- Opinions of the concerned community and other stakeholder agencies have also been incorporated to further clarify the status of the Majhi community.

The Habitation and Demographic Status of the Majhi Community

The population of Majhi community in Nepal was 72,614 in the 2001, which has increased to 86,272 as of the 2011 National Census.[3] Sindhuli, Morang, Ramechhap, Sindhupalchowk and Sarlahi are the districts having larger population of the Majhi community. However the people of this community live in more than 68 districts in varying numbers. In Paanchthar district, they live mainly in Phidim municipality, Hilihang and Kumyak rural municipalities. There is a settlement named after the community called Majhitar at the banks of the Tamor River in Phidim municipality-4 and Hilihang rural municipality-7 of this district.

There is no exact updated data about the number of Majhi people in Paanchthar district. As per the 2011 census, the population of Majhi community in the district is 514, of which 276 are women and 238 men. As per the data, there are 445 in Phidim municipality, 135 in Hilihang rural municipality, 220 in ward no. 2 of the same rural municipality and 114 in Kumyak rural municipality-5.[4] This data however does not include the number of Majhi people living in Ranigaon in ward no. 3 of Kumyak rural municipality. As per the data published by the Majhi Uplift Association, there are 693 members of 118 Majhi households living in the one municipality and two rural municipalities of the district.

Of the aforementioned data, the locals say that 423 residents of Hilihang rural municipality-4 have migrated elsewhere.

3. National Census, 2011, Summary findings/table : 4, Details of caste/ethnicity of population
4. District Profile Paanchthar, 2071 B.S., Statistics Office, Paanchtha

Habitation and population of Majhi community in Paanchthar					
S.No.	**Place of Habitat**	**Houses**	**Total**	**Women**	**Men**
1.	Phidim municipality-4	8	32	15	17
2.	Hilihang rural municipality-2	35	208	100	108
3.	Hilihang rural- municipality-7	29	176	89	87
4.	Hilihang rural municipality-4	4	23	11	12
5.	Kumyak rural municipality-3	10	64	29	35
6.	Kumyak rural municipality-5	32	190	96	94
Total		118	693	340	535

Vocation and Financial Status of the Majhi Community

The Majhi people earn their living mainly through fishing. Likewise, boating is also one of their traditional sources of livelihood. Data indicate that the Majhi and Bote communities fish in 395,000 hectares of rivers and streams, 5,000 hectares of ponds and lakes and 1,500 hectares of reservoir of Nepal.[5] The Majhi community living in Paanchthar district have also been sustaining their livelihood practicing the same occupation. As developmental endeavours gathers pace across the nation, infrastructure development projects have begun to operate in Majhi settlements. This has brought sea of changes to the daily lives, vocation and income of the community. The International Labour Organization (ILO) Convention 169 states that 'Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities'[6] but it has been found to have not been fully practiced during the running of development and construction projects in Majhi settlements.

The Majhi community living in Paanchthar district are also facing the same problems. The Majhi people used to earn three to four hundred rupees a day by providing boating service in Kanchobari and Pinasi ghat or crossing of Hilihang rural municipality-2. Presently, bridges have been constructed in both the crossings. Likewise, the Majhi people living in Majhitar also used to help transport good across the river, fish in the river and provide food and accommodation facilities for the travelers in the Terthathum-Paanchthar roadway. Lately, after a concrete bridge was built at the place as part of the Mid-hills Highway, public transportation came into being, thereby closing down a source of income for them. Also, the Majhi people residing near the Tamor River used to make income by selling fish. But with the increasing use of electric current to fish in the rivers, the number of fishes has declined, putting their source of livelihood into a crisis. In this manner, their traditional occupation is found to have experienced some change. Along with fishing, they are also into agriculture and livestock farming. Their involvement in government service and foreign employment is also increasing.

The major reason behind the lack of a strong financial situation of the Majhi community is that they do not own productive land. The compulsion to work by taking others farm in contract has ob-

5. Nepal Laghu Biswakosh, Nepal Academy/pg 102, Editor Bairagi Kainla
6. ILO Convention 169/Article 7 (3)

Details of the Majhi people living in Paanchthar who are involved in vocation other than agriculture, livestock farming and traditional occupation:					
S.No.	**Details of employment**	**Women**	**Men**	**Total**	**Remarks**
1.	Teaching	2	0	2	1 private
2.	Hydrology and Meteorology	0	3	3	
3.	Police	0	2	2	
4.	Army	0	1	1	
5.	Child development	2	0	2	
6.	Health workers	0	1	1	
7.	Police cook	0	1	1	
8.	Retired from service	0	3	3	

structed consolidation of their financial situation. The Majhi community people are also found living on others land or unregistered land. One such example is in Majhitar where the Majhi community are living in houses that they constructed without land ownership certificate.[7]

It is presently hard to find a Majhi community member who makes a living out of his/her traditional vocation only. Though the financial situation of the Majhi community is improving by the day, it is not yet sufficient for a quality life. People from the community are found producing and selling local liquor, running grocery, rearing goats and pigs and doing daily wage labour. Likewise, Majhi people are also working in the government service and non-government sector. Though the number of Majhi people working in such sectors is minimal.

Social and Cultural Status of the Majhi Community

Social and cultural diversity can also be found within the Majhi community. They are divided into sub-castes like Danuwar, Kushuwar, Kumale, Bantar and Thaltharu. As of late, the Sahani, Godi, Malaha, Tharu, Dusadh, Halkhor, Dum, Hadimajhi, Musahar, Bote and some Chettri and Rayamajhi caste in western Nepal have also been claiming themselves to belong to the Majhi community, thereby putting the real Majhi community at risk.[8] Though there is a minor difference in terms of territory and sub castes, the major culture/traditions that the Majhi community follow are presented here:

a. Birth Custom

After a Majhi community woman starts to experience labour pain, the women who have already become mothers play the role of a midwive. It is the midwives that also performs the custom after the birth of the child. Accordingly, the child is named after five days in case of a daughter and seven days in the case of a son. On the day of the naming of the child, all the relatives who have to observe the birth of the child with certain restrictions purify themselves with Gahunt (made of cow urine and milk). In this community, the child is named by the midwives. There is a practice of naming the child based on the day on which he/she was born. Also, on the day of naming the child, the midwives ties a yellow string in the hands and legs and the neck of the child. With the belief that it helps to lactate, the new mother

7. Based on conversation with President of Nepal Majhi Uplift Association, Paanchthar, Jas Bahadur
8. Dhan Bahadur Majhi, Traditions/Culture of Majhi community/pg 1

is served with rice beer which has been prepared in the home. Only few women go for regular check-up during pregnancy and for child birth to the health centers. As a result of which their health is at risk. The naming of the child is held on an odd day after the birth i.e. on the third, fifth or seventh day as per the tradition.

b. Rice Feeding/Hair Cutting

In the Majhi community there is a practice of performing the Pasni (first instance of rice feeding to the child) and Chewar (first instance of hair cutting) as the child continues to grow. The rice feeding ceremony is held in six months in the case of a son and in five months in the case of a daughter. The cutting of the hair of the child is carried out with the maternal uncle of the child doing the honours. In the absence of maternal uncle, a distant relative who is the brother of the mother cuts the hair for the first time. During both this occasions, relatives gather to give their blessings to the child.

c. **Marriage Custom**

There are six kinds of marriage custom practiced in the Majhi community—arranged, eloping, marring an already married woman, a widow, inter-caste marriage and forceful marriage. All the traditions of the Majhi community are found to be practiced in an arranged marriage. During this kind of marriage, there is the custom of the boy's guardians going to the girl's house to arrange the marriage, doing an engagement, going with a marriage procession to the girl's house, performing the marriage rituals and then seeing off the bride to the bridegroom's home. Serving feast to the marriage party guests, meeting among the in-laws and seeking blessings are also part of the arranged marriage custom.

In the marriage where the couple elope, the girl's parents are not informed about it and the boy and girl elope on the basis of an understanding between the two while there is also a custom to accept a married woman as one's wife. There is also a tradition of the younger brother accepting his sister-in-law as his wife in case of the death of the elder brother, and provided that the favorable age and consent is there for the same. It is called widow marriage. If member of the Majhi community marry outside their community then it is an inter-caste marriage while there is a forced marriage where the boy takes the help of others to forcibly bring the girl as his wife into his house, without the consent of the girl.[9]

In the present context, the arranged marriage is performed as per the traditional custom of the Majhi community. The widow and forced marriage are rarely practiced. Earlier, though girls in the Majhi community were married young that is gradually declining. Presently, most of the girls are married after they complete 16 years of age. In this community, there is also a practice of 'exchanged marriage' i.e. the household from where you marry a girl as the daughter-in-law also serves as the family where a boy is accepted as the son-in-law for a daughter in the first family. An arranged marriage also takes place if a boy and girl like each other and want to get married with the parents' consent.[10] In this manner, some of the kinds of marriage in the Majhi community are found to be against the law of Nepal. In the name of the marriage, there is a practice of spending a lot in liquor and meat in the Majhi community, as a result of which their financial condition has become weak.

9. Dhan Bahadur Majhi, Traditions/Culture of Majhi community/pg 21
10. Gurung Sam Prakash Something, Introduction of Majhi community/pg 28

d. Post-death Ritual

The Majhi community have their own post-death rituals. If anyone dies, then the body is covered with a while cloth and the fishing net and carried on a bamboo stretcher to be burnt to ashes in the nearby river bank that falls in the west of the home. Following the cremation, the mourning takes place with various rituals.[11]

e. Religion

The Majhi community do not give concern and importance to religion. They follow the tantrik religion. They worship their ancestors by sacrificing a pig. This is locally known in Majhi language as *Bhuinbaba*. Since this community worships the wind, sun and forest hill, they are also known as nature worshippers. The Majhi community of Paanchthar also follow the Hindu religion.

f. Language

The Majhi community have their own mother tongue. It is called Majhi bhasa (language) or Majhi kuro (talk). Linguists categorize the Majhi language into the Bharopeli language family. Though the number of mother tongues in the country has increased the number of mother tongue speakers however is on the decline. In 2001, there were 92 mother tongue and 48.6 mother tongue speakers while the 2011 census showed the number of mother tongue as 123 while that of mother tongue speakers at 44.6 per cent.[12] The number of Majhi people speaking their mother tongue in Nepal is 22,422.[13] There is however no uniformity in the language of the Majhi people who live scattered in different regions. The alphabets have also been determined for the Majhi language writing. Accordingly there are 11 vowels and 29 consonants. The writing system has begun in this language while a dictionary has also been produced.[14]

In the case of Paanchthar district, the language of Majhi community is in a state of becoming extinct. According to a study, 147 people used to speak Majhi language when the population in the district was 470 in 2001.[15] In 2011, the population of Majhi community was 514 but with only 33 speaking their mother tongue. This shows that only 0.02 per cent speak their mother tongue.[16] This is also an indication that the love for mother tongue among Majhi community in Paanchthar is declining. The new generation Majhi people have stopped speaking in their mother tongue. Though articles and write-ups are published in Majhi language in the Gorkhapatra daily, the Majhi living in this district are deprived from reading it as they have no access to it. And even though the local FM radio stations air programmes and news in local languages the Majhi people here don't listen to it.

g. Costume

The women of this community wear traditional costume including *fariya*, *patuka* and *choli* as well as ornaments called *fuli, bulaki, mundra, dhungri, tilahari, chura, pote, kalli, pauju* and *hari*. Likewise, the men are dressed in *Langauti, Kachad, Bhoto* and *Topi*. But currently, only a few members of this community are found wearing their traditional costume and ornaments.

11. Dhan Bahadur Majhi, Traditions/Culture of Majhi community/pg 38
12. National Census, 2011, Summary Findings/pg 11, 12
13. National Census, 2011, Summary Findings/table : Population as per 4 mother tongue
14. Nepali mother tongue, Part-I, Nepal Academy/pg 183
15. Dhan Bahadur Majhi, Traditions/Culture of Majhi community/pg 131
16. District Profile Paanchthar-2071 B.S., Statistics Office Paanchthar

h. Festivals

The Majhi community celebrated festivals like Baisakh poornima, Mansir poornima, Sansari, Aitabare, Saune Sankranti, Maghe Sankranti and Gothdhup pooja. Likewise, they also observe the festivals of Dashain, Tihar and Chaite Dashain. The Majhi people also perform pooja and worshipping. Accordingly, they perform the kul pooja gharni, kul pooja Bhimsen pooja and Koshi pooja. The Majhis living in Paanchthar observed all these festivals and pooja. However, the extragavant expenditure that takes place during this festival and pooja needs to be reduced.

i. **Health**

The lifestyle, food habits, treatment method etc leave the Majhi community in a poor health condition. Due to lack of clean drinking water, the Majhi people are found suffering from various diseases. Also, as there is no separate kitchen in all the homes, the smoke and dust is having an adverse impact, especially on the health of women. However, even if anyone falls sick in this community, they prefer to visit a shaman/faith healer instead of going for modern medical treatement. Likewise, only few married women and men in this community can be found using family planning methods. As a result, the Majhi women's health condition is poor. And majority of them live in joint families.

j. **Education**

National as well as international legal instrument guarantee every Nepali the right to education. The International Convenient on Economic, Social and Cultural Rights provides that 'higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education.'[17] Likewise, the constitution of Nepal recognizes education as a fundamental right and states that every Nepal shall have the right to education in mother tongue and to establish and run schools and educational institutions for the same.[18]

Despite these legal guarantees, the Majhi people are left behind in terms of education. As curriculum and text books have not been developed in the mother tongue of the Majhi community, they have not been able to pursue their studies in their mother tongue. However, the educational standard of this community has also not been able to rise because the kids are not sent to school and even those who are enrolled drop out in the middle. Due to poor financial condition also, the community has not been able to give attention to the education of their children. It may be noted the anthropologist Dor Bahadur Bista had pointed out that 'it would be difficult for them to survive if they are not conscious and come in equal terms with other with education and skills as per the time.'[19]

k. Affiliation to Social Organizations

Various organizations have been established for the protection and promotion of the Majhi community. They include Nepal Majhi Uplift Association, Nepal Majhi Women Uplift Association, Nepal Majhi Students' Association, Nepal Majhi Cultural Forum and Majhi Development and Research Council. The Majhi people in Paanchthar have been included under the Nepal Majhi Uplift Association district chapter. Though politically divided this is a community-based organization, so it binds them all together. They are also affiliated to the Nepal Fed-

17. International Covenent on Economic, Social and Culture Rights, 1966, Article 13/2/c
18. Constitution of Nepal (2015), Article 31/5
19. Dor Bahadur Bista, Garden of all castes/pg. 48

Educational status of the Majhi community in Paanchthar					
S.No.	Level	Women	Men	Total	Remarks
1.	SLC/SEE	1	4	5	
2.	Intermediate/+2	2	2	4	

eration of Indigenous Nationalities (NEFIN) through this organisation. They also use the budget that the State has appropriated for the indigenous nationalities through this organisation.

Major Problem

The highly marginalized Majhi communities that live in Paanchthar are behind or left behind in socio-economic and cultural terms. The major problems seen in this community are as follows:

a. Poor Financial Situation

Though poverty is a problem of the nation as a whole, majority of the Majhi people remaining poor is the major problem of this ethnic group. As their traditional skills and vocation do not make a good income, it has been a problem for them. The same subsistence vocation is also now in a crisis. In addition to this, the community has also been able to adjust with changing time and situation. As they have not been able to run business that provides them quick profit, that is sustainable and large, the financial condition of this community has not been able to improve. Apart from that their expensive culture and traditions is also contributing to the poverty of this community.

b. Educationally Backward

The Majhi community living in Paanchthar have not been able to uplift themselves educationally. There are few members of the community undergoing higher education. The education level has not been able to improve as children are not sent to school and also because there is high drop outs among those attending school. In addition to this, due to lack of education in their mother tongue, the Majhi children have not been attracted towards education. This problem has aggravated as there is scarcity of curriculum/ text books as well as literary books and reference materials for studying Majhi language at the school level.

c. Endangered Traditional Skills and Vocation

The traditional skills and vocation of the Majhi people here is in a state of crisis. They used to make a living as boatmen but the profession has fallen into a crisis due to physical infrastructure development in the district. Construction of road and concrete bridge and suspension bridge over the Tamor River where they are located as displaced the boat service. As per the norms of the ILO Convention 169, running of infrastructure development projects should not impact the traditional skills and vocation of the marginalized community. Furthermore, programmes should be carried out for their sustainable livelihood. But this aspect was not considered while carrying out development and construction works in Paanchthar. Likewise, use of electric current to fish in river has led to a scarcity of fish in the rivers, thereby directly affecting them.

d. Mother Tongue Endangered

Though the Majhi community have their own ethnic language, it is being less spoken and hence at the risk of extinction. It is also because the elders do not talk to their young ones in their own mother tongue in the homes and there is no provision of studying this language in schools. Also, there is no separate script of the Majhi language, reading materials published in Majhi language are minimal

and media too do not disseminate materials in the language, which is pushing the language towards extinction.

e. Lack of Land Ownership

One of the major problems of the Majhi community is that they do not own arable land. Due to this reason, they are forced to work in other's land for livelihood. In this type of farming, the half produce has to be given to the land owner and hence they are deprived of returns as much as their labour is. Even working for year long in the field is not enough to make a living and hence are forced to sell their produce. It is also difficult for them to build houses, for lack of housing plot of their own. Majority of the Majhi people live on unregistered or other land, by building houses on it. And hence are concerned that they may be evicted any time.

f. Lack of Awareness

Another major reason for the Majhi people to remain socio-economically and culturally behind is due to lack of awareness. Due to this reason they have not been able to adjust as per the changing time, and hence remain backward. They are even not aware about the policy and programmes that the State has implemented for them, and hence are not able to benefit from it. Likewise, the Majhi people too accept that spending extravagantly in daily food as well as for culture/traditions shows that they have not been able to raise their consciousness level.[20]

g. Disaster

Since the Majhi people live near the rivers; they are highly affected by the floods/landslides that take place especially during the rainy season. Apart from that the farming they do nearby the rivers are also washed away and the irrigation canal too are damaged, inviting trouble to them.

h. Policy Constraints

The policy and programmes formulated by the Government of Nepal has also not been able to address the problems of the Majhi community. The local body resource mobilization and management procedures 2069 B.S. had included budget and programmes for the indigenous nationalities. However, the latest budget formulation guidelines 2074 B.S. does not make it mandatory to allocate budget for the target groups and communities. As a result, it is likely that the Majhi community who have been left backward would be left even further behind from the mainstream of the State.

Policy and Programmes to Uplift the Majhi Community

a. Programmes Organized by Non-government Organizations

The Human Rights Consciousness and Development Centre (HuCODEC) Nepal has been carrying out facilitation work for the socio-economic development of this indigenous community that lives in Majhitar. Under the Local Governance and Community Development Programme of the NGO, sensitization and empowerment efforts are being carried out with the establishment of the Citizens Awareness Centre since Magha, 2066 B.S. Under the same programme, construction of irrigation canal as well as establishing seed capital for income generation have been carried out as part of the livelihood improvement programme.

Likewise, the same organisation has been running social mobilization, capacity development, income generation and small infrastructure development programmes under the poverty alleviation programme with support of the Poverty Alleviation Fund. The Milan Kendra Nepal has organized leadership development training under the local youth

20. Based on conversation with Hilihang rural municipality ward no. 2 elected member Mukta Bahadur Majhi

partnership programme. In Majhitar, the Nepal Janauddar Sangh had also organized income generation activities under the Social Harmony and Democratic Participation Programme, with support of the United Nations Development Programme (UNDP).

b. Local Government Budget, Policy and Programmes for the Majhi Community

As per the policy and programmes designated by the Government of Nepal under the target groups development programme, a minimum of 10 per cent of the budget each for women and children and 15 per cent for indigenous nationalities, people with disabilities, backward community, Dalit, elderly citizens, Madhesi, Muslim etc had to be allocated as of the previous fiscal year.[21] Accordingly, the Majhi community who fall under the indigenous nationalities category had been receiving funds annually from the Phidim municipality until the previous fiscal year.

The District Development Committee Office in Paanchthar also stated that it supported the Majhi community to improve their health condition by helping them build permanent toilets and improved stoves. The budget formulation guidelines, 2074 B.S. enforced along with the restructuring of the State has removed the policy requirement of having to invest in the target groups. The annual budget estimates, policy and programmes of the Phidim municipality for the fiscal year 2074/75 (2018/19) states that special emphasis shall be laid on the protection of the Majhi language, which is near extinction.[22]

The annual budget estimates, policy and programmes of the Hilihang rural municipality adopts a policy to protect and promote the endangered languages like Limbu, Majhi, Sunuwar and others. Stating that a documentary would be produced about the culture and lifestyle of the Majhi community to be uploaded in Youtube, the Municipality also adopts a policy to gradually publicize the cultural significance of other nationalities.[23]

Likewise, the annual budget estimates, policy and programmes of Kumyak rural municipality states that a policy shall be adopted to give special emphasis to the protection and promotion of the near-extinct Limbu, Majhi and other languages.[24] Even though the problems of the Majhi community have been recognized in the policy of the local level government, no separate programmes have been included.

Conclusion

The highly marginalized Majhi indigenous community living in Nepal are not socio-economically and culturally empowered. And the Majhi community residing in Phidim municipality, Hilihang and Kumyak rural municipalities are no exception to it. Along with the change in every sector of the society, their language, customs, traditional skills and vocation are found to be in a state of near-extinction while they have not been able to adjust their day-to-day living as per the changed context. As a result, it is evident that the Majhi people have not been integrated into the mainstream of the State. The policy and programmes formulated

21. Local body resource mobilization and management procedures 2069/pg 13 and 14
22. Budget estimates, policy and programme for F/Y 2017/18 endorsed by the first village council of Phidim municipality/pg 13
23. Budget estimates, policy and programme/culture, religious sites related policies for F/Y 2017/18 endorsed by the first village council of Hilihang rural municipality
24. Budget estimates, policy and programme/culture, religious sites related policies for F/Y 2017/18 endorsed by the first village council of Kumyak rural municipality

by the State for these communities should not only limited to papers but needs to be effectively implemented in practice.

Recommendations

Recommendations to consolidate the socio-economic and cultural status of the Majhi community are as follows:

- Take initiative to transform their subsistence-oriented vocation to income-oriented and make them economically stronger.
- The Majhi themselves and the State should take the initiative to protect and promote Majhi mother tongue.
- Make arrangement for teaching and learning in mother tongue to uplift the educational standard of the Majhi community. Also create an atmosphere to attract them towards education with the provision of scholarships.
- The Majhi people should themselves be conscious of minimizing the extravagant expenses that is incurred in course of maintaining the lifestyle, traditions and culture of their community.
- Sanitation and awareness programmes should be organised in order to strengthen the health condition of the Majhi people. Also, the women should be informed about reproductive health.
- The Majhi community should be well informed and given an opportunity to participate in the infrastructure development projects carried in the areas of their habitation.
- Artificial ponds should be constructed to help the Majhi ethnic group preserve their traditional skills of boating and fishing, and thereby make it a source of income.

Reference Materials

- International Labour Organization Convention 169
- Nepal Foundation for Development of Indigenous Nationalities (NEFDIN) Act, 2058 B.S.
- Upreti, Nirmal Kumar, Human Rights : Nine big conventions
- Budget estimates, policy and programme for F/Y 2017/18 endorsed by the first village council of Kumyak rural municipality
- Gurung, Ram Prakash, Something, Majhi community of Paanchthar
- Gurung, Ram Prakash, Something, Indigenous Nationalities of Paanchthar
- District profile-2071 published by the Statistics Office, Paanchthar
- Nembang Til Bikram (Bairagi Kainla), Nepal Laghu Biswakosh
- Constitution of Nepal, 2015
- Pandeya Madhusudan, Nationalities of India
- Pandeya Madhusudan, Nationalities of Nepal
- Budget estimates, policy and programme for F/Y 2017/18 endorsed by the first village council of Phidim municipality
- Introduction of Majhi community, 2073 B.S., Nepal Majhi Uplift Association, Paanchthar
- Majhi Dhan Bahadur, Present status of Majhi language/Editor-Yonzon Amrit, Nepal's mother tongue, Part I
- Majhi Dhan Bahadur, Traditions and Culture of Majhi community
- National Census, 2011, Summary Findings
- Bista, Dor Bahadur, Sabai Jat ko Fulbari (a garden of all castes)
- Local body resource mobilization and management procedures, 2069 B.S.
- Shrestha, Dines, Majhi Bidroha Magazine
- Budget estimates, policy and programme for F/Y 2017/18 endorsed by the first village council of Hilihang rural municipality

Chapter 3

3.2 Musahar of Mahottari: Measured in the Perspective of Socio-economic and Cultural Rights

Scene 1

In the middle is the no-mans-land that looks like a road dividing Nepal and India. In the no-mans-land towards Nepal, thatched-roof houses line up both the sides. And living in this settlement are 70 families of the Musahar community. It is the similar state on the other side towards India, where Indian citizens reside. So, it is quite difficult to distinguish who is Nepali and who is Indian. The Musahars living towards Nepal do not even have a citizenship certificate. And hence, they are deprived of enjoying any facilities provided by the State.

Scene 2

Border pillar no. 305/16 has been partially damaged. It is just next to the pillar that the buffaloes that the Musahar community have bred are staying. At first instance, it also looks like as if the buffaloes are guarding the pillar. But the reality is different. As the community has no other place to keep the buffaloes, they are forced to tie them to the pillars.

Scene 3

In the huts one can see the elderly as well as small children sleeping on the floor covered by paddy hay. The huts roofed with dried leaves and hay cannot stop the cold wave and dew. As a result they are forced to sleep under a leaking roof. Not only that, the threatening from the Indian SSB to dismantle their huts firghtens them from time to time.

The scenes described above is of the Musahar settlement in Bathanaha of Siswa municipality-9. They have been living as Nepali citizens since generatons, but are forced to become non-citizens. 'Nor do we have a good shelter, nor any way of living, our life is just passing by on hope', Rita Devi Sada of the settlement said. She says that though anyone reaching the settlement feel sorry over the painful life, nobody has yet come to support.

They have been anyhow managing two square meals a day by working as labourers in others farms, but have never been able to make any progress in life. As a result, when they fall sick or there are functions like marriage, they are forced to take loan from the local money lenders and they spend their life working in Punjab of India trying to pay back the loan. This has been a routine life for them. Majority of the men of the settlement spent 6 months a year in Punjab, not to earn but to pay back the debt.

During the winter, suffering health problems due to cold wave and due to the heat in the summer is usual for them. In

addition to this, the floods during monsoon invites more problems for them. The hassles created by the Indian border force is also continuous. 'Cannot finish telling you about our problems', Fekan Sada Musahar said. According to him, the history of this settlement is as old as that of the Bathanaha village but the State has never understood this reality.

People like Fekan understand well the journey the country has gone through monarchy, to democracy, loktantra and now republic. But they donot understand why has no system come for them yet. Agreeing to Fekan, District Coordination Committee member and Bathanaha resident Sudip Jha says that the community's situation is really painful.

Physical structures cannot be built on the no-mans-land. But the Musahar community have been living on it since a very long time. Hence, the settlement should have been managed/relocated but nobody has shown any concern yet. Of course efforts have been made to resolve their problems many times, but they never could reach to a conclusion. The landless settlers commission has also repeatedly failed to resolve this problem.

The situation of the Musahar settlement has made us thoughtful, Chief District Officer Baburam Shrestha said. But its not certain when he will start thinking about the Musahars and free them from a miserable life.

Background

There is a village called Bathanahamadhawa, some six kilometeres west of the Mahottari district headquarters, Jaleswar. This village that is located in ward no. 10 of Manara Siswa municipality is lies in the border area. Development initiatives have not yet arrived here. The road from both Nepal and India can be used to reach to this village with around 300 houses. But transport service is not available from boths sides. Only two-wheelers can be used from Jaleswar of Mahottari, Nepal and from Bara (Bela Parihar) of India.

The Musahar community that live in this village are highly marginalized. They have their own identity and culture. As per the 2011 census, the population of Musahar community was 172,434 of which 23,364 people of 3262 families live in Mahottari. Of them, 11,630 are women and 11,734 are men. The Musahar community reside in Dhamaura, Bardibas, Fulkanha, Gaushala, Jaleswar, Loharpatti, Singyahi, Simardahi, Hattisarwa, Aurahi, Hariharpur, Harinmari areas of the district. In Bathanaha, around 490 members of 140 houses live. Their major profession is fishing, selling snails from the river, doing daily wage labour, collecting firewood from jungle and working as agriculture labourers.

Within the Dalit community too, the traditional profession of the minority Musahar community is to dig mud, which is now at risk of extinction. As a result, they are gradually being displaced to locations where they can make a living more easily. They used to also work in the wild farms of the Tarai. Their major work was however to dig bud, filling mude and transporting the mud. But since the enforcement of the land reforms programme, the land they had been feeding on were captured by the people who migrated to the tarai from the hills. And hence they were forced to move in the bordering jungle area, on river banks or to be forced to serve as a labourer for the new landowner.

Even though the land was taken away from them, the role of the Musahar continued to exist. Those who migrated still used the Musahar to convert the barren and forest land into arable land. This provided them a source of living. After the resotration of multi-party system in the country, the work specifically done by the Musahar community started to be carried

out by people from other community as well. Hence, the Musahar with no education, awarensess and property started becoming jobless. Bishu Sada of the Musahar settlement says, 'After stopping to get work related to mud, the Musahar worked in different parts of the district cutting wooden logs into planks, and any other work they found.'

As this community is backward in terms of health and education could not feed themselves on time, they fell victim to cholera and Kala-zar. During the winter they suffer from cold wave and chohera, kala-zar, incephalitis and meningitis during the summer. But surprisingly, they do not care about the health post that is just 500 meters away from their settlement, they follow their traditional means of treatment. As a result of which, their problems have not declined.

Due to the obstruction to their traditional profession, the socio-economic and cultural rights of the community have been put to a risk. As they not aware of the service and facilities announced by the State for them, one can assume how bacward this community is in terms of concious level. Article 1 of the Universal Declaration of Human Rights (UDHR) reads, 'All human beings are born free and equal in dignity and rights.' This make its clear that an individual is entitled to live freely and with self-respect (dignity). But this is what the Musahar community does not have.

As per this declaration, the Musahar community will be independent only if their fundamental right to food, shelter and employment is guaranteed. But in at present situation, the state authorities are showing no concern in fulfilling their rights. However, for the citizens being able to exercise their fundamental rights is the most important. International instruments also describe the rights of the children to the elderly as duties to be fulfilled by the State. When the UDHR was endorsed, the norm that every citizen should be 'free of scarcity and fear' was internalized and included in its preamble. But this is yet to be applied in the case of the Musahar community of Nepal.

The UDHR also gives equal priority to economic, social and cultural rights, stating that the human rights are inter-dependent and non-divisible. Furthermore, civil and political rights alone cannot ensure an individual's right to live with dignity. And also, socio-economic and cultural rights only cannot realize all the freedoms. As a result, the UDHR seems to concluded that the economic, social and cultural rights are also equally important for dignity and freedom, which includes the right to employment, education, health, food, drinking water, sanitation, health environment, accomodation, social security and culture among others.

These rights have also been equally recognized by the International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966. The ICESCR is the major international instrument that addresses the economic, social and cultural rights of the citizens. Inter-related means the guarantee of civil and political rights is linked with the fulfillment of the economic, social and cultural rights. In this sense, they are very profoundly interlinked.

The State party to this Covenant must ensure all the rights of the citizens, also by enforcing the economic, social and cultural rights of every citizen. Only then the duties of the state will be regarded to have been fulfilled. In the context of fulfillment of these rights, this has not been effective only for the Musahar community but also in the case with citizens of other ethnic groups as well. As Nepal has already ratified the Convenent on Economic, Social and Culture Rights, it is the duty of the state to implement its provisions. Nepal ratified this Covenent in 1991. The Constitution of Nepal (2015)

has also established economic, social and cultural rights. But the state of implementation is weak, which has affected the Musahar community as well.

Rationale of the Study and Importance

In Mahottari, there is mixed population presence of indigenous nationalies, near-extinct, minorities, Dalit, Brahmin, Chettri and others. Due to the lack of education and awareness, the traditional harmful practices and norms still exist. Likewise, the practice of child marriage and uneven marriage continues in the poor, Dalit, backward and Muslim communities. Untouchability also continues to exist. Even though they are highly marginalized, the Musahar community has not been able to benefit from the services/facilities provided by the State.

This community has been deprived of fundamental rights like education, health, food and employment due to poor financial condition. In this situation, this study is important to inform the concerned agencies of the State about the problems of this community and to reach the access of this community to the benefits and services provided by the State. This study will also help to visualize the state of the Musahar and draw attention of the State towards its responsibilities, and also the distinguished identity of this group. The major objectives of the study is as follows:

1. Accquire information about the economic, social and cultural rights of the Musahar community.
2. To explore and make public the initiatives of the State for the protection of the rights of the Musahar.
3. To assess programmes run by national/international NGOs for the Musahar and its impact.
4. To suggest the concerned agency for the establishment of the rights of the Musahar community.

Methodology of the Study

In course of carrying out this study, individual and group discussions were held with the leaders of the Musahar community. Also, conversation was held with the local civil society leaders and the responsible persons from the service-provider agencies. Interaction was also held with the heads of the district-level stakeholder offices, political party representatives, civil society representatives and the local administration. Also, various human rights instruments and different articles have been used as secondary sources.

Limitation of the Study

This study is focused on the minority Musahar community residing in Bathanaha in Manahara Siswa municipality-10. The general introduction of the community, situation of economic, social and cultural rights, language and specialities have been analyzed from the perspective of rights. However, it does not include all the Musahar community living across all the areas. So, this study may not be true to some traditions, culture etc of the Musahar community living in other locations and districts.

Language and Culture

Though the Musahar community's language is Maithili, they speak the Dheti language as the local language. This community does not have a major festival of its own. For them, the Holi, Dipawali and Chhat festivals that the Hindus observe are their major festivals. Like other Hindus, they also observe these festival with fervour, exchanging best wishes. In addition to this, they worship the Dinabhadri and Buinya Baba. They also have their own kul or ancestors pooja. In this pooja, there is a practice to bathe with bioling milk to make the ancestors happy. They also require liquor to be offered during pooja and marriage function.

Birth, Marriage and Death Rituals

In the Musahar community, there is a practice of abstaining for six days after child birth. In some situation, the post-child birth rituals are completed in three days. However, if the new mother falls sick then the rituals may be completed on any day. Child marriage is acceptable in this community. If a girl/boy like each other then they get married in any age. Also, the death rituals are carried out for 13 days like the Hindus. As they do not have a specific place for cremation, the cremation is carried out on the bank of the river.

Economic, Social and Culture Rights

From the perspective of economic, social and cultural rights, the Musahar community are found to be deprived of the rights provided by the State. Even though they live near the district headquarters, there is no participation of this ocmmunity in the development and construction work, project formation and any other programme. The constitution and laws of Nepal establish the right to employment, education, health, food, drinking water, sanitation, clean environment, shelter, social security and culture. But this community have not been able to enjoy any of those rights, says Lokendra Sada. The Musahar have been listed as the highly marginalized community, and hence would be entitled to many facilitaies announced by the government for those listed accordingly. But unfortunately, apart from the social security allowance that the elderly citizens are entitled to, the members of the community have not received any other entitlements. Social security allowance like this is received by everyone, you don't have to be a marginalized for it.

Two years ago, the micro-credit programme for poverty alleviation had provided support in pig farming and making bamboo chairs. But none are found to have benefitted from it. Furthermore, the community does not seem to be aware that they are entitled to benefits from the State. They also do not have to politics. Of course, they do not understand about the constituttion but do know that they have to vote. However, majority of them cannot vote as they do not have a citizenship certificate. The Municipality too does not consider them while developing its plans. Hence, they lament that they have not been able to share their problems. During festivals, there are instances of the men beating the women in the community, but such incidents are dealt with in the community itself.

Right to Education

Apart from Lokendra Sada, noone has completed School Leaving Certificate (SLC) from this community. There are around 300 school-going children but hardly 30 to 40 attend school. Though more than 150 students have been enrolled in the local school there are very few who are regular to school, said the school teacher Ramyad Raut. Majority of the children accompany their parents to herd cattle, goat and pigs. The education is also disturbed as there is a practice of child marriage in the community. According to Lokendra, not much effort has been put by the government level for increasing the access of the children of this community to education.

The Hanumandutta Biswanath Janata primary school is located in Madhawa village in ward no. 10 of Manara Siswa municipality. The enrollment register of this school established in 2010 B.S. shows that 289 students are studying in the school. But daily attendance shows that not even 40 per cent of them come to school regularly. According to teacher Ramyad, the Musahar children do not come to school as they join their parents in daily wage work.

Schools not Appropriate for Study

After a news report came out in INSEC online about the same school without a roof last year, the attention of the District Education Office was drawn and immediately budget was released to renovate two class rooms. Some desk and bench were also provided. But still those desk and bench have not become good to be used for learing activities. The two-room building too is not usable for studies. Nor are there rooms to be used for regular classes. As a result, the students coming to school are being forced to take classes under the open sky. This is also one reason that the students and parents are now not much interested in studies, according to one of the guardian.

Lokendra Sada, the only one to complete SLC from the Musahar community, says that so far everyone are busy on school. On the other hand, if parents are told to send their kids to school, they would angrily reply 'then who will do our work?'. Hence, such parents are also responsbile for it. Though the history of the school is old, it has not been able to move ahead as the management committee and the school administration are not very active.

Right to Health

There is a health post in Bathanaha. However, if any one falls sick then they would first go to the witch doctors/ faith healer. Now only lately if somebody is seriously ill then they have begun going to the health post. And for a major treatment only, they would go to the district hospital in the district headquarters, Jaleswar or to any private medical clinic across the border in Sursanda of India. This is meant to say that they are not yet conscious about health issues.

More than half of a year, the Musahar children spend time doing daily wage labour with their father/mother and they suffer from pneumonia, malnutrition and other health problems. They are also found to suffer from health problems as they cannot afford matteress or quilt and instead do with burning dried hay, plastic and dried leaves or by using them as a mattress on the floor. But they are not much concerned about this problem. The government has been providing some specific drugs for free to the citizens, but the Musahar community are unaware about it. They say that they do not know about it as they do not have access to newspapers or radio and television, and hence are deprived of such information.

Situation of Reproductive Health

Majority of the women in this community give child birth in the home. Lately, only a few pregnant women have started going to the health post. As many are married at the age of 13-14, the problem of excessive bleeding during child birth is frequent. But the locals are not aware of any government body and organisation hosting a programme on reproductive health in the locality. According to records of the District Hospital, Jaleswar, of the 777 women who gave child birth at the hospital in the past six months, only 18 were Musahar women, according to ANM Rina Kumar Shah.

The health post in Maruwahi tole in Bathanaha also had maternity services but it not available since the past one year. The service had to be closed due to lack of an Auxiliary Nurse Midwife, according to the health post Incharge senior AHW Rajesh Kumar Yadav. Closing down of the service at the health post that used to provide maternity services to 15 to 20 women monthly has forced locals to go to neighbouring India by spending thousands of rupees, according to Ragho Thakur. They complained that going to places like Sursanda and Sitamadhi of India for child birth cost them 25 to 30,000 Indian rupees.

Maternity service at the health post had begun only four years ago after it has been upgraded to a health post from a sub-health that ran for around 26 years. According to In-charge Yadav, then the employees would have a hard time providing service. Now the attraction towards the health post has gone down and one reason for it is lack of sufficient drugs at the post.

Stating that the District Health Office has not responded to his repeated request for an ANM at the post, Yadav said, 'how can we provide the service when there is not even enough drugs?' Due to this reason, people from this area go to Susanda of India instead of Jaleswar, according to 65-year-old Rewi Mahato. Local social worker Pankaj Kumar Jha says, 'it's not a real problem for those with money and influence but it is a big problem for the have-nots who struggles for two square meals a day.

The health post when equipped with drugs and health workers used to receive patients from Bathanaha, Maruwahi, Madhawa, Sakari, Halkhori, Bangahiya and also from neighbouring India. But currently it is like almost closed, with lack of drugs and ANM, and pressure of patients has shifted to the community health unit in the village. But as that is also of the ward level unit, it has been difficult for it to handle the pressure, Chief of the unit Health Assistant Puspa Yadav said.

Right to Food

The works that the Musahar community people are doing for ensuring food in the plate every day are daily wage labour, digging mud, sowing and harvesting paddy, collecting firewood, fishing, and collecting and breaking stones. They had been fishing and collecting snails from the rivers since a long time, which they sell and also eat themselves. This had been able to resolve their financial problem to some extent.

However, now fish and snails are scarce in the rivers. The work of digging mud has also ended. As a result, their livelihood is at risk. They do not own land, and even the few who have cannot farm on it in absence of agriculture grant programme and lack of seeds and fertilizers. Likewise, the hunting of rats during the paddy harvest season provides them a source of food.

As they do not own land, they are forced to make a living by working in the farms of the local landlords. With their traditional profession at risk, they are forced to take up jobs they had never done before. Some work to collect sand, some in brick kilns while some women are involved in collective pig farming. Three members of this community have gone to the gulf for foreign employment while 8-10 ten are in Punjab of India.

Right to Land

The Musahar community members in Bathanaha Madhawa are all landless. According to the President of the National Land Rights Forum, Mahottari Foudsingh Syangba, they are living on unregistered land. And sometimes they are forced to spend nights under the open sky when the Indian border security force (SSB) dismantles their huts. As they have been living on the no-man's-land since generations, the Musahars have nowhere else to go. Only last year, the SSB dismantled 7 houses in the Nepali side and 40 houses in the Indian side. However, the victims have not received any kind of relief so far, making their life miserable, says Shanker Sada, one of the victims.

Pain of Citizenship

'If though we have no benefit from the citizenship, the leaders have a lot of greed for votes', the Musahar of Bathanaha say. During the elections the leaders come with big promises but then disappear after the win, and hence it is dif-

Five years ago, then Prime Minister Dr Baburam Bhattarai had come to the Musahar settlement in Manaharwa of Fulkaha-6, Mahottari with much publicity. In order to see for himself the life of the Madheshi Dalit Musahar, he spent a night in a hut of the Musahar. He slept on the floor covered with paddy hay in the small hut of Bishnu Sada and tried to feel the pain of the poor.

As per his announcement to spend the last Saturday night of every month in the Dalit settlement, Dr Bhattarai had spent a night in a Musahar house on 13 October 2012. Then Bishnu had taken a loan of 6,000 rupees to welcome Dr Bhattarai as his guest for the night.

On the occasion, Musahars served Dr Bhattarai and his team with local delicacies including snail curry, crab pickle and rice. The Musahar hoped that the arrival of the Prime Minister to their homes would help heal their pain. But nothing happened like they expected. The dreams that the Musahar settlement saw after the visit were limited to dreams only. Instead, the daily life of the Musahar has become more painful as of late.

ficult to trust them, said Santoliya Devi Sada. 'There are no good schools for our children. No clean water. No house to live in. No good clothes. So, why should we vote for such leaders?' They also complain that the leaders who win with assurances during the election don't bother to come to their rescue even during the times of need.

The Musahar community, who have been living on the no-man's-land since generations, have had their huts dismantled by both the Indian and Nepali administrative bodies. But then nobody shows concern for their resettlement or rehabilitation. Local Srichan Majhi says, 'There is no further pain left for us to experience in this village but to date no leader has been able to understand our woes.'

Chaite Sada, 35, of the village acquired his Nepali citizenship certificate in 2063 B.S. He owns a small roof-thatched hut in the no-man's land on the border. His family has been living in the hut. Six months ago, his house which was in Nepal has now fallen under Indian territory. Asking people to clear the no-man's-land, the Indian police dismantled his house and since then Chaite and his family spent months in the streets. No leader came to even express sympathy when his house was brought to ground, Chaite says.

'When I as small, this was like a village, now its in a very poor situation', 81-year-old Shiva Lal Raut said, 'there is no road, no ambulance to rush the sick or pregnant to the hospital. As a result with much difficulty they have to be taken to India or Nepali towns.' There are many one can find sharing such painful stories.

Due to all these reasons, a significant population of the country are deprived of economic, social and cultural rights. They are economically exploited, socially neglected, politically ignored, psychologically suppressed and educationally backward. And that exploited, oppressed and neglected community is a Dalit community. And within the Dalits too, the Musahar community who are further behind suffer the most.

The National Dalit Commission's report on ethnicity says that 26 caste groups fall under the Dalit in Nepal. Of them, those treated as untouchables in the Tara include Kalar, Kakaihiya, Kori, Khatik, Khatwe (Mandal Khang), Chamar (Ram, Mochi, Harijan, Rabidas), Chidimar, Dom (Marik), Tatma (Tanti, Das), Dusadh (Paswan Hajara), Dhobi (Razzak Hindu), Pasi, Bantar, Musahar,

Mestar (Halkhor), Sarbhang (Sarbariya), Natuwa, Dhandi, Dharikarar, Dhankar etc. This shows that despite being a significant population of the Dalits, they have been continuously subjected to social discrimination while no significant efforts have been made to stop it. It is due to this reason that the Dalits who constitute 13 per cent of the population have been forced to become second-class citizens. And it is the same life that the Musahar communities are living at present.

History of the Musahar Community

As per legends, after the almighty god created humans, it also created a horse for them to ride it. But to make it easy for humans to climb to and get down a horse some tools were used to make a seat on the back of the horse. Seeing this act, God threw a curse on the humans. And the curse was to feed on rats (locally called *musa*), and hence the humans came to be known as Musahar (rat killers).

Notwithstanding the legend, Musahar is now an ancient caste group of Nepal. Another ancient tale says that when Rawan took Sita away forcibly, Lord Ram met Shabari Musaharni in course of looking for her. When Shabari offered the plum fruit that he was eating to Ram, the latter was touched by his respect. Then Ram asked Shabari for anything she wished, and she sought two daughters. Then 10 months after his incident, a couple in a place called Jogiya Janjar gave birth to twins. Of them, one was named Dinaram and other Dinabhadri. And the Musahar believe that they are the offspring of the same Dinaram and Dinabhadri, and worship them as their ancestral god.

From the educational perspective, the state of Mushar is poorer in compared to other Dalit castes. Of the Musahar in the country, only 6.9 per cent are literate. Education is not a priority for this community gripped by poverty and hunger.

Some have recognized the renowned character Shabari of Ramayana as the ancestor of this community. Hence, the name of the organisation founded to fight for the rights of the Musahar community has been called 'Shabari Sankalpa Samaj'. Majhi, Sada, Das, Bhuinya, Banbasi, Rishi, Rishidev etc are the subcastes of the Musahar community, most of whom are landless.

Even the umbrella organisation of the Dalits in Nepal have been describing the Musahar community as the 'Maha Dalit'. This community is presently under excessive exploitation. They have been treated as mere vote banks only. Forget direct elections, the parties have not found them deserving in for reserved and proportional representation (PR) seats. This also sheds light on the attitude of the parties, society and the State towards the Musahar within the Dalits.

Government Agencies in the Attainment of Economic, Social and Cultural Rights of Musahars

The erstwhile District Development Committee, Mahottari did not run any special projects for the Musahar, other than the regular programmes, according to Social Development Officer Sailendra Pandey. Under the border area development programme for the highly marginalized groups, this community had to be content with poultry and goat breeding running since the past two years. Not involving this community even in the selection of the local level plans shows the attitude of the government authorities towards the Musahar community.

Work of the NGOs

In the past, some non-government organisations (NGOs) are found to have done some work on group formation of the Musahar, capacity building and advocacy under the UNDP-supported Livelihood for Peace Project and LGCDP projects.

In this community, people are not aware politics, law, constitution etc. It is a mystery why this community living close to the district headquarters has not been a priority for any side.

Support from Dhurmus- Suntali Foundation

The Dhurmus-Suntali foundation distributed blankets to the Musahar community members living on the no-man's-land to help them ward off the cold wave. On January 10, 2018, the foundation distributed blankets to 70 Musahar families living in the no-man's-land in Bathanaha of Manara Siswa municipality-9.

Recommendations

As the non-government organisations formed in the name of preserving language, culture and tradition as well as the government agencies have not been able to work significantly for the educational development and health awareness raising of the Musahar community, efforts need to be made at the local level to protect this community.

The members of the community who are pursuing higher education needs to be provided with academic scholarship. Their traditional profession like digging mud and fishing should be continued and if not alternative provisions should be made for them. Economic development progammes should be introduced to ease the livelihood of this community. The youth who have completed higher education needs to be provided with opportunity for employment.

Awareness should be raised against the practices like child marriage and child engagement prevalent in this community. Their traditions and culture needs to be preserved. As as they are increasingly becoming landless, income-generating programmes should be carried out for them so that they are not forced to sell of their land. Targeted programmes that increase agriculture production should be carried out for them.

The most important of all is to relocate them to safer location from the no-man's-land. They should be supported to develop citizenship certificate. Only then, it will pave the way foreward on ensuring their economic, cultural and political rights.

Reference Materials

- Census of Nepal-2011, Central Bureau of Statistics
- News reports in various newspapers
- Talks held with Musahar leaders
- Universal Declaration of Human Rights-1948
- Economic Survey 2012-13, Ministry of Finance
- Profile of Mahottari district
- Shabari Sankalpa Samaj, an organisation working for the rights of the Musahar community
- Nepal National Musahar Association

Chapter 3

3.3 Earthquake in Rasuwa Painful Displacement and Rehabilitation

Background

Fundamental Rights Article 37 under Part 3 of the Constitution of Nepal guarantees the right to appropriate housing for every citizen. Part 4, Directive Principle and Policies of the State, Article 51(j) 6 states 'to identify the freed bonded labours, Kamlari, Harawa, Charawa, tillers, landless, squatters and rehabilitate them by providing housing, housing plot for residence and cultivable land or employment for their livelihoods.'

There are various circumstance and reasons that lead people to migrate from one place to another. Natural disaster, war, better alternative to housing, employment, family revolt and other circumstantial compulsion force people to leave their place of origin to migrate elsewhere. In this way, the circumstance to leave one's place of origin is also different from one context to another. Some migrate alone, some along with family, some with relatives, sometimes the entire village, and region, community, sometimes only an ethnic and religious group and sometimes a large section of the country migrate.

In Rasuwa, however, all the households in some region/village were forced to live their place of origin due to natural disaster i.e. the 2015 April earthquake. The pain to leave one's place of origin on one hand and the problem of rehabilitation on the other. Many families displaced from the erstwhile Haku and Dandagaon VDCs are currently living in Laharepauwa VDC (present Bogatitar, Naubise and Kavre in Uttagaya rural municipality-5) of Rasuwa and in Satbise, Shanti bazaar and other areas of Nuwakot. Some families from Haku are also residing near Dhunche, the district headquarters of Rasuwa. Among those displaced, majority of them are either victims of *Guthi* and *Birta* land tenure system or are landless settlers.

The National Reconstruction Authority or NRA made a report public declaring 67 locations as vulnerable, which has put the displaced quake survivors into a further state of dilemma. The NRA District Coordination Office has stated that 780 households in the district are in a vulnerable situation and that 29 settlements needs to be translocated. According to a survey by the Community Self-reliance Service Centre, 548 families were displaced from Haku and Danda gaon. But the settlements are yet to be translocated, as a result of which the daily life, especially of the women, lactating mothers, pregnant, children and the elderly citizens is becoming painful by the day. Along with

the right to housing, their right to education, health and other fundamental rights have been jeopardized.

In Rasuwa, following the advocacy campaign of the District Land Rights Forum and Community Self-reliance Service Centre, 729 families have forwarded the process of buying new housing plots to build their homes with a grant of Rs. 200,000. The NRA had published a list of the beneficiaries. And though late, it would be a support to their resettlement.

Rationale of the Study

The guiding principle on internal displacement notes that appropriate measures shall be taken for the necessary compensation and rehabilitation of the displaced. As a result, rehabilitation and management of those displaced due to the earthquake is the duty of the State. The quake survivors who had their houses damaged in the earthquake are living a miserable life, especially during the monsoon and winter. The problems of the displaced not yet addressed even in three years since the quake shows that the State has not been responsible. As a result, this study is very important from the perspective that making the problems of the survivors evident would exert pressure from all sides to the State to resolve the problem.

Objective of the Study

1. Due to the earthquake, some erstwhile wards have become homeless. To make the problem of the quake survivors displaced as a result public.
2. To inform about policy, legislation and efforts made by the State in relation to those displaced by natural disaster.
3. To shed light on the status of relief, service/facilities and commitments announced by the State for the communities displaced by the earthquake and make the State accountable to resolve the problem.
4. To highlight the dismal condition of the displaced to alert the State for their rehabilitation by establishing their rights.

Methodology of the Study

- Field study/observation
- Interview/meeting with victims
- Study of news reports and case study
- NGO reports
- Discussion with experts
- Observation/documentation of the tasks carried out by the NRA and the government agencies
- Talks with quake survivors and representatives of stakeholder organizations
- Study reports and information published about displacement and rehabilitation
- Survey report of the Community Self-reliance Service Centre

Limitation of the Study

This study is focused on the problem of displacement and rehabilitation of the quake survivors of Rasuwa, which has made an effort to highlight the reality by working within the following parameters:

- This is only related to the aspect of human rights of those displaced by the earthquake.
- It covers the situation of the people displaced by the earthquake and the efforts to be made for their rehabilitation.
- It covers only the quake survivors who have been listed as beneficiaries by the government and whose place of origin is not suitable for residence and the victims who do not have land under their ownership.
- This is a study carried out independently.

Situation of the Displaced

Those displaced from Haku, Dandagaon and Ramche of Rasuwa are pres-

ently living in temporary shelters made of corrugated sheets in the displaced camps at Bogatitar. They have to pay rent to the landowner for the place that they are currently living. As a result of which, those who had difficulties to make their ends meet are in more financial trouble. They are forced to living under rainwater during the monsoon and faced the chilling cold during the winter. They have no way out of the heat of the April summer. The displaced in Bogatitar camp 2 lament that they have been deprived of their right to housing, when the quake survivors of other areas that are geographically safe and have their own housing plot have already shifted to their new homes.

The government has introduced a working procedure to provide Rs. 200,000 to those displaced who do not have a housing plot in a safe location. As per the data of the National Reconstruction Authority, around eight hundred families need to be resettled to safer locations.[1] Accordingly, 78 families have already received the grant and begun construction houses after purchasing the housing plot. Others have also filed application for the grant but it's taking a lot of time due to the annoying and slow process. The policy of the government is to provide up to two hundred thousand rupees to the quake survivors who do not own a housing plot, which can buy a housing plot of two aana to 15 aana. And hence, rather than need the quake survivors are found purchasing housing plot based on the grant. On the other hand, the families who have already purchased a housing plot to build a house following the earthquake will not be covered by this working procedure. The families who purchased housing plots by taking a loan have been deprived of this opportunity. If a provision could be made to give them the grant based on the fact that they purchased the housing plot after the earthquake, could provide them relief.[2]

The displaced families cannot return to their place of origin. As the entire area has been completely damaged by the earthquake, they are required to shift to new and safer location. As they have been paying the rent for the land they are living at present for a long time, it has also affected their livelihood. And, problems continue to add from one to another. Quake survivors who have been living since generations in *Guthi* or *birta* land, who are landless, and squatters, and who come from a location that is geographically vulnerable cannot return to their place of origin and build a house. As a result, they complain of having to face more problems. On the one hand, these poor farmers do not have a land ownership certificate while that land too has been designated unfit for housing, thereby forcing them to be displaced. After the advocacy campaign by the District Land Rights Forum and Community Self-reliance Service Centre, 132 families have got the tenancy right to the Guthi land. Another 335 families who did not have a land ownership certificate have been able to sign their contracts based on the certification and recommendation by the concerned Ward office and are now constructing their houses. As a result the quake survivors of the Thulo Haku and Hakubesi have begun construction new houses in the original location.

After being displaced, the school, weather and other atmosphere has become adverse for these families while addition of many children in one school has created a problem in teaching learning activities. For example, the school administration in the Nilkantha secondary school of Bogatitar is finding it difficult to manage the sudden rise in the number of students. The problem of the around 400 families living in district headquarters Dhunche after being displaced from Haku

1. http://www.nagariknews.com/news/35658/
2. http://www.nagariknews.com/news/35658/

VDC is also the same. The land that they have been living on since their ancestor's time was registered in the name of the Swayambhu Purano Ghyang guthi and had been tired demanding ownership over it. And instead they went on to become displaced by the earthquake.

Role of the Government

The role of the government bodies in the work of post-quake rescue and relief of the survivors was laudable. In coordination with various non-government organizations, the government employees and security persons made a big contribution to the rescue and relief operation. But the work of reconstruction following the rescue and relief was very sluggish. Furthermore, the government did not have any time to pay attention to the problem of the displaced. Political instability, failure to enforce the existing policies and repeated change in the chief executive of the NRA contributed to slowing down the rehabilitation works. And this had a direct impact on the rehabilitation of the displaced in Rasuwa.

Many discussions, gatherings and meetings were held to resolve the problem of the displaced. Various levels of monitoring took place on behalf of the State to the displaced camps. The Chief District Officer and the stakeholder agencies' responsible officers took note of their problems many times. As a result of all these efforts, the displaced have received grant and purchased housing plot. But the pace of progress is very slow.

Following the UN guiding principles on internal displacement, the government has introduced the national policy on the internally displaced persons, 2063 B.S. The government seems to be working to resolve the problems of the displaced under the relief and rehabilitation programme of the same policy. Efforts were made to establish new settlements at Khalte at the initiative of the District Coordination Committee, District Natural Disaster Relief Committee, then parliamentarian Janardan Dhakal and others. But the translocation of the settlement could not take place following a monitoring report of geologists that described the area as unsafe due to inundation by the Trishuli river. Nevertheless, some displaced of Haku and Dandagaon continue to stay there in temporary shelters. They do not see an alternative to continue to live in the unsafe location as they unable to pay rent of the land.

Then Chief Executive Officer of the NRA Dr Govinda Raj Pokharel, who had reached Rasuwa last year for feasibility study and discussion to move ahead the resettlement process of the displaced, has noted that the resettlement of all the displaced of Rasuwa would take place promptly in an appropriate location. He had pledged to move ahead with the process of resettling the more than 300 displaced from Haku and Dandagaon and living in Laharepauwa of Uttagaya rural municipality in public and government land and had given assurances to all the displaced of the district for their resettlement.[3] But that assurance is yet to be fulfilled. The government and human rights workers are still looking for safe settlement area, including at the initiative of the displaced community. Efforts are being made from all concerned to find such land and develop an integrated settlement. Efforts are being taken but the pace is sluggish.

Role of NGOs

Soon after earthquake, many non-government organizations arrived in the district to help the quake survivors. But as days passed by their presence and activeness continued to decline. However,

3. http://www.todaykhabar.com/2017/03/15/72687/

some organizations are still supporting the issues of the displaced. The role of these organizations in the advocacy for their livelihood, health, sanitation and rights is positive. Following the earthquake, many organizations came forward to help build private houses to schools and health centers in the district. In this process, with support from the Thai Volunteers Group, INSEC build four temporary houses for the Dalit community in Karmidanda, ward no.4 of Uttagaya rural municipality.

Lately, due to continuous advocacy of the District Land Rights Forum, the government took a decision to provide a grant of additional 200 thousand rupees to the displaced who do not have a safe housing plot. Only then, applying for the grant, receiving the money and purchasing housing plot has begun. It was following this process that the 78 families bought land and are constructing houses. After receiving Rs. 200,000 for purchasing housing plot and Rs. 300,000 for building the house, many people's attention have been drawn towards it. In the present context when more than 700 families in the district are living the life of a displaced due to territorial vulnerability and lack of land ownership, the 'housing plot grant policy' introduced by the government at the coordination, recommendation and pressure of the NGOs has become a good medium of solution. Another positive aspect of this campaign is the provision to have joint ownership of husband and wife over the new housing plots. This was a result of the initiative taken by the district land rights forum.

Way of Resolving the Problem

The displaced who had to leave their place of origin due to natural disaster have realized that reconstruction in the same place is not possible. As this has also been verified by the government agencies. In this situation, their settlement had to be translocated immediately. But even with three years passed, the process has just begun, which is not pleasing at all. Hence, the State should adopt a policy to expedite the process who has begun albeit late. Also, the national/international non-government organizations working in the districts needs to support this initiative as much as possible.

There are laws and policies, but problem in implementation. It is due to the same reason that the solution of the problem of the displaced has become more distant. First, the State must be proactive in ensure a settlement for the displaced and secondly for it the local government, political parties, media persons, rights workers and social organizations must work together. Initially, some organizations had provided psychosocial counseling to free the victims from tension. But a need for the same is still felt. Attention needs to be paid towards this end as well.

Sufferings of the Displaced

With 32 months gone by since the earthquake, three summers and 3 winter seasons have passed. Living day and night under huts made of corrugated sheets is indeed painful. The condition of the elderly citizens, pregnant and lactating women, people with disabilities and children is further worse. And the need to pay rent for the temporary shelter had added to the debt while the struggle for two meals a day continues. This has generated more tension for them.

As many people reside in the settlements not everyone will get an opportunity for labour. Hence, people have to travel far and wide for work. Furthermore, they are not able to go to work when government and non-government organization representatives come for discussion, public hearing, cost estimation and other related issues. This then become a problem for them to fill their stomach. In addition to this, the pressure exerted by

Facts and Figures				
S. No.	**Details**			**Number**
1.	Vulnerable settlements			29
2.	Houses			821
3.	Displaced population			2,609 persons
4.	Women			1,298
5.	Children			1,479
6.	Displaced families in the district			639
7.	Families with men as head of household			598
8.	Families with women as head of household			51
9.	**Orphan children**			144
	Children who died in the earthquake			
	Boys	Girls	School going	Total
	82	72	44	154
	Injured children			129 persons
	Children who became disabled due to earthquake			4
	Missing			4
	Orphan children			
	Lost both parent	26		
	Lost guardian	140		
	Lost mother	93		

the local landowner to free the land disturbs them mentally.

These displaced quake survivors of the hilly villages are penniless. Some of them have not even received the government grant. Though the reason is unknown, they have not found anyone who would speak on their behalf. Due to lack of access, they have not been able to register their complaints in the concerned place. Those who are building the houses cannot afford to add to the government grant and hence are building a one-room small house. As this would not be sufficient for them, it is already a matter of concern for them for the future.

Right to Food

The displaced who left their place of origin does not have land to till neither any cattle nor poultry. With no industries around, there is no possibility of work. Daily wage labour is also scarce. In the initial days since the earthquake, various agencies had come to provide them relief support. Some days were very painful and were left hungry but the days improved later. However, they are now facing a food crisis. Some work to crush stones and some are involved in daily wage labour. But families with only people with disabilities, orphan children and elderly citizens cannot manage their daily food. The condition of those who cannot do daily wage labour is pitiable. They do not own a piece of land to farm on it. The problem of food for many displaced is severe, said Purna Tamang, a displaced himself.

Farmer Singa Lama of Dandaga-on-8 had begun goat rearing eight months ago after purchasing 80 goats with his income made during foreign employment in Malaysia. But the earthquake took them all, his house, the goats as well as his two sons. He finds it difficult to even share his sad story. Currently, he is living in a temporary shed in Khadku. Many people struggling for daily food like Lama

are found in abundance in the displaced camp.

Right to Land

The land owned by 545 families in erstwhile Haku and Dandagon VDC was swept away by the dry landslide triggered by the earthquake. They it was no longer inhabitable. Hence, there was no alternative to displacement. They do not own any land in any other location. They have been deprived of their rights to land after the land they had been using since generations was swept away.

Among the quake survivor families, the government had provided immediate assistance of Rs. 7,000 for those who houses suffered partial damage and Rs. 15,000 for those who houses were completely damaged. In addition to that, Rs. 10,000 each was provided to buy warm clothes. The government has since then done many things for the quake survivors. But the announcements have been worthless for those who do not own a housing plot to build the house and those who cannot return to their place of origin. 'If I don't have a land, then where will I build my house? If I only had a place to stay then I would look for other amenities', health volunteer displaced from Haku Buti Tamang said. "32 months have passed that we suffered heat, cold and rain. Not sure how many more we have to endure. In this situation, what is left of the right to land?'

Problem of the Displaced

The displaced who are suffering problems of education, health, food, housing and drinking water are not safe even from disease that could originate from heat, rain and cold. In failure of relocation of the settlement, their problems are increased every day. Of them, the sufferings of the elderly citizens, people with disabilities, the lactating and pregnant women is boundless. There are many families in the temporary settlements that are suffering the problem of even buying school uniform and stationeries for their school-going children. Apart from this, the treatment of the local residents towards them as displaced has also hurt them. There is a problem in the socialization process as well.

Legal and Policy Measures

Policies, regulations, procedures announced by the government on different occasions mentioned that the quake survivors will be provided with housing grants, reconstruction will be held on time and the displaced will be shifted to safer locations. But such declaration and policies have been difficult to implement. Even those implemented are very sluggish. This too have a significant role in the rehabilitation of the displaced.

Condition of Support

Various social organizations expressed the commitment to support the displaced camps. But notable work is yet to be done in house construction and translocation of the settlements of the displaced. Due to advocacy the District Land Rights Forum, Samaritan's Purse, an INGO, provided support to level the land in coordination with the District Natural Disaster Relief Committee for translocation of settlements in Khalte. But the work could not move ahead as it was deemed insecure to the inundation by the Trishuli river. Presently, nearly 100 families displaced by Haku are still living there in temporary huts. But many tasks are yet to be done for their security.

The Problem of Orphan Children

The orphan children, elderly, people with disabilities, pregnant and lactating women are forced to life a miserable life in the displaced camps. They are also highly vulnerable. Not only housing their fundamental rights to education and

health have also been infringed. Unfortunately, nobody seems to have felt the need to initiate special prgorammes for the orphan children and the highly vulnerable displaced.

Role of Media

Journalists active in the district have disseminated/published news, articles in national and local media about the quake survivors who are forced to be displaced from their place of origin. But the State has failed to give due attention towards it, and hence the work of housing reconstruction has been delayed. Many news reports were published in local papers like Trishuli Prabaha, Trishuli Khabar weekly and the national daily newspapers like Nagarik, Kantipur, Gorkhapatra, Naya Patrika. The local 3 radio stations, online news portal and media from neighbour districts too have publicized with priority the issues of the displaced. As a result, an atmosphere for an advocacy campaign by the civil society has been created and for decisions at the decision making level.

Conclusion and Recommendations

- A proper housing plot should be sought for the displaced living on the bank of Trishuli river and they should be rehabilitated.
- Like the identity card distributed to the quake survivors, a data of the displaced should also be collected and identity cards be distributed.
- The rs. 200,000 grants said to be given to the survivors who do not own land to buy housing plot should be provided immediately.
- The Rs. 300,000 credit said to be provided with the collective guarantor of the government to very poor families to build houses should be provided interest-free, which will help them build houses easily.
- Make proper arrangement of fundamental services, including food, shelter, clothing, education and health.
- The displaced should be given priority in the employment, income-generation and self-employment programmes.
- The State should follow/cause to follow in letter and spirit the acts, regulations and policies related to natural disaster rescue, land rights, education, food etc.

References

- INSEC online
- Lantangnews.com
- Rasuwakhabar.com
- Nagariknews.com
- Naya Prabaha Online
- Trisuliprabaha.com
- Constitution of Nepal (2015)
- Disaster Management Guidelines
- District Natural Calamity Relief Committee, Rasuwa
- District Coordination Committee, Rasuwa
- National Reconstruction Authority
- Reconstruction Act, regulations, standards and Procedures
- Various local and national newspapers
- Nepal Human Rights Year Book 2016 and 2017
- Local newspapers
- District Land Rights Forum and Community Self-reliance Service Centre reports

Chapter 3

3.4 Epicentre Gorkha: Sluggish Post-quake Reconstruction

Background

An earthquake measuring 7.8 in the Richter scale rocked Nepal at 11:56 am on April 25, 2015 with Barpak of Gorkha as its epicentre. In Gorkha alone, 472 people were killed with 1,000 injured. Majority of the government and private structures in the district were fully or partially damaged.

The human and physical casualty that the Gorkhali people suffered as a result of the tremor is still fresh in their minds. As aftershocks continued to jolt them. Such aftershocks also inflicted further damage. The daily life of those who endured the earthquake continued to become worse. However, the reconstruction campaign in the district began with the notion that 'rather than living under the fear of earthquake, it should now be taken as an opportunity for the Gorkhali people, quake should translated into benefit.'

Some months after the earthquake, a competition took place among those making speeches to note that the earthquake had created an opportunity for transforming the façade of the district through development works and reconstruction. Barpak, the epicentre of the 2015 earthquake saw the arrival of President Bidya Devi Bhandari to then Prime Ministers Sushil Koirala, KP Sharma Oli and Pushpa Kamal Dahal. They echoed the same thing to say 'reconstruction will now be expedited.' Many big political changes took place following the earthquake in the country. The local, provincial and federal elections took place. The country began a federal State. And for all the candidates campaigning in the elections, reconstruction was the major agenda. However, 32 months since the earthquake, reconstruction is yet to gain speed. The problems of the survivors remain the same. After having endured the third monsoon and the third winter in temporary shelters, the problems of the quake survivors continue to rise. But even the National Reconstruction Authority or NRA formed for the reconstruction work does not seem to be concerned over it.

Objective of the Study

Gorkha is the epicentre of the April 25, 2015 earthquake. The major objective of this study is to highlight the state of reconstruction of the district following the damage caused by the earthquake and the state of the survivors. In addition to this, the auxiliary objectives of the study are as follows:

- To look into the rate of acceleration of the post-quake reconstruction and the reasons behind the failure to speed up

re-construction in the district.

- To highlight the situation and the problems of the survivors, 32 months after the earthquake.
- To understand the approach of the government authorities towards the problem of the quake survivors and to draw the attention of the concerned authorities over the slow pace of re-construction in the district.

Rationale of the Study

The problem of the quake survivors is more in Gorkha in compared to other districts. The loss to life and property and human sentiments were greater here because it was the epicentre of the quake. Of course, reconstruction in the 14 highly affected districts has not gained pace. But as the epicentre, the reconstruction of Gorkha should have been prioritized but it was no different than other districts. In this context, as this study would explore the reasons behind the sluggish reconstruction and recommend suggestions, it would help the NRA and other concerned agencies to resolve the problem. Not only the government and NRA but the District Coordination Committee, the local level units and national/international NGOs can also utilize this study as a tool to find and resolve the actual problem, and hence it has a far-lasting significance.

Methodology of the Study

- Field study (in the quake affected village and settlements)
- Discussion and interaction with the quake survivors
- In-person conversation with the heads of the concerned offices responsible for reconstruction
- Recommendations of the stakeholder agencies
- Resource materials, newspaper and media

Limitation of the Study

- This study is focused on the problems facing the quake survivors and alerting the State and stakeholders in resolving them.
- An effort has been made to inform about the challenges experienced in course of the reconstruction work carried out by the government since the past 32 months.
- The problems of the survivors have been collected from the concerned locations and individual/families.

Introduction of the Problem

In Gorkha, the epicentre of the April 25, 2015 earthquake, majority of the private houses, health institutions, schools and government offices were damaged. 'Food and shelter are the most important', Sur Bahadur Ghale of Barpak said, "Who else understood than us about the pain of having to endure the cold and rain in a temporary hut following the earthquake?" It is true as their accommodation has become painful due to lack of a residence. Majority of the survivors continue to spend days and night in the temporary shelter made of corrugated sheets. Some quake survivors are found busy in construction their houses with the 300,000 rupees provided as grant by the Government while some continue to live in the houses deemed vulnerable after being damaged in the earthquake.

Status of Health Institutions

Altogether 55 health institutes in the district were completely damaged while 22 suffered partial damage in the earthquake. With the support of national/international NGOs, majority of the health institute structures have been rebuilt. According to the District Public Health Office 47 health centre buildings have been reconstructed while among the eight left, some have been completed and

yet to be handed over. However, the construction of the few centres is yet to begin.

The services of the Laprak and Machakhola health posts are still being provided from a tent. The construction of the Machakhola health post is yet to begin, according to Health Assistant at the District Public Health Office Nani Babu Dani. The buildings of Laprak, Namjung, Arupokhari, Thumi, Lapu and Manbu health posts are under-construction. The UNICEF has assumed the responsibility of reconstructing the health posts in Namjung, Arupokhari, Laprak, Gumda and Machhakhola while good neighbours' international is entrusted to rebuild the structures of Thumi and Lapu health posts. Though the buildings were targeted to be completed by 16 December 2017, some health post buildings were yet to be completed by then.

The Public Health Office has said that the renovation of the partially damaged health centre buildings has been completed. The health centres that are yet to be reconstructed are providing their service from temporary tents. As a result, health workers have complained of difficulty in storing drugs and for them to provide their service throughout the day. The treatment of the sick is more challenging.

Gorkha Hospital

The Gorkha hospital building in the district headquarters also suffered damage in the earthquake. Soon after the earthquake, the hospital set up tents to continue its service. It is now providing service from the same old building after renovating it. The procedure of construction a new building for the hospital is underway, according to medical superintendent Sriram Tiwari. The hospital building is being constructed by KFW of Germany in coordination with the Health Ministry. The hospital was upgraded from a 15 to 50-bed hospital but it has been difficult to run it in full phase for lack of a new building. Services continue at present in the same old building after it was retrofitted.

Drinking Water

Water sources and taps in 513 locations of Gorkha were damaged in the earthquake. Of them, 305 sources and tapes have been renovated, according to the Drinking Water and Sanitation Division Office, Gorkha. Works are underway in 75 others through a project, said Ratna Lamichhane, the Chief of the Office. Reconstruction in many areas was hampered due to lack of water and there is no alternative to running big projects there, Lamichhane said. Drinking water has been a big problem following the earthquake in Takukot, Bungkot and Bayakal areas. And this has affected the reconstruction work. Due to lack of water, many quake survivors are waiting for the monsoon to reconstruct their houses. Scarcity of water has become a problem in Bukot, Namjung, Takukot, Paanchkhuwa Deurali, Mucchok, Saurpani, Laprak and Gumda also. 'There is no drinking water, and we have to spend hours in queue to fetch drinking water', Maiya Sunar of Takukot said, "So where can we get water to build our home, we are thinking of building it only after the next monsoon arrives."

Houses Constructed

The third tranche of housing grant for private houses has been recommended for 6,107 quake survivors in Gorkha, the epicentre of the 2015 earthquake. According to the district reconstruction office, 17,492 have received the second tranche of 150,000 rupees. Though 56,726 survivors took the first tranche of 50,000 rupees for private house reconstruction, more than half of them are yet to begin the construction work. In Gorkha, 61,393 quake survivors have been included in the list of beneficiaries.

Some quake survivors have expedited their house construction as of late after the NRA tightened the grant distribution procedures. But the rate of grant contract agreement is not sufficient. The grant distribution procedures say that the quake survivors who received the first tranche of grant support must take the second tranche within January 14, 2018 and the third and final tranche by June 14, 2018. 'The quake survivors who have not received the first installment must take it by January 14, second by April 13 and the third by July 15, 2018 end as provided in the procedures', NRA Gorkha Chief Shiva Poudel said, "the survivors are aware about the requirements of the procedures and hence houses are now being reconstructed."

Reasons of Delay

Shiva Poudel of the NRA says that the quake survivors have not been able to construction their homes due to scarcity of construction materials, lack of skilled workers and problem of water. 'In some places there is no water at all, stones bricks, sand and wood are also scarce,' Poudel said, "due to lack of roads in northern Gorkha, construction materials including iron rod, cement and sand have to be transported on mules, which is a problem. And that has delayed the construction." Scarcity of water has also affected the house construction in Takukot, Bungkot and other places. Some are also found to have not begun construction of their houses, arguing that the government grant of Rs. 300,000 was not enough to build a house. They said that the money is not enough for even buying the construction materials and they do not have money to add to it. 'What to do with 3 lakhs, the house next to mine is a big building of a rich person, and the money I get will not be sufficient even to buy the materials forget building the house,' Nanu Maya Ghale of Barpak said, "It is after realizing that the 3 lakhs is not enough that I have not been able to start with the foundation of the house."

On the one had, many have already built their houses while the on the other even genuine quake survivors have been deprived of the government grant support. And applications are still being registered as of late. In this process, a survey of the houses left out is has also been carried out. According to the NRA, 12,322 houses have been re-surveyed. Even though the survey was completed in the month of Bhadra (August/September) it has not yet reached a conclusion. Apart from that, around 1,000 people have filed applications at the NRA Gorkha claiming to be quake survivors but excluded from the survey, said Chief Poudel.These are also some of the reasons that is delaying the reconstruction process.

Unnecessary Delay in Translocation of Settlements Too

Many settlements in Gorkha suffered cracks in the ground as a result of the earthquake while some settlements became vulnerable to landslide. Among the settlements that need to be relocated, the houses in Laprak are under-construction. After all the houses that were glued together in Laprak fell vulnerable to landslides, the settlement is being relocated, to Gupsipakha of Laprak. Of the 573 houses, 400 are under construction. The reconstruction is being carried out at the joint initiative of the government and the Non-resident Nepalis Association (NRNA). Also, the process to shift the settlement in Baguwa is underway. The 132 households are being relocated, to erstwhile ward no. 4 of Baguwa itself. The process of translocation of the settlement in Karaunja, which is in a vulnerable situation following the earthquake, is confined to talks only. The NRA however says that the report by the geologists about the situation there is about to ar-

rive. Translocation of other settlements too has not begun. Twenty six houses in the Dalit settlement in Ghopte, and houses in Sabadur and Ramche too needs to be relocated.

Likewise, even though 13 houses in Rana village of Aruarbang in Arughat rural municipality-5 needs to be relocated, the process is yet to begin. The process of relocating 32 houses in Mandre of Barpak also remains stalled. All these settlements suffered cracks in the ground in the earthquake and were deemed inhabitable. However, besides Keraunja and Baguwa, the geologists are yet to carry out a detail study. Locals however say that they cannot live in the same location, as it has suffered cracks in the ground. 'There is a landslide below as well,' Sun Bahadur Gurung of Keraunja said, "we are still living in a place that has been termed inhabitable."

What do the quake survivors say?

Many quake survivors in the district are demanding a multi-floor house design. 'They say if we add floors then we will not be entitled to the grant, but we built a house with 300,000 rupees from the government and another 300,000 in loan. But the two-room house does not fit anything,' Khadka Bahadur Alemagar of Ashrang lamented. They say that if they had a house built with at least two floors then it would be easier to store food grains. 'The ground floor should be built with cement and the first floor using mud,' Khoparaj Pokharel of Takumajha Lakuribot says, ' a house without floors, like a cow shed is of no use to us.'

Sabina Khatun of Ashrang complained that even though she was living separately and her mud house collapsed in the quake, she was not included in the list of beneficiaries. Chairperson of Bhimsen municipality however claimed that those left out from the grant support will be provided the support at any cost.

The quake survivors say that they are in a state of confusion over what to do next as the Rs. 300,000 to be given in grant by the government to reconstruct private houses is insufficient. 'The amount pledged by the government is not enough even to purchase construction materials, I received the 50 thousand but cannot decide to start building the house, nobody will give us loan,' Dilli Dhakal of Saurpani said. It is also due to such reasons that they have not been able to rebuild their houses, and are forced to live in the same damaged house with little repairs.

So living in such condition is not what they have chosen but is a compulsion and share the pain of having to stay awake whole night due to leakage during the rain and dew drops during the winter. 'There are various conditions to build a two-room house, we have received the 50 thousand, but that is not sufficient even to bring down the quake-damaged house,' Lok Bahadur Thapa of Takumajha, Lakuribot said. The survivors have also demanded that the the houses that were rebuilt before the government introduced standards should be compensated with a lump sum amount. On the other hand, lack of workers is also delaying the house construction. The workers that were available for a daily wage of 200 to 300 rupees are now not available even if one is ready to pay 1,000 rupees day.

Security Personnel Under Tents

The police posts in Bungkot, Arkhet, Saurpani, Manbu, Ratmate, Baluwa and Ghyampesal are still running from tents and huts. The Area Police Office in Harmi too is based under a tent. Providing service through a tent and hut is troublesome, says Deputy Superintendent of Police Bhesh Raj Rijal. Bungkot, Ratmate and Ghyampesal police posts are under construction. The Area Police Office, Paluntar building has been com-

pleted. This condition of the security personnel who should be providing shelter to those in trouble and pain can help one understand what the pace of the reconstruction in Gorkha is.

Situation of Education

Schools

Majority of the schools in the district suffered partial and complete damage in the earthquake. But of the 444 schools, 205 have been reconstructed, according to the district project implementation unit chief Ram Prasad Acharya. Likewise, in the quake, 3052 class rooms were completely destroyed while 1,158 class rooms were partially damaged. A total of 109 schools are under-construction, according to information provided by the District Education Office. Majority of the schools are presently operating under temporary huts.

The schools are being re-built with the help of various non-government organisations. The remaining school buildings too will be constructed as per the standard prescribed by the Department of Education, including toilets, drinking water and quake-resistant, as claimed by the Education Office. The DEO says that schools with grades one to three require six rooms, one to grade five will require eight rooms while the schools with grade one to grade eight will need 12 classroom. And the buildings are being constructed accordingly. Likewise, the schools providing education from grade one to ten will require 15 classrooms while those running classes from grade one to 12 will require 18 class rooms.

The Office has also said that a surrounding fence/wall needs to be constructed in 244 schools in the district. However, even toilets have not yet been built in those 244 schools. Likewise, there is drinking water facility in 153 schools while 291 schools do not have facility of drinking water. The education office said that it is in the stage of receiving the final schools reconstruction data.

School Builders

Twenty-eight school buildings in the district are under construction with support from JICA. The construction process in all these schools followed a tender process while 30 schools are in the phase of survey for being reconstruction with loan assistance from JICA.

Ten schools were support to be reconstructed through the Indian Embassy but that is yet to begin. The detailed project report or DPR for five schools have been developed but others are still awaiting a survey, the District Education Office said. Construction of the building of the Himalaya secondary school in Ghairung had begun before the earthquake through the Indian Embassy and is currently under-construction.

The process of construction of the building of the Sinjali secondary school in Taklung, the responsibility for which was taken by the Government of China, has also not yet begun. Of the 99 schools that the district implementation unit had begun reconstruction in the fiscal year 2016/17, only 30 have been completed. In the fiscal year 2017/18 too the implementation unit has begun construction of 99 more schools. Save the Children has taken the responsibility of constructing the four school buildings and all are under-construction. Likewise, good neighbours' international has taken the responsibility for two school buildings while Nepal Youth Foundation has taken one school building construction to the final stage.

As it has been a problem to transport construction materials to north to northern Gorkha, the construction of the school buildings in the erstwhile 10 VDCs is yet to begin. 'We changed the design and are ready to begin the construction', Acharya of the implementation unit said, "but it has been a problem to transport

construction materials to construct an RCC building."

In the absence of school reconstruction, teaching and learning activities are taking place through temporary learning centres. A total of 861 temporary learning centres have been established. According to the District Education Office, the major challenge of school building reconstruction is also the lack of workers. 'Construction materials are scarce, but it is also difficult to find construction workers,' Acharya said.

Scarcity of Woods Too

The wood said to be provided in subsidized rate by the District Forest Office to the earthquake survivors is yet to be distributed. The DFO had planned to bring wood from Chitwan to be distributed to the quake survivors in the fiscal year 2016/17. But it has not been possible due to lack of transportation, the Office said. The Department of Forest had prepared to provide 10,000 cubic feet of wood at the rate of 30 cubic feet per family in the first phase. But now some quake survivors have already started constructing their houses by using the wood from their old (damaged) house. Some have purchased it in coordination from the community forest. But many are still in a state of confusion for lack of wood.

Landless Settlers with a Unique Problem of their Own

The landless settlers who had been living on a public land in Naya Sanghu since many years also had their houses damaged in the 2015 earthquake. But but they did not receive the housing grant provided by the government to the quake survivors. 'We have been living here since ages, our houses were damaged by the quake, but we are not listed as beneficiaries, and since we do not have a land ownership certificate we are not able to rebuild our homes', Man Bahadur Pariyar complained. Durge Pariyar said that they had been residing on the public land in mud huts since the past 40 years and making a living through daily wage labour. 'But now we don't even have a hut, which was destroyed in the quake, and we have been asked to produce a landownership certificate to build a new house,' Pariyar said.

Majority of the settlers here have demanded that the government should provide them the grant of 300 thousand rupees while also giving them land to build houses on it. No government office holds a record about the number of landless settlers in the district who have not been able to reconstruct their houses. The NRA estimates that there are around 1,000 landless settlers who were affected by the earthquake. The NRA says that the rural municipality is now collecting the data. Even though the government has announced grants for the landless settlers to purchase housing plots, the process has not yet begun in Gorkha. 'First you need to have an official identity card of a landless settler, and we will work towards resolving the problem of the settlers and landless', Poudel said.

About the NRA

The National Reconstruction Authority was formed at the centre 9 months after the earthquake, i.e. on 27 December 2015. In Gorkha, the NRA office was established a month later in late January 2016. The office was established under the leadership of an Under-secretary with one engineer, two sub-engineers, a section officer, and an assistant officer, accountant and computer operator. But after 21 October 2016, the office is being run under the leadership of the assistant officer. With three posts for technical staff, none are working at present. As a result, the NRA is not in a possible to provide technical advice to those coming to seek for it.

What do the stakeholders say?

Community committee would have been appropriate

When the National Reconstruction Authority was established, there were no clear guidelines about how to move ahead with the reconstruction of the private houses. So, the five months after the formation of the NRA passed away in a state of confusion. The signing of grant contracts with the beneficiaries began in mid-June 2016. Then I was based at the NRA in Gorkha.

We deposited the first tranche of 50,000 rupees in the bank account of 17,000 quake survivors within mid-July 2016. And by mid-September 2016 we had provided the first tranche to 54,000 beneficiaries. The contract agreement was signed in cooperation with the NGOs. We provided the first tranche in the mountainous region by deputing employees in helicopters.

After receiving the first tranche, we thought the survivors would begin constructing their houses and would shift to permanent homes. The first tranche to 54,000 of the 58,000 quake affected was provided in four months through a fast track process. Gorkha had become the first district in providing the first tranche to many quake survivors. Then the NRA had even awarded me for the same. However, the rate in which the survivors received their first tranche was not the same in the beginning of the construction of the houses. Coincidently, now I am back to the district as the Chief District Officer. I increased the activeness of the district-level implementation unit under the District Coordination Committee. Meetings were held.

We have worked a lot for reconstruction of the Laprak settlement. Efforts were made to transfer the ownership of land from the forest to the project. Lately we initiated a campaign for distribution of the first tranche but I personally feel that the campaign to build houses has not been successful. This campaign would have been expedited had a community committee been formed in every community to move ahead with the reconstruction of houses.

Unavailability of skilled workers, scarcity of workers and other problems has stopped the quake survivors from beginning constructing their houses as we have liked. Based on an action plan of the NRA, the quake survivors are presently forced to begin building their houses. But now things have become expensive and had the construction taken place soon after receiving the first tranche, it would have been lesser.

In my understanding the reconstruction of private houses is not satisfactory. So far only 25 per cent of the quake survivors have received the second tranche of housing grant while only 10 per cent took the final and third tranche. However, by this time 70 per cent quake survivors should have constructed their houses. Only then we would have said we have been successful. But now we will move forward by making a serious assessment of this matter.

Jitendra Basnet, Chief District Officer, Gorkha

Rural municipality has been active

Now when all the survivors began construction their houses at once, the price of construction materials has gone up. They are working with a target to complete the DPC by mid-January 2018. As everyone is constructing the house at the same time, there is scarcity

of workers. So, the survivors have been doubly affected. We are presently collecting a data of the landless settlers in the rural municipality. We support the financial poor and those who have not been able to construct houses even after receiving the housing grant. We have been mobilizing the people who were trained as masons/carpenters by the Building Division Office. The houses in Siranchowk rural municipality-4 and Choprak-4 and 5 are being constructed by trained masons. Our target is to complete all the houses within mid-August. A total of 5300 houses of our rural municipality has to be reconstructed. Currently, 35 per cent of the houses have been completed. I feel that many houses will have been completed by this time next year. We are encouraging the construction of the private houses.

Raju Gurung, Chair, Siranchowk rural municipality

Preparing for the reconstruction Year

In our rural municipality, 90 per cent of the quake survivors are preparing to get the second tranche. Now the house construction work has expedited but there is lack of workers. The price of construction materials has skyrocketed. An issue has come up after the NRA failed to respond to the complaints of those left out from the list of beneficiaries. The rural municipality is trying to observe the next two years as the reconstruction year. We are facilitating those who have not received their installments and also encouraging people to construct their houses.

Bishnu Bhatta, Chair, Sulikot rural municipality

We will complete next year

Majority of the schools are under-construction. Only few schools are yet to have their source of funding ascertained. The source of funding to rebuild 129 schools with classes from Grade 1 to 5 have not been guaranteed. This year we will determine which agency will rebuild which school. Next year, we will not have to wait for agencies to build the school buildings. Presently, the Indian government and the Chinese government side that assumed responsibility to rebuild schools have been slow to start with the work. Currently, majority of the schools are in the phase of reconstruction. Along with the reconstruction of the schools, we are also focusing on toilets, school boundary wall, sports ground etc as per the safe school concept. Presently, only 191 schools have toilets. And toilets needs to be construction in 120 schools. Now we will be moving forward with all the required work. By next fiscal year, we target to complete reconstruction of all the schools in the district.

Dipendra Subedi, District Education Officer

However, NRA chief or assistant officer Shiva Poudel claims that there has been no problem in the coordination with the Building Division Office, District Coordination Committee Office and others. 'Initially there were some legal hurdles, with no procedures available it was a problem to even recommend for the grant installments, but now its not a problem,' Poudel said. The confusion in the quake survivors has also been cleared, as every household wanted to receive the installment in their homes. But that has now been understood. We have facilitated the process as well as the legal matters, he added.

There has been more complaints from the quake survivors about the lack of workers in reconstruction, as confirmed by Poudel. Majority of the workers at present come from the Tarai and from Rukum, Rolpa, and Jumla. If the recon-

struction moves ahead in the current pace then 43 per cent of the private houses will have been reconstructed by mid-June. 'With this pace, we will probably reach the final phase of reconstruction of the private houses by next fiscal year', Poudel said. Presently, the NRA has been working in grievance handling at the rural municipality and municipality level, encouraging the reconstruction of houses and informing the quake survivors about the policy and legal matters.

Conclusion and Recommendations

The earthquake victims continue to life a miserable life in the tents even 32 months since the quake. Listening to and looking at the quake survivors who have endured three monsoon and winters in tents shows that they are in a sorry state. While, many quake survivors have not built their houses even after receiving the first tranche. They needs to be encouraged to rebuild their private houses. Many survivors have not even started with the foundation of the house, claiming that the 300 thousand rupees given by the government is not enough to build the house. They also needs to be encouraged to build their houses.

Likewise, the house construction process has also been affected by lack of workers and construction materials. The Building Division Office and other government/non-government agencies concerned with reconstruction must pay attention towards producing and managing skilled workers. Likewise, the District Administration Office needs to take the initiative to facilitate the availability of construction materials for the quake survivors. Furthermore, the grant support provided by the government is not even sufficient to transport construction materials to some wards in Chum Nubri rural municipality and Dharche rural municipality in northern Gorkha due to difficult terrain. So, providing an equal amount of grants to people living in the urban and the remote areas is injustice to the people in the remote parts. This needs to be reviewed. Also, the political parties need to also provide support from their side to the extent possible in the reconstruction process.

Reference Materials

- Nepal Human Rights Year book 2013 and 2017
- Local newspapers
- Meeting with concerned office chief or representative
- Chief District Officer
- District Education Officer
- District Public Health Office, Health Assistant
- Assistant officer at the National Reconstruction Authority
- Rural Municipality chairpersons
- Earthquake survivors
- Statements by survivors in the public hearing programme organised by INSEC on the status of the quake survivors

Chapter 3

3.5 Flood Survivors of Bardia Rehabilitation Neglected

Background

Bardia is a district naturally endowed with Chure hills and flat land. But except for the Chepang area the entire territory of Bansgadi municipality-1 is flat land. The hilly region falls under Bardia National Park. There is diversity in the population of the district, with a majority of Tharu community that stands at 52 per cent. However, despite the majority of the Tharu community, there is social, cultural and natural diversity.

The Bardia National Park covers an area of 2,025 square kilometers. Large watershed like Karnali and Babai rivers are in this district, which have huge potential for irrigation and power production. Streams like Aarohi, Bhada, Kanjaruwa, and Maan originating from the Chure are also full of potential. But maximum benefit has not been extracted from these natural resources. Instead, failure of disaster risk management is inviting trouble for Bardia folks every year. Floods and landslides caused by Karnali, Babai Rivers and other streams have been causing significant damage to life and property. Thousands of arable land is being inundated and washed away every year. As a result, thousands of local residents are being displaced.

Floods triggered by incessant rainfall on 14 and 15 August 2015 (Saun 29 and 30, 2071) caused unprecedented damage to life and property. Physical infrastructure worth millions of rupees was damaged. The survivors of the flood were yet to be rehabilitated. In the meantime, heavy downpour on 12 August 2017 (Saun 28, 2074) once again inflicted heavy damage, and those affected are still deprived from relief and compensation, while they have not been included in the rehabilitation scheme. Their daily life has also been affected as the roads and bridges damaged by the floods are yet to be re-built.

Objective of the Study

1. To acquire information about the status of practical implementation of the policies, legal measures and programmes adopted by the State for those rendered homeless by the natural disaster and for the flood survivors.
2. To highlight the state of implementation of the services announced and commitments made for the flood survivor families of Bardia and other parts of the country.
3. To shed light on the problems facing the flood survivor families, and make the state accountable to resolve them.

4. To draw the attention of the State towards establishing the rights and well-being of the flood survivors and the homeless families living a terrified life in Bardia.
5. To recommend the local and central level authorities on the measures to be taken to minimize the possible damage to life and property from floods every monsoon.
6. To push the concerned authorities to develop long-term plans for protection from disaster-related risks.

Rationale of the Study

Even though it's been quite long that the flood survivor families are in trouble, the State has not paid attention towards it. It has also not felt necessary to develop concrete plans and programmes to immediately resolve their problem. Some of the programmes that have been introduced are very sluggish while many have not yet begun in different pretexts. And those that have been implemented have not been completed. As a result, the people displaced by floods in Bardia have been forced to live under temporary shelters. For lack of proper rehabilitation the people displaced by floods have been forced to live on the coastal areas of rivers and streams, which is a testimony to the negligence on part of the State. It also proves that they are in a vulnerable situation. Hence, as this study would highlight such devastating problem and make the concerned authorities ponder about it solution, it is very important.

Methodology of the Study

1. Field monitoring (floods, landslide affected areas, and flood survivor camps)
2. Interview (flood survivors, flood victims struggle committee office-bearers, political parties, local administration, rights activists, media workers and other stakeholder agencies etc).
3. Resource materials (books, news reports, article, photographs on the issues concerned the flood survivor families, and the law and commitments adopted by the State for addressing the flood survivor families.
4. DDRC report

Limitation of the Study

1. This study is focused on the sufferings of the flood survivor families and in alerting the State and other stakeholders for their rehabilitation.
2. Efforts have been made to explore the conduct of the State towards the flood survivors of Bardia and their challenges, and the problems resulting from the participation of fake flood survivors in the name of the real survivors, and to alert towards resolving them.
3. The data used in the study have been taken from the District Natural Calamity Relief Committee, Nepal Red Cross Bardia Chapter, District Education Office, District Agriculture Development Office, District Livestock Development Service Centre, District Health Office and the Flood survivors struggle committee families.
4. The sufferings of the flood survivor families have been documents from them itself.

General Introduction

Despite abundant possibilities of development from every sector, Bardia has not been able to move ahead as much as it should. It has always been ignored by the State and the political parties. Poverty, illiteracy, superstition, hunger and backwardness continues to exist. And on the other wide, the locals here are bearing the brunt of natural disaster. Especially, the Karnali, Geruwa and Babai rivers that pass through Bardia have been inundating and washing away hundreds of hectres of land every year, and that is compelled villages and settlements to be

displaced. As people are displaced, inundation and water logging is converting them to landless settlers. Hence, a large number of people have been forced to go to neighbouring India to manage just two square meals a day. River inundation prevention programmes are being carried out but only for namesake. Every year minimal budget is allocated and the work begins only after the beginning of the monsoon and that is too washed away from the floods. This is a bitter reality for the Bardia folks.

The 147 families of Geruwa rural municipality are testimony of this. The Geruwa rural municipality borders the erstwhile Patabhar VDC of Kailali district in the north. The flood survivors of the erstwhile Manau VDC in Geruwa rural municipality-6 and erstwhile Khairichandanpur VDC in Rajapur municipality-10 were forced to leave their place of origin after losing their house and land to the floods ten years ago. The land where the flood survivors used to live is the path of the Geruwa River and even some land next to the river has been desertified.

To resolve problems like these or to secure its citizens, the State has so far not been able to introduce any reliable programmes. Instead when the displaced survivors live on temporary huts on public land, they are chased away and left helpless.

Every year, rainwater-induced floods in rivers and streams inundate and wash away human settlements and arable land. The residents of Bardia faced unprecedented sufferings as a result of the incessant rainfall on 14 and 15 August 2015. The heavy current in the Babai River inflicted the most damage on people's lives and property. The Babai that originates from Dang district flows towards India via Salyan and Bardia. The water from the heavy downpour in Dang in the afternoon becomes night as it arrives through the Babai River in Bardia. And hence the people living in the coastal areas had no clue about it. And even those who came to know had no time to secure food grains and other property. They hardly managed to save themselves and their family members. Such was the current of water in the river that many residents of the district headquarters Gulariya were still grappling with it next morning. The highest damage inflicted by Babai was on the Dugehawa village of Baniyabhar VDC. The Shivapur check post near the Babai River was washed away the same night. Huge loss of life and property was record in Ranipur Barbatta, Guruwa gaon of Padnaha VDC and Tappar of Gulariya municipality. Thousands of people living in the coastal areas were mentally devastated.

The situation on the one hand was very pitiable, while the displaced tried to gradually get themselves back on their fit mentally and physically, setting aside all the pain. They were hoping for rehabilitation and some ease to their daily life. Then once again, another spate of floods on August 12, 2015 hit them hard, adding to their woes. And the problems of the flood survivors worsened further.

Problems of the Flood Survivors

Floods cause damage in Bardia every year. Following the incident of floods, rescue and relief support to the affected families are carried out by the government and non-government sector. But then no authority was responsible in the proper rehabilitation of the survivors who lost their homes to the inundation and water logging by the river. It may be noted that the Universal Declaration of Human Rights as well as the Constitution of Nepal (2015) guarantees citizen's right to safe housing. In addition to this, the State has introduced some acts, regulation and policies to mitigate natural disaster and safeguard the citizens. But nothing has proved fruitful and productive for the flood survivors of Bardia.

It is as a result that the floods of August 14 and 15, 2014 caused unprecedented scale of damage to life and property across the district. Following the incident, 19,000 people were confined to 38 temporary shelters. However, a total of 165,000 were affected by the floods including 93,138 who were directly affected and 71,811 who were partially affected.

A total of 3,859 houses were completely damaged, affected 20,376 persons living in them. Likewise, 72,813 people used to live in the 13,517 houses that were partially damaged. In Gulariya alone, 1681 houses were fully damaged, directly affecting 8,434 people living in those houses. Another 5,633 houses were partially damaged affecting 27,603 people. Likewise, 766 houses were fully damaged in Baniyabhar VDC, affecting 4,221 persons while 10,357 people were affected when 1,899 houses suffered partial damage in the floods. In Bagnaha VDC, 374 houses were fully damaged, affecting 2,022 persons while 4,498 people were affected with 7094 houses partially damaged. Furthermore, 265 houses were completely damaged in Mohammadpur VDC which directly affected 1,429 persons while 339 houses were partially damaged to affect 1,919 people. In Magargadi VDC, 83 houses were fully damaged and 680 houses partially damaged affecting 448 and 3,588 persons respectively. Similarly in Padnaha VDC, 135 houses were fully damaged affecting 825 persons directly while 659 houses suffered partial damage affecting 4165 persons. Altogether 522 persons were affected when 96 houses were completely damaged in Sorhawa VDC while 838 people were affected when 142 houses were partially damaged.

Likewise, in Shivapur VDC, 64 houses were completely damaged and 160 houses partially damaged, affecting 353 persons and 881 persons respectively. In Dhadhar VDC, 363 persons were affected when 67 houses were completely damaged while 249 people were affected with 396 houses partially damaged. In Thakurdwara VDC, 61 houses were fully damaged, affecting 409 persons while 92 houses suffered partial damage to affect 1,969 persons. In Belawa VDC, 288 persons were affected when 66 houses were completely damaged while 152 people were affected with 39 houses partially damaged. In Rajapur municipality, 37 houses were completely damaged and 815 houses partially damaged, affecting 172 persons and 4,587 persons respectively.

Similarly, 46 houses were fully damaged in Surya Patuwa VDC affecting 286 persons while 5,423 people were affected when 875 houses were partially damaged. In Neulapur VDC, 477 persons were affected when 91 houses were completely damaged while 866 people were affected with 190 houses partially damaged. In Jamuni VDC, 12 houses were completely damaged and 3 houses partially damaged, affecting 48 persons and 22 persons respectively.

In Dodhari VDC, 5 houses were fully damaged, affecting 27 persons while 186 houses suffered partial damage to affect 1,176 persons. In Patabhar VDC, 21 persons were affected when 3 houses were completely damaged while 767 people were affected with 143 houses partially damaged. In Deudhakala VDC, 2 houses were completely damaged and 30 houses partially damaged, affecting 9 persons and 164 persons respectively.

In addition to this, in Kharichandapur VDC, 2 houses were completely damaged and 239 houses partially damaged, affecting 9 persons and 1,339 persons respectively. In Motipur VDC, 1 house was fully damaged, affecting 5 persons while 27 houses suffered partial damage to affect 119 persons. In Manau VDC, 3 persons were affected when one house was completely damaged while 28 people were affected with 5 houses partially damaged. In Mainapokhar VDC,

one house was completely damaged and 9 houses partially damaged, affecting 5 persons and 41 persons respectively. In Kalika VDC, 62 persons were affected when 12 houses suffered partial damage. The floods affected 96,189 persons of 17,376 households.

Human Casualty

Twenty people died and 13 went missing the floods, of which the highest number of missing was in Baniyabhar VDC. In this VDC, 10 people went missing, including a girl child.

Likewise, in Gulariya municipality, four were killed and three went missing, including one girl child. In Belawa VDC-7, Chepang, two died and eight including four children went missing. One person died from Manikapur-8 of Banke, one from Baraha Pokhari VDC of Khotang and a Nepali army personnel based at the Shivapur post and a resident of Bhakunde in Kavrepalanchowk. The number of unidentified bodies found was 12.

For the rescue, relief distribution and rehabilitation in the 2015 floods, the DDRC received Rs. 335.6 million from the Home Ministry and Rs. 5.46 million from donor agencies. This included a total of Rs. 341.15 million, of which Rs 18.02 million was distributed at the rate of Rs. 5,000 to 3,656 households who suffered complete damage and Rs. 39.1 million at the rate of Rs. 3,000 each to 12,960 households who suffered partial damage. Food and clothing was distributed to 89,599 at the rate of Rs. 890 each, totalling Rs. 76.01 million.

Likewise, for festival expenses, Rs. 49.6 million was distributed to 16,538 families at the rate of Rs. 3,000 each while Rs. 135.2 million was distributed to 90,152 as food support at the rate of Rs. 500 each. Furthermore, 3.3 million rupees was distributed to families of the deceased/missing, Rs. 81,033 as food, vehicle, fuel allowance to staff. Accordingly, a total of Rs. 333.7 million was spent. Altogether, 5,646 sets of non-food items were distributed by the DDRC, Nepal Red Cross Society and other agencies.

In Bardia, in the 12 August 2017 floods, five people were killed while 17 men and 11 women were injured. A total of 134,804 including 66,015 women and 68,789 men from 24,942 households were affected. Another, 49,279 people of 10,120 houses were displaced with 6,118 houses fully damaged and 797 partially damaged. A total of 20,915 houses suffered damage in the disaster.

Physical Loss

Property worth Rs. 755,000 was damaged in the health sector including district hospital, health posts, sub-health posts while the damage incurred by the Dodhari-Bhurigaon section of the postal road in Murtiya Gulariya was worth Rs. 43.5 million. In roads, the damage was worth Rs. 67.1 million in the Nepalgunj-Gulariya, Deurali, Harre, east-weat highway, Bhurigaon, Karnali section and Amreni Thakurdwara road.

Likewise, the Babai irrigation project suffered damage worth Rs. 250 million, while the damage incurred in Belawa VDC-7, Batule, Kuru, Rehukhola of Deudhakala, Pratappur, Neulapur, Mohanpur Madhela, Bhutkaiya, Shivapur, Gatenala, Suryapatawa, Thakurdwara, Bhadakhola and Dhadhwar was Rs. 20.05 million. Furthermore, infrastructure damage in Baniyabhar, Sanoshree, Padanaha along the Babai river bank and in various embankments in Gulariya municipality was worth Rs. 1.2 billion while damage worth Rs. 655.5 million was suffered in Patabhar, Daulatpur, Suryapata and Rajapur municipality areas under the Karnali River.

Damage to structure include Rs. 10 million worth of damage in Latakaniya, Paryagpur, Rampur, Tapu and Kusambaghat, Rs. 100 million worth of damage

to roads and culverts and infrastructure damage worth Rs. 58.5 million in Gulariya town area. Likewise, the damage to drinking water system was Rs. 4.9 million and in the power supply sector it was worth Rs. 2.7 million. Property worth 16.8 million rupees was damage in the suspension bridges in Kusumbaghat and Chandanpur. In total, physical damage was worth Rs. 3.76 billion.

With three years already passed since the damage was inflicted, but no work has been done to bring them to the previous state. Neither have any initiative taken to rehabilitate the displaced to safer locations.

Economic Rights

The flood survivor families in different parts of the district are still deprived of their economic rights. As per the UN Covenant on Economic, Social and Culture Rights that came into being on 16 December 1966 and ratified by Nepal on 14 May 1991, the needs to be fully supported. But the flood survivors have received nothing other than immediate relief and some compensation. The government has so far only provided the first instalment to the people whose houses were completely and partially damaged in the floods. Though the government had announced 50,000 rupees in cash to build house and Rs. 100,000 to purchase housing plot for the landless flood survivors, it is yet to be enforced in practice.

Right to Food

Bardia produces food that is enough not only for the district but for whole of the mid-western region. But due to the floods, people here are left hungry. A total of 25 bigaha of arable land was inundated in various parts of the district due to the 2015 floods. Paddy, maize and vegetable crop and fish farms in 653 hectares were damaged, which translates into a loss worth Rs. 471.3 million. Likewise, food stock including seeds worth Rs. 630 million was destroyed. Floods also led to crop diseases. And the DDRC provided a support of Rs. 500,000 to purchase insecticides for immediate response. Likewise, 252 cattle, 19,853 poultry perished, causing damage worth Rs. 67.6 million.

Likewise, the 12 August 2017 floods, cause damage worth Rs. 459.1 million in agriculture crop. Under the relief progammes, Rs. 60.01 million was spent through the agriculture development programme. In livestock, the damage was worth Rs. 41.09 million.

Right to Land

Though the water from Karnali, Geruwa and Babai rivers were regarded as a boon for livelihood, the same rivers turn out to be a curse in Bardia. The rivers have been washing away land and houses of hundreds of families, turning them into landless settlers overnight. In such circumstance, the flood survivors' right to land has been put to a risk.

Though 3,859 families suffered complete damage in the floods in August 2015, 25 households of Chepang in Bansgadi municipality-7, 40 households of Baniyabhar VDC-1, and another 40 households of Gulariya municipality-5 has to be rehabilitated to safer locations. After the government failed to take any initiative even for a long time, apart from the flood survivors in Gulariya municipality-5, others are living on their own in coastal areas, in their relatives' land and some in rented quarters. The government however distributed Rs. 192.9 million at the rate of 50,000 rupees each to all the survivors who suffered complete damage of their homes.

The flood victims of Rampur in Gulariya municipality-5 received Rs. 50,000 per family to purchase housing plots from the government but they could not do so due to the new policy that does not allow plotting of arable land. The decision of the

government to put a ban to plotting has become an obstacle for them. The government began distributing housing grants for the homeless flood survivors but the policy decision of 10 August 2017 has come as an obstruction to rehabilitation as it prohibits plotting of land.

Though the government put a ban to plotting of land with a good objective, absence of support for those who fell victim to disaster has created difficulties in rehabilitation. It was only after 30 months in January 2018 that the Council of Ministers approved procedures for private house grant for the Bardia flood survivors who lost everything in 2015. Along with the procedures in place, the families with a land will get Rs. 300,000 for house construction while those without a housing plot will get Rs. 350,000.

Accordingly, 40 families have received Rs. 2 million in a lump sum to purchase land in ward no. 4 of Gulariya municipality. They have forged an agreement with the land lord to pay immediately after the second instalment is released. However, the land revenue office has put a halt on transfer of ownership of the housing plots for now, according to the flood survivors.

Govinda Khatri, who has been living a difficult life at the Tulasipur sports ground since the past four years after losing his parents and younger sister to the floods, said though the intention of the government to stop plotting of land was good it was injustice for flood survivors like him. 'Why we are being double victimized,' he said.

The government had on 10 August 2017 decided to stop plotting of land of any kind with the objective of increasing productivity by stopping the increasing plotting of arable land. Accordingly, the Department of Land Reforms and Management sent a circular to the land tax office a day later on 11 August to stop transfer of ownership of new housing plots. And the District Land Tax Office, Bardia has implemented the directly accordingly.

The land ownership cannot be registered for now due to the policy of the Department of Land Reforms and Management, the District Land Tax Office in Bardia said. Chief District Officer Narayan Prasad Bhattarai however said that the concerned office in the centre has been communicated about the problem the government decision has caused to the flood survivors who have already received their first instalment and paid advance for buying the plots. On the other hand, the second instalment to be released from the centre has also not arrived, the Urban Development and Building Division Office in Nepalgunj said. Office Engineer Homnath Bhusal said that the second tranche cannot be paid unless the flood survivors come with a copy of their land ownership. 'As per the law, the second tranche can be provided only on the basis of an evidence of purchase of the housing lot,' he said.

It is a problem to rehabilitate them to the settlements damaged by the floods. On the other hand, rehabilitation remains a problem because there is not enough land for all in the district. A committee was formed as per the resettlement procedures, 2015, but as the area of land to be provided is not clear while some have not submitted the required form, the committee has not been able to move ahead. Many of the survivors have been rendered landless. As their right to land has been put to further crisis at the moment.

Right to Education

A total of 95 schools were damaged in the 2015 August floods. And all the child development centres were affected. As a result, 30,676 students were directly affected with the damage also caused to text books and academic materials. In education sector, UNICEF, Save the Children and other agencies provided support worth Rs. 98.4 million. Though the 2017

floods were not as severe as the last one, 65 schools were affected, including complete damage to 12 schools and partial damage to 52 schools. As a result, 12,437 students were affected and the total damage incurred was worth Rs. 11.1 million.

Role of Government

Soon after the floods, the government agencies were involved in rescue and relief collection and distribution. The Home Ministry released funds worth Rs. 335.6 million to the Natural Disaster Relief Committee, of which Rs. 182.8 was distributed to 3,657 houses (at the rate of Rs. 5,000 each) that suffered complete damage. Likewise, Rs. 380.9 million was distributed at the rate of Rs. 3,000 each to 12,970 houses that suffered partial damage. Rs. 76.1 million worth of food/clothing to 89,599 flood survivors, Rs. 49.6 million as festival allowance to 16,538 households, Rs. 125.2 million worth of food support to 90,153 persons and Rs. 3.38 million to the deceased/missing families, according to the District Natural Disaster Relief Committee, Bardia.

In Bardia district, in the 2017 August floods, 251,083 kilograms of rice, 34,513 kgs of pulse, 9, 88 kgs of bitten rice, 216 packets of puffed rice, 713 packets of Dalmot, 85 cartons of biscuit, 92 cartons of water, 16,459 liters of vegetable oil, 368 cartons of noodles, 8,762 kgs salt, 5,157 kgs of sugar, 4500 sets of readymade food were distributed in the first phase. Likewise, under non-food items, 38 bundles of tarpaulin tents, 130 units of corrugated sheets, and 2,607 sets of NFIs were distributed.

The latest distribution was 577.20 kgs of rice from the Nepal Food Corporation. The Home Ministry distributed 305 bundles of tent and cash worth Rs. 234.7 million to 111,764 persons at the rate of Rs. 70 per day (for 30 days) was distributed from the local level government.

Likewise, 353 bundles of tents received from various agencies/individuals, 500 sets of NFIs, 83,187 kgs of rice, 6,713 kgs of pulse, 504 kgs of bitten rice, 10 kgs of puffed rice, 514 packets of Dalmot, 38 cartons of biscuit, 55 cartons of water, 3 carton vegetable oil (6,664 litres), 307 carton of noodles, 2,867 kgs of salt and 88kgs of sugar were distributed.

Role of NGOs

The Nepal Red Cross Society, Bardia played a significant role in the rescue, relief distribution to the flood survivors. Various donor agencies had provided Rs. 5.46 million to the natural disaster relief committee. In the 2017 floods, the government's announcement to distribute support to the survivors through a one-door system affected the support procedures to some extent. But due to all-sides pressure, the government withdrew the decision that allowed people to support voluntarily as much as they wanted and afford.

Legal Way to Attainment of Rights

As the survivors of the natural disaster have been deprived of the rights to be ensured by the State, a situation has occurred whereby a legal course has to be taken. Accordingly, Til Bahadur Jhedi Magar of Belahari VDC-6 in Nawalparasi, Dil Bahadur Thapa of Itahari VDC-1, Morang and Dil Bahadur Guragain of the same VDC-4 filed a writ petition in 2008 at the Supreme Court. In response, the apex court issued a directive order on 2 April 2012 in the name of the concerned offices of the Government of Nepal to carry out study/survey of the state of flood affected areas and the flood survivors and announce protected watershed area.

Though communications were made to the concerned agencies to implement this verdict, no progress has been seen as of yet. According to the flood survivor concern committee family Bardia, presently 147 families who lost their

house and land in Geruwa rural municipality have been left helpless with no rehabilitation. 'The State should be internalizing the problems of its people but it is unfortunate here that even the court's order has not been followed,' Chair of the family Sher Bahadur Khadka said.

Also on 5 September 2017, the INSEC had in coordination with legal practitioners filed a writ at the High Court, Tulasipur, Nepalgunj bench on behalf of the victims in relation to the damage caused to people's life and property in the August 12, 2017 floods in Banke and Bardia, and the need for rescue and health treatment of the victims. In response, the High Court, Tulasipur, Nepalgunj bench issued a show cause notice in the name of the defendants.

Reasons for the Occurrence of Floods

Every year floods cause humanitarian as well as physical damage. This has negatively affected not only the humans but the entire living species, and the reasons for it needs to be explored. And there is no option but to move ahead with a long-term plan. Selfish exploitation of natural resources and carbon emission from industrialization also play a role in such disaster. Finding out the reasons and working to manage them on time are ways to mitigate the damage. On the other hand, physical infrastructure in the name of development are also contributing to negative impact of the nature in some places. As a result, special consideration should be made to this end while developing infrastructures.

For example, the 1986 floods in Bhaura Tappa of Bardia took the lives of hundreds of people, with massive loss to property as well. The Tappa is surrounded by Karnali River in the west and Geruwa River in the east. But the reason for the floods was the construction of a bridge including a dam in Kailasi of India, some kilometers south of Bardia. As all the doors in the dam were shut, water started to accumulate and when they were opened all at once it led to floods in the Nepali side, causing huge loss to life and property. Hence, such structures also contributed to disaster, which needs to be considered.

Way Forward

Not many years ago, disaster was regarded as the act of the divine. Hence, the rules and regulations in Nepal were also formulated accordingly. Which means that the damage from disasters cannot be stopped and hence the effort should only be on rescue and relief support after the disaster occurs. It also meant that no attention was paid to preparedness to minimize the risk and subsequent damage. But the fact is that though it cannot be stopped, the damage from a disaster can be minimized to a large extended with preparedness. Hence, there needs to be a change in the attitude and understanding of disaster like floods, landslides, fire, soil erosion, and the preparedness should be accordingly. Not only that, we must all also work to develop the related laws and regulations that is based on preparedness and response.

The parliament has introduced the Disaster Risk Reduction and Management Act, 2074 (2017) after a long tussle, which has wiped out the old act based on the divine belief. The new act lays emphasis to preparedness, response, recovery, rehabilitation and reconstruction. If this is followed and put into practice, the problems like floods could be minimized. The Act also envisages formation of State level disaster management committees led by the Chief Minister to manage disaster at the State level. Likewise, district disaster management committees will be formed under the leadership of the Chief District Officer in every district. Furthermore, the Rural Municipality Chair or Municipality Mayor leads the local disaster manage-

ment committee at the rural municipality and municipality level. So, the provisions of the Act should be enforced to seek solutions at the local level.

The political party act also mentions under the function, duties and rights of parties that the parties needs to provide necessary support in running disaster risk reduction education campaign and in the search, rescue and rehabilitation in the event of a national disaster. So, the parties need to work towards making the local people's representatives more accountable and active in disaster management based on these provisions.

In the meantime, quick rehabilitation of the displaced flood survivors needs to fall under the priority of the government. For this, sufficient plans and budget should be allocated. Rehabilitation should make special consideration to the landless, because even if the State provides them housing grant they cannot be rehabilitated due to lack of housing plot. And furthermore, support should not be uniform to all but based on the circumstance and economic condition of the concerned.

Resource Materials

- District Natural Disaster Relief Committee, Bardia
- Flood Survivors Struggle Committee family, Bardia
- Various newspapers
- Discussions with survivors and stakeholders
- Nepal Red Cross Society, Bardia Chapter
- Nepal Human Rights Year Book 2017

Chapter 3

3.6 Malnutrition in Kalikot: Impact on Children

Background

Kalikot is one among the 10 districts that fall under Province no. 6. From the perspective of area, this district in the Karnali zone is the smallest and Nepal's youngest remote hilly district. Known as a sacred land since ancient times, this district is 738.8 kilometeres away from the capital Kathmandu. The road network from Dahikhola to Nagma of the Kalikot border is 75 kilometers. The neighbouring districts of Kalilot include Jumla in the east, Achham in the west, Bajura and Mugu in the north and Dailekh and Jajarkot in the south. From the economic perspective, this is very poor. Manma is the district headquarters of Kalikot.

As envisaged by the Constitution of Nepal (2015), quality health service is the inherent right of the every Nepali citizen. To ensure this, various programmes under the Nepal Health Service Act, 2053 B.S., Nepal Health Service Regulations, 2055 B.S., Nepal Medical Council Act, 2020, Nepal Medical Council Regulations, 2024, National Health Policy, 2048 have been implemented. However, even with the introduction of the National Health Policy, 2071, the children here are suffering from malnutrition after being deprived of nutritious food. Many have also died of malnutrition.

The government has announced accessible and free health service. Likewise, the government has committed itself to the sustainable development goals, and other UN and international declarations related to health. The Ministry of Health and Population developed and implemented the Nepal Health Sector Programme 2004-2010 but it has not been able to make any significant progress in maternal and child health. In the millennium development goals, Nepal reached near to the target of child health and maternal health. The NHSP-II has been implemented at the joint initiative of the government and donor agencies, but that too has not shown any satisfactory results.

Various programmes are being carried out with the important goal of uplifting the overall living standard of the people of Kalikot by providing them quality health services through effective enforcement of the existing policies and programmes of the country. However, due to the achievements are not as much as targeted due to the unique situation and existing geographical, social and economic situation of the district.

The rate of malnutrition in the children of Karnali was 1.7 per cent the previous year and is found to have increased

to 2.2 per cent this year. Especially the mothers not aware about the importance of monitoring the weight of the child and the health workers too failing to providing them with such information has been contributing to the rise in the problem.

Importance of the Study

The problem of malnutrition in the remote Karnali zone is becoming complex by the day. Though government and non-government offices have been organising dozens of food security and nutrition programmes in Kalikot, Humla, Jumla, Dolpa and Mugu in this region, it has not been able to make any impact. Every year, the government and non-government organisations spend millions of rupees but malnutrition has not minimized. Due to lack of nutritious food and awareness, the number of children in the remote falling victim to malnutrition is rising.

In Karnali, the government's thematic offices are running nutrition and security programmes for children. Non-government organisations continue to run dozens of programmes. Every year, the trend of running new projects in different names continues. But instead of the problem going down, the children of Karnali are falling into the trap of malnutrition. Hence a huge amount of money being spent is going waste. And the dangerous form of malnutrition in the district has become a matter of concern for all.

With anti-malnutrition programmes limited to the district headquarters and comparatively urban locations, the new born and children in the remote parts are left to die. And the progress of the area where a large amount of fund is being spent is also not satisfactory.

Citizens living in majority of the human settlements in the financially poor and socially backward Karnali cannot feed themselves throughout the year. For those who find it difficult to make the daily ends meet, nutritious food is mere imagination. However, it's been long that the nutrition increment monitoring, maternal, infant and childhood nutrition, agriculture and food security project, multi-sector nutrition plan, acute malnutrition integrated management programme, iron tablet distribution to adolescent girls, golden thousand days media campaign and sarbottam lito distribution programme are being implemented. And huge funds are being spent for these programmes. However, nobody has the exact figure about the money spent here.

It is unfortunate that even though dozens of projects and campaigns are organised to minimize malnutrition their impact is nowhere to see. Apart from feeding some staffers, the projects have not been able to make any progress, according to the local people. And majority of the government programme has not been able to reach the remote areas

The non-government organisation projects are found to be focused on only making the donor happy rather than operating as per the local need. It is due to this reason that the programme organised against malnutrition in Karnali are not effective.

It has been long since the civil society leaders suggested that the projects need to be village-focused as only funds have been spent in the name of campaign and programme but it has not been able to reach the target group. But that suggested has not been accepted. As a result the attention of the stakeholder agencies needs to be drawn towards providing treatment and care to malnourished children and to put an end to the situation of children falling victim to it. It could be a big achievement if the study is able to make the concerned understand the reality.

Objective of the Study

The major objective of this study is to make public the impact of malnutrition

on children in Kalikot and other parts of Karnali zone. Apart from this, another objective of the study is to draw the attention of the concerned authorities towards the devastating state of affairs.

Methodology of the Study

Primary and secondary sources have been used in the development of this study. The primary sources include interview with the stakeholders, inquiry, meeting and collecting information and data from local health institutes and health workers. The secondary sources are the INSEC online, Prachi, local media etc.

Limitation of the Study

Since the study is an effort to look into the impact of malnutrition on the children of Kalilot, it does represent all the children.

Situation of Malnutrition

According to the District Health Office, Kalikot, 63 per cent of the children in the district suffer from malnutrition. Even though various government/non-government projects are in operation, the rising impact of malnutrition on children has not stopped. Likewise, a programme organised in Humla with support of UNICEF had found that of the 4,223 children screened 1,379 children or 32.56 per cent were found malnourished.

In Mugu, 61 per cent of the children are malnourished. According to the annual data of the District Health Office, Mugu, the problem of malnutrition is higher in children between three months to five years of age. Likewise, 11 per cent children in Dolpa and nine per cent in Jumla are malnourished. Campaigns for nutrition are being carried out in these districts, but the children are yet to be free of malnutrition.

This fiscal year, three girl children died due to malnutrition in Kalikot. Last April, 14-months-old girl Sushila Yogi of Koligaon in Sipkhana, Raskot municipality-2, one-year-old Kopila Farsal of Baddala in Raskot municipality-5 and Mansara Chadara of Rachuli in Tilagufa municipality-10 died. They died of malnutrition for lack of nutritious food, according to focal person of the nutrition progamme at the District Health Office, Katak Mahat.

Reasons of Malnutrition

The major reason of malnutrition in Karnali is lack of nutritious food. On the other hand, not paying attention to nutritious food, lack of sanitation and public awareness are also contribution to the malnutrition in children. Many locals are unaware about the importance of food and fruits like millet, maize, buckwheat, soybeans, barley, apple and walnut. The news media too publish/disseminate news to say as if only rice is food, and the government as well as non-government agencies have also failed to give importance to locally produced cereal and fruits, thereby leading to rise in malnutrition. Kishore Kumar Rawal, working in the rural health sector, also states that failure to give importance to local produce and the policy to emphasize imported rice are the major reasons for malnutrition. 'Lack of proper food habits is the reason behind the state of malnutrition taking a serious form,' Rawal says, "This can be reduced by using the local products." News about rice not reaching Karnali and the Karnali residents deprived of rice get priority in the media but if news about the importance of relatively healthier local crops, vegetables and fruits are disseminated then the locals could be sensitized and contribute to minimizing malnutrition.

The local health posts have been operating OPD service for treatment of the acute form of malnutrition that is found in the children in Karnali. In the first phase, the government has set up the OPD centres for treatment of acute mal-

nutrition in 50 health posts of the zone. The government and non-government organisations are also running various programmes to bring down malnutrition by distributing chicken to pregnant women and sarbottam pitho etc to the infants.

Right to Food and Malnutrition in Kalikot

It is the fundamental right of every human to get sufficient food to live and to live a healthily life. It is the duty of the State to provide quality nutritious food to its citizens and provide food as per their physical needs. But forget nutritious food, the number of people dying for not being able to eat enough in remote districts like Kalikot is on the rise.

Right to food means entitlement to appropriate nutritious and health food as per human needs. According to the World Health Organisation, every human must eat at least three times in 24 hours. The United National Food and Agriculture Organisation (FAO) says that consumption of food with less that 1,800 kilocalories a day is a state of hunger.

The population of Kalikot is 136,948 spread over in 82 wards under nine local level government units. The major livelihood of the people is agriculture. Based on the population, the district requires 27,050 metric tons of food but the district produces only 14,479 metric tons, according to data from the Agriculture Development Office, Kalikot. Accordingly, 12,571 metric tons of food is deficit every year, according to the annual report for 2017/18 by the Office.

On the one hand, there is stock of rice in the godowns of the district food corporation while the rice cannot be reached to the villages suffering from hunger due to problem of transportation. The local food depots that were destroyed during the Maoist insurgency are yet to be restored thereby depriving the people of the rice provided by the government to the people as a grant. Likewise, the food distributed in this district is of medium quality. The rice available in few places are easily accessed by the influential but majority of the ordinary people return empty-handed. The food to be distributed at various locations of the district remains in stock for around six months, which also depletes the quality of the product.

Likewise, this year agriculture production could not take place due to drought in Palata rural municipality (erstwhile Khin Dhaulagoha). Due to this there has been a food crisis since the last of July 2017. Though the crisis has increased the government has not been able to transport rice in the village depots. Drought has invited many problems in area north-west from district headquarters Manma including Dhaulagoha, Khin, Thirpu, Ramnakot, Nanikot and Badalkot ward no 4 to 9. The crisis could not be resolved by the end of the year. As a result, around 35,000 people were directly affected.

Problem

1. As per the norms and spirit of the constitution, quality nutritious food and easy access to health service has not been provided to citizens of all regions, level, groups and communities.
2. Despite continuous effort of the State, around half of the children below five years of age and women of reproductive age are suffering from low nutrition.
3. Climate change, increasing food insecurity and natural disaster creating problems of human health, decreasing use of local organic food products and excessive use of imported chemical-laced food has been worsening the problem.
4. People's access to quality food, proper use of nutritious food, essential drugs and equipment not produced at the national level and distribution system not effective and pro-people.

Efforts to Minimize Acute Malnutrition and Stakeholders' Opinion

Integrated Management of Acute Malnutrition has been implemented as an effort to minimize malnutrition, according to the District Health Office. Presently, the OPD service centres in the district has been increased with addition of two lately, said District Hospital, Kalikot Chief Kaushal Ali. 'The OPD centres are operational in Dhaulagoha, Syuna, Mehelmudi Raku, Kumalgaon, Ranchuli, Gela health post and the district hospital', he said. From the perspective of food and nutrition security, Kalikot is very sensitive and backward. Conservative food habits, faith on conservative traditions, lack of access to health services, poverty, gender-based discrimination, low awareness level has led to the presence of acute malnutrition in the golden thousand days mother and children.

Considering this even though the government of Nepal is running various programmes like agriculture and food security project, multi-sectoral nutrition programme, acute malnutrition integrated management programme, child nutrition cash grant the results are not as much as expected, says nutrition focal point at the District Health Office Katak Bahadur Mahat.

Nutrition-related Programme

Various initiatives including to bring down malnutrition caused by lack of protein power in children below 5 years and women of reproductive age by 50 per cent in compared to 2000, anemia in children below five and women of reproductive age by 40 per cent, eliminate the abnormalities caused by Iodine deficiency, abolish the lack of Vitamin 'A', bring the infection of worms in children and pregnant women to less than 10 per cent, rate of low weight in birth to less than 12 per cent, and improve the health and nutrition of school-going children through school health programme have been carried out to wipe out malnutrition.

The nutrition programme is a prioritized programme from the perspective of public health. Malnutrition has immediate and long-term impact while it also invites other health problems. In Nepal, children are found to be malnourished due to lack of protein power, vitamin 'a', iodine and iron. Though malnutrition affects all age groups, the children below five, pregnant and lactating mothers are more vulnerable to it.

According to the Nepal Demographic and Health Survey 2011, in Nepal 41 per cent are stunted (height not pursuant to age) and 29 per cent are low weight (weight not pursuant to age) and 11 per cent are frail. So this programme was implemented by targeting the vulnerable groups. Under this programme, activities like monitoring the growth of children, distributing iron tablets, vitamin 'a' and deworming tablets to pregnant and lactating women and advice on nutrition are carried out. This programme runs under the nutrition activities that are carried out to bring down the infant mortality rate, mortality rate below five years and maternal mortality rate in the millennium development goals.

Multi-sectoral Nutrition Plan

The goal of this plan is to increase the capacity of the National Planning Commission and concerned chief thematic ministries for formulation, implementation and monitoring of the multi-sectoral nutrition plan to achieve the set goals (specially to develop human capital by improving the maternal-child nutrition and health of the poor section of the society) to ensure that malnutrition is not longer an obstacle to human capital and overall socio-economic development and to orient the overall nation towards minimizing acute malnutrition. According to this goal and objectives, the multi-sectoral nutri-

tion plan has been enforced from this fiscal year in Kalikot that remains insecure from the perspective of nutrition and food. The state of low nutrition, acute nutrition in children and maternal nutrition is very disturbing. According to a study of UNICEF Nepal, in every 10 children 6 are stunted, four are feeble and three are underweight. Considering this serious situation, the multi-sectoral nutrition programme has been implemented with the objectives and target to put an end to it.

In course of implementing the multi-sectoral nutrition plan, the joint team of seven offices of the district-level nutrition and good security directive committee organized the following programmes in Nanikot, Badalkot, Khina and Dhaulagoha VDCs.

Nepal is a member of international nutrition movement and based on widely accepted indicators Nepal is commitment to improve the situation of nutrition of its citizens. Like the analysis of the reasons carried out earlier, many inter-related factors are responsible for nutrition deficiency in Nepal and which requires extensive reforms from various sectors to resolve it.

This plan has been developed as an effort to adopt a multi-sector approach to the issue of nutrition and then address it in a series and coordinated manner. Since the past efforts were focused on specific areas, not mutual related and scattered, the expected result could not be achieved. The difference between the present nutrition plan and the past plans is that the former is more target centered and it emphasizes on a coordinated effort of all concerned sectors. It has tried to expedite the process of minimization of nutrition deficiency in mother and child, which is measured by the stunted growth in children. Stunted growth is regarded as a good indicator of what would be the quality of human capital of the future generation. This process of stunted growth starts from pregnancy and continues until the child is two years old. During this time, the brain and immune system will also be developing.

Any obstruction in the growth during this period leads to deteriorating in the individual's knowledge gaining capacity, productivity, work execution, sickness in various other stages of life, with very negative consequences. In the experience of other countries, children below two years can be stopped from experiencing stunted growth within a decade. In addition to laying emphasis on mother and child nutrition, the present action plan also address the nutrition-related needs of other age, social group and overall people. It is expected to make the entire nation alert and inspired in the act of achieving an acceptable nutrition standards through effective co-relations and coordination among various sectors in the utilization of available resources.

This goal shall be achieved by expanding basic programme of both nutrition focused and nutrition sensitive kind. The nutrition focused programme are basically disseminated through the health sector and other programmes from the education, agriculture, drinking water and sanitation sectors in coordination with the social security programme and collaboration with the local bodies. All these programmes make an effort to influence the serious vulnerability to physical growth i.e. from the stage of stunted growth (i.e. from pregnancy to two years old).

Agriculture and Food Security Plan

The major goal of this programme is to bring improvement in the food and nutrition security at the family level as well as in the pregnant, lactating mothers and children below two years in the concerned VDCs where the progamme is implemented. In the districts where the programme has been enforced, effort has

been made to wipe out malnutrition by running the agriculture and food security project as per the goal and objectives to bring food and nutrition security behavioral change, so as to improving the food habits of the pregnant, lactating and children between 6 and 23 months in the targeted VDCs of the district.

The Agriculture and Food Security Project is a prioritized project run by the Government of Nepal with the grant assistance of the Global Agriculture and Food Security Programme established with the support of multi-donors. This project will be carried for five years from 2013 to 2018. This project has been implemented in 19 mid-hill and high-hilly districts that are vulnerable in terms of food security in mid-west and far-western region of Nepal.

World Bank has been playing the role of a supervisor in plan formulation, implementation and evaluation of the project that will run with the supportive role of the Livestock Development Ministry and the Ministry of Health and Population and the major implementing role of the Ministry of Agriculture Development of the Government of Nepal. In addition to this, the UNFAO has been providing technical support for effective implementation of the project.

The major goal of this project is to improve the food and nutrition status as well as livelihood of the poor families and individuals who are vulnerable from the perspective of food and nutrition in the project area. The project also plans to improve overall food and nutrition security of the targeted groups by bringing changes to their habit relating to food nutrition, increasing availability and access of food and nutritious food through enhancement of production and productivity of agriculture and livestock products.

Of the four sections of this project, the third section 'to improve the situation of food and nutrition security' will be enforced by this project by increasing the awareness about the importance of nutrition in the farmers through community level training on behavioral change and communications and nutrition education, and bringing reforms in food habits and care practices of the household. This will be carried out through community level nutrition garden, domestic poultry, preparing nutritious food or delicacies at the local level, and proper use of locally available plants and animal food products.

Also, food and nutrition habit change programme has been implemented in order to improve the food habits and care practices of the pregnant, lactating mothers and children below 2 years, promote diversity in food and increase nutritious food for the target groups, and from the perspective of food and nutrition security. This project focuses on participation of women, dalit, janjati and the poor groups and their capacity building. Also, methods to minimize the workload of women will be promoted. Under this section, there are programmes to promote work load minimizing technologies through the small grants programme provided in a competitive way to health mother groups for decreasing the workload of women and improving the families' livelihood.

Apart from the district-level annual programmes of the child health division, the agriculture and food security project activities are also carried out in 19 districts of the mid and far-western region. Activities under this project must be run by the concerned district as follows.

It is clear that bringing down the existing maternal child and infant nutrition deficiency is not possible with only the health sector working in nutrition. As a result, the government of Nepal has been giving high priority to nutrition service at the national level and running nutrition focused and nutrition sensitive programmes in nutrition and food inse-

cure districts as per the concept of multi-sectoral nutrition plan. In this district too, the agriculture and food security project is being implemented since the past two years and the multi-sectoral nutrition plan from this year.

Monitoring Malnutrition Growth

The percentage of underweight new babies born in the past two years in Kalikot is less in comparison to the percentage of new borns with low weight at birth at the national level. It was 6.2 per cent in 2071/72 B.S. and 6.7 per cent in 2072/73.

In comparison to the past the coverage of monitoring of growth is increasing, according to nutrition focal point at the District Health Office, Kalikot Katak Mahat. According to him, the growth of 62.5 per cent of children below 2 years was monitoring in F/Y 2070/71, 82 per cent in F/Y 2071/72 and 98 per cent children's weight in 2072/73. Likewise, though the average weight has not increased significantly, it is gradually on the rise. The increase in coverage of growth monitoring is a result of the awareness in the families about the need for monitoring. However, they lack knowledge that the same kid should be weighted twice every month.

The rate of malnutrition in the weighted children is found to have been increased by 10 per cent in F/Y 2071/72 B.S. in comparison to F/Y 2070/71. Likewise, the rate of malnutrition in 2073/74 was higher than the rate of 2072/73. An overall institutional assessment of the district in the current fiscal year shows that of the new growth monitored children, Nanikot, Rupsa, Badalkot, Lalu, Ramnakot, Dhaulagoha and Mugraha have more than 20 per cent of low nutrition, Rachuli, Fukot, Thirpur, Mumra, Khina, Manma, Raku, Malkot, Sipkhana, Sukatiya, Mahelmudi, Chilyakha, Kotbada, Danha and Syuna have between 10 to 20 per cent of low nutrition. Likewise, the VDCs with less than 10 per cent of nutrition deficiency are Bharta, Odanaku, Pakha, Jubitha, Gela, Foimahadev and there are no children with nutrition deficiency in Kumal Gaon and Chhapre.

State of Infant and Childhood Nutrition

Analyzing the state of infant and childhood nutrition shows that both indicators of infant and childhood nutrition increased in the F/Y 2072/73 in compared to 2071/72, which includes the percentage of babies getting full breastfeeding from 0 to 6 months increasing by 6 per cent in compared to the previous year to reach 86 per cent. Likewise, the percentage of those beginning additional and supplementary food from 6 to 8 months increased by 4 per cent in compared to the previous year to reach 80 per cent this year. This shows an expected improvement in the state of infant and childhood nutrition.

School Health and Nutrition

To inform the community about nutrition to help them improve the state of malnutrition, the school health programme was organized from Jestha 1 to 7 at the school level in order to improve the state of school health and nutrition. During this period, a nutrition week was organized in order to adopt positive habits related to nutrition. Students from Grade one to 10 were also provided with albendazole tables.

Conclusion

The Constitution of Nepal has established health as fundamental right, according to which every citizen is entitled to free basic health services from the State, not to be deprived of emergency health service, and to be informed about the health treatment. Every citizen will have equal access to health service and access to clean drinking water and sanitation is also mentioned.

But these provisions have not been put into practiced in the context of Kalikot. So, the children here are falling victim to malnutrition. To put an end to this problem, the recommended breastfeeding practices should be promoted and community-level campaigns organized to minimize infant malnutrition. Likewise, only breastfeeding from birth to six months should be encouraged with various programmes. This could be done through rally, interaction, mothers group discussion on importance of breastfeeding, information dissemination from local FM radio stations, and radio debate etc.

Also, the importance of locally produced cereals needs to be promoted and used, programmes need to make effective by finding out the reasons for not getting achievement as per investment, make urban-centered progamme remote-centered, and make health centres more active. Furthermore, attention should be paid to food management. Only then, the state of child of Kalikot being forced to give up their lives to malnutrition will come to an end.

Reference Materials

- District Health Office, Kalikot, data
- District Agriculture Development Office, Kalikot, data
- News reports in various newspapers
- INSEC online
- Nepal Human Rights Year Book 2016 and 2017
- Constitution of Nepal (2015)
- Conversation with stakeholders

Chapter 3

3.7 Child Marriage: A Case of Baitadi District

Definition

There is varied definition of children across the globe defined on the basis of age, maturity, family situation, environment, ability, experience and their access to opportunities. However, according to World Health Organisation (WHO), everyone below 16 years of age is children. Nepal has also established citizen's rights at 16 years old. The Constitution of Nepal, however, has guaranteed that person can exercise their electoral franchise only when they reach 18. Likewise, the law of Nepal determines 20 years as the legal age for marriage. Prior to the promulgation of Constitution of Nepal in 2015, the legal age to marry was 18 and 20 for girl and boy respectively. However, this contravened with the United Nations conventions and as a result Nepal amended its relevant legislation to establish that a girl and boy can get married legally after they turn 20. As Nepal is a member of the United Nations, it is binding that it ensures that its laws and policies in are line with the UN conventions. Though anyone between 16 to 40 years has been defined as youth, the law of Nepal regards a marriage of a person below the age of 20 as child marriage, which is a punishable act.

Background

Baitadi is a hilly district of province 7 in the country. The total population of the district stands at 250,898. Among them, 62,772 people occupy the age group between 10 to 20 years. Gripped with various social norms and superstition, child marriage has remained as a major challenge in the district. According to Nepal Demographic and Health Survey 2011, Baitadi is one among the six districts with high number of child marriage in Nepal. As per the survey Saptari, Rautahat, Kaplivastu, Bajhang and Dailekh are other districts with the highest number of child marriages.

A survey conducted by a national network called 'girl child is not a bride' in then five Village Development Committees (VDCs) of Baitadi districts in 2014 showed that 59.5 per cent had got married before turning 20 years old. The same survey also found that 12 per cent tie the nuptial knot when they were not even 14 years old. Likewise, the survey found that the rate of girl child marriage was higher that than of the boy child.

As per the data of the UN, Nepal ranks seventh in the world and third in Asia among the countries with child marriage. Bangladesh tops the ranking fol-

lowed by India in terms of child marriage in Asia. Nepal's Demographic and Health survey, 2011 states that 41 per cent of female population between 20 to 24 years got married before they reached 18. On the other hand, only 11 per cent of the male population of the same age group got married below 18 years of age.

Child marriage in Nepal varies on the basis of development region, settlement area, socio-economic situation, ethnicity, religion, community and educational status and other differences. The United Nations Population Fund (UNFPA) states that 43 per cent women residing in rural areas and 27 per cent living in urban areas get married before they reach 18 years old. Girl child from illiterate and low-income families are more vulnerable to child marriage. It has been found that women who have completed secondary education or higher get married when they turn 22 years while women who have not gone to school marry at the age of 17 years. The average marrying age of women in Nepal is 17.2 years. The District Health Office Baitadi reports that at least 576 married girls below 20 years carried out pregnancy test in Fiscal Year 2017/18.

Legislation Related to Child Marriage

The United Nation had identified child marriage as an obstacle worldwide in achieving the Millennium Development Goals. Furthermore, it has prioritized ending child marriage in the 2030 Agenda of the Sustainable Development Goals (2016-30). In September 2013, the United Nations, through its human rights committee, tabled a proposal on prevention and abolition of child and forced marriage and their challenges, good practices and obstacle in implementation. Two months later in December, the 68th the General Assembly of United Nations endorsed a resolution on child marriage and forced marriage. Since then programs against child marriage have received high priority across the globe. The Constitution of Nepal Constitution also establishes child and early marriage as punishable crime.

Provision in Constitution of Nepal

As per the Article 39 (5) of Part 3 of the Constitution of Nepal (2015), 'No child shall be subjected to child marriage, transported illegally,

- Abducted/kidnapped or taken hostage.'
- The Act designed to amend and annul some Nepal Laws, 2072 B.S. amends the Civil Code 2020 B.S. to establish that 'the minimum age for marriage is 20 years'. Those violating this legal provision are sentenced to a maximum three years in jail and slapped with a fine up to Rs 10, 000.

Punishment Based on the Age

- Six months to three years in jail and fine of Rs One to ten thousand to those who marry/cause to marry children who are below ten years old.
- Three months to one year jail term and fine up to five thousand rupees to those who marry/cause to marry children who are between 10 -14 years old.
- Six months jail or fine of Rs 10 000 or both for those who marry/cause to marry children who are between 14 to 18 years old
- Six months in jail or fine up to Rs. 10,000 or both for those who marry/ cause to marry a woman or man who has not reached the age of 20.

National Laws and Policies

- National Policy related to children 2069 B.S. has identified child marriage as an obstacle in the practice of child rights.
- The strategy 8.9 of the Policy has emphasized the coordination between government and non government actors to formulate Mobilize community-level organisations, to give urgency to the complaints against child marriage

and take required action, and also states to give additional responsibility to the local level government to stop child marriage.

- Likewise, strategy 9.3 states that media and other relevant medium shall be mobilized to generate awareness against child trafficking, transportation and child marriage and raise awareness for the protection and promotion of child rights at the village level.
- The thirteenth Plan (2070-71/2072-73 B.S.) has set the goal to end various social abuses including prevention of child marriage.
- Likewise, the Overall National Action Plan for adolescents (2070/71-2074/75 B.S.) states that the policy measures shall be taken and guidelines shall be developed to end and minimize traditional harmful practices and discrimination that especially affect marginalized communities. In addition, it also states that open education and alternative education would be provided to bring the adolescents, especially the girls (who were involved in child marriage) into the mainstream of formal education.

The Objective of the Study

1. To inform the stakeholder agencies about the state of child marriage and and encourage them to undertake steps to stop it.
2. To inform about the cause of child marriage and its impact.
3. To make all concerned accountable in the promotion and protection of child rights, and put an end to child marriage that stands as the major challenge of human development.
4. To give the message that every side has a role to put an end to child marriage and inform about its legal remedial measures.
5. To mount pressure on the concerned authority/stakeholders for effective implementation of legislation related to child marriage.
6. To bring to public the opinion of the stakeholders in the district about child marriage.
7. To encourage the organizations working to bring an end to child marriage and motivate the ordinary citizens to involve themselves against this harmful practice.

Significance of the Study

The Constitution of Nepal 2015 has defined child marriage as a crime. Hence, child marriage continues to exist in the society despite being illegal. Marriage before the right age will have a negative impact on the individual as well as the society. Due to physical, psychological, economic and social impact, its effect will run through generations among the offspring, according to the experts. Furthermore, early marriage is found to lead towards problems like malnutrition, anemia, abortion, and birth of child with disability, stunted growth. Child marriage is also one of the major reasons for gender-based violence. Therefore, since it affects every sector, a study on child marriage is important from the perspective of its solution.

Methodology of the Study

While undertaking the study, several communities of Baitadi district were visited to obtain the first hand information. In addition, the study team attended the local based workshops, interaction and meeting to gather the information. Likewise, it also visited the local based government and non government institution working against child marriage, and interacted with the concerned officers soliciting their ideas and insights related to the child marriage in the community. The data from the relevant literature in the district have been included as secondary source in the study. Attempt has been made to make this study consolidated

through deliberation with all stakeholders active in minimization of child marriage.

Limitation of the Study

Child marriage stands as the biggest social development challenge of this province as a whole. Child marriage has had all-side impact on human development. Of them, an effort has been made to study the prevailing situation of child marriage and the steps taken against superstitions.

Major Reasons

1. Religious Faith/Superstition

Majority of the incidents of child marriage take place as a result of the superstition that one will go to heaven after their death if they marry off their daughters before their first menstruation. Though such practice is gradually declining in urban settlements, it continues to exist in the rural areas. Hari Prasad Joshi, president of the traditional healers group in Patan municipality, states that such belief and practice is still deeply rooted in the rural areas.

2. Poverty and Financial Problem

Poor and financially weak community and families often tend to engage in marrying off their children at the earliest as compared to others. Unable to bear the education cost and upbringing like others, the parents tend to get their children married early. . A local journalist, Khagendra Awasthi, said that the situation of child marriage is worst the in Dalit community in compared to other communities.

3. Lack of Awareness and Education

There is lack of education and awareness among the people in the rural parts of the district. As a result, child marriage is on the rise, as people are not familiar about its negative impact. The 2011 Census shows that the literacy rate of the district is 63 per cent. Despite implementation of various programs aimed at raising awareness, the as programmes have not been organised in a way that would make the parents in the rural areas understand, consciousness about the issue is yet to develop in the villages. Nisha Bhatta, president of child children's network says that lack of awareness is still encouraging child marriage in the villages.

4. Misuse of Technology

In recent past, the misuse of technology especially mobile phones and social networking sites like face book is contributing to increased cases of children eloping, thereby leading to rise in child marriage. The parents are in constant fear that their children will elope with people outside their caste, culture and religion that will affect their culture and social structure Due to this, parents marry off their children at an early age. . In 2016/17, the District Police Office records say that it handed over 40 couples who married on their own by eloping. Likewise, as of mid-January of the year 2017/18, 11 couples were held and handed over to their respective parents, the Office said.

5. Gender Discrimination

Preference of son over daughters is still prevalent in the district. Many daughters are born in the hope for a son, and girls are considered as a burden as it is difficult to bear their upbringing and parents marry of their daughters at early age. Ganesh Shahi, a district-based officer of the United Nations Population Fund (UNFPA), said even educated parents give birth to many daughters with the hope for a son.

6. Effective Implementation of Laws

As the law enforcement agencies take action only after a complaint is filed and even when a case is registered, the concerned law is not effectively enforced,

thereby encouraging the practice of child marriage. Though the number of child marriage is high in this district, only one case related to child marriage has been filed so far. As child marriage in the district takes place with the involvement of distinguished personalities of the society, reports of child marriage do not reach the police, Heramba Sharma, Deputy Superintendent of Police (DSP) at the District Police Office, Baitedi said.

7. Weakness of Educated Personalities

There are educated persons as well in the society and village. But they are involved in the protection and promotion of child marriage. Teachers talk against child marriage in the school but fail to stop child marriage that involves their relatives. Sadly, they remain silent and do not inform the concerned authority when they know about such incidents.

8. Social Disharmony

The people fear dire social consequences if they report against the child marriage. They are intimidated and threatened by the parents and other concerned and even receive backlash. As a result, the cases against the child marriage do not reach the law enforcement agencies. Kashi Singh Bista, who works for the women upliftment society, Baitedi, said fear of social disharmony discouraged even the educated to stand against child marriage in the community.

Effects of Child Marriage

1. Education Interrupted

The biggest problem of child marriage is that it effects in the education of children, especially the girls. Due to household responsibilities, a different identity after marriage and the norm that daughter-in-law should not be sent to school, the girls will have their education discontinued. . According to Shankar Dutta Bhatta, information officer, District Education Office, 2.5 % girls between one to 10 grades discontinued their school in the past academic year. He further added that the rate is highest among the students of grade 8 to 10. Last academic year alone, among 78,549 enrolled students, 1,960 students of grade 1 to 10 dropped out from the school.

2. Child Mortality

Due to early age pregnancy, there is always a danger to the life of both mother and child. According to District Health Office, in the Fiscal Year 2017/18, among the babies who were born in health centres, nine died within 28 days of their birth. Dr Gunaraj Awasthi, medical superintendent of district hospital, said pregnancy at an early age affects the mother and child in one way or another. He said that 59 still births were recorded in the F/Y 2017/18.

3. Malnutrition

Child marriage and subsequent pregnancy results in physical problems in the mother and offspring. The district health office identified that the rate of malnutrition is high among the children born to mothers below the age of 20. Stunted growth and anemia causes physical and psychological impact on the mother and child.

According to the District Public Health Office in the fiscal year 2017/18, malnutrition was reported in 1,300 children. Majority of them were born to young mothers, Santosh Pandey, a contact person at the office said. According to him, among 3,877 babies born in the F/Y 2017/18,, 242 babies weighed less than 2.5 kilogram, while 27 babies less than 1.5 kgs while and four were born with disabilities. Medical superintendent, Dr Awasthi, saysthat the average weight of a normal baby should be 2.5 kgs or more at the time of birth.

4. Abortion

The rate of natural miscarriage is high among the young mothers who

are not adequately developed in terms of physical growth. According to District Public Health Office, the number of those coming for abortion at the Office is lesser in compared to those coming with post-abortion problems resulting from abortion carried out in the local private clinics or in India. In the fiscal year 2017/18, the district health offices registered four cases of abortion carried out by married women who were below 20 years old. The immature pregnancy often leads to miscarriage, said Dr Awasthi.

5. Uterus Prolapse

Multiple abortion and immature pregnancy are the major causes of high rate of uterine prolapse among the women in the district, reports the Baitedi hospital. Due to social stigma and fear of social discrimination, women do not share their problem related with uterus prolapse. They become the victim of gender-based violence and also impact their physical and mental health. Mamta Joshi, a nurse at district health office, Baitedi said the multiple pregnancies for want of son are the major culprit behind uterus prolapse among local women.

6. Financial Problems

Many people have been facing financial problem due to child marriage. The couples are deprived of their education when they marry at very tender age and eventually unable to earn their livelihood with dignity. The uneducated couples are not aware about their physical health and impact of multiple pregnancies and to sustain large families. Consequently, they have to witness financial obligation. Owing to poverty, nearly 1,500 young local people are working in Pithauragadh of India as migrant worker to meet their ends meet, said Shankar Bista, 18, a local of Bijayapur in Puchaudi Municipality-11, who is working as a migrant laborer in Pithauragadh India.

Madhavi, a Victim of Child Marriage

Along with her one-year-old baby, Madhavi sometimes visits the local police station or district police office. She has no interest to visit these offices on a regular manner. However, she is compelled to visit them expecting justice at the earliest. Few years ago, she was compelled to tie the nuptial knot under social and family pressure when she was merely 17 years old. Now, she is twenty two years old. However, she cannot unveil her actual age while seeking justice as she is aware of the fact that child marriage is illegal offence in Nepal.

She got married when she was 17 and her spouse was 22 years old. Few months after the marriage, her husband went to India in search of better opportunities. While her husband was in India, Madhavi was tortured by her in- laws for several reasons and endured gender-based violence silently. Unable to bear the pain and suffering, she decided to take shelter at her maternal home. After one year, her husband returned home and Madhavi expected better days ahead.

However, this did not happen. Even her husband started scolding her citing several reasons. According to Parbati Awasthi, officer at women cell, district police office, Madhavi had visited her four times seeking help and demanded that the culprit should be brought to book. She further added that Madhavi neither can reunite with them nor can live in separation.

Due to lack of marriage certificate, the situation has become worse for Madhavi. The police however, held her in- laws four times in the recent past but they are released after mutual agreement to maintain cordial relation. On the other hand, Madhavi's father is now regretting over his decision to marry off his daughter when she was just 17 years old. My past decision not only ruined her education but also destroyed my daughter's life, narrat-

ed Madhavi's father with the police officer at the district police office.

Now, Madhavi is much worried about her son who is seemed to be abandoned by his father. As a result, she cannot file for divorce fearing her son will be in problem At times, she expresses her agony against her father's decision that compelled her to marry at such tender age . She also said that her husband, Deependra, is having an illicit relationship with a local girl.

She also expressed her dissatisfaction over the social customs in which female is looked down upon if she decides to re marry while male enjoys second marriage and no finger is raised against him. She has no option that to suffer silently and she attributes the pain and sorrows to her early marriage. I used to think that wedding will bring happiness and joy and as such I accepted his decision without any hesitation. Wiping her tears, Madhavi said, I have now realized that it was a blunder to marry at the age of 17 years. Meanwhile, Madhavi's father Devdutta is also regretting the decision and says, 'Then I was just concerned about getting my daughter married, but now I fear for her life'.

Adolescent Daughter in Law's Sorrow

Physically, they seem to be merely a student of grade five or six. A group of teen age girls were exchanging their pain and sorrows keeping aside the load of firewood- a source of energy at the villages. At a time when they should be in school, the teen age girls were compelled to carry out their household chores from dawn to dusk. It was unacceptable to accept that they were married but their attire and typical vermilion powder on their forehead under the Hindu custom suggest that they were married. Laxmi Karki, a resident of Dograkedar rural municipality-6, was one among them.

Laxmi, now turns 18 years old. She is the elder sister of three brothers and two sisters. While studying in grade eight in a local school, she got married at the age of 14 years. She really felt bad as she was unable to continue her education due to early marriage. There are 21 families of Sarki Communities in Dol village of the district. Alike laxmi, there are 12-13 girls including her best buddies Hajari Sarki, 13, and Kalawati Sarki, 15 who are also married. All were studying in grade six.

Adults of these communities who earn their livelihood as daily wage laborer and farming are illiterate. As a result, they are ignorant about the significance of girl child education and ramification of child marriage in the education of girl child. The child marriage has become a kind of bad precedent among the people of Sarki community, said Kamala Sarki, a local resident. She also said the children are compelled to discontinue their education due to rampant child marriage in the community.

It is a common scene at the community where such married girls are killing their time in non productive activities . Alike Laxmi, Hajari and Kalawati in Dol village, there are many girls who want to pursue their education but unable to do so. Such girls are yet to realize this bitter reality that they have already lost this opportunity due to forced child marriage.

Human rights activists say that teenage married girls are overburdened with household related chores . They are not exposed to the outer world and limited within the four walls of the house. This can be well reflected during the INSEC team's visit to the village. The teenage married girls, who were talking about their internal issues after heavy work, did not pay any heed to visiting team and their cameras. Instead, they focused on their discussion related with their daily activities such as cooking, washing cloths and utensils and declining fodder in the forest.

There is a belief among the local people that early marriage of girl child

will reduce the economic burden of her parents and at the same time the newly bride can help her in laws in household chores, said Lalu, a local senior citizen. He also said that due to weak economic background, parents want to marry off their children at the earliest possible It has been found that very few teenage married girls pursue their education after their marriage. Unable to meet the both ends with their century old traditional leather related occupation, the male are compelled to work either in India or Middle East as a migrant labor, added the locals.

Remarkable decrease in the arable land and shortage of leather compelled the youths of Sarki community to seek better opportunities abroad. In recent times, the trend has increased as they are not able to help their families in terms of financial aspects. Despite the fact that a higher secondary school is located within thirty minutes distance on foot, there are very few who has completed the primary level of education. Drop out among those regular to school is also high. A survey conducted in 2014 by a network called girl children are not brides found that 59.5 per cent of the marriage that took place in Baitedi were held in an early age.

In other community, there are some cases reported where married girls continued their education even after their marriage. But this does not happen in Dalit community. Though the government and non government actors claims that the child marriage has decreased as a result of their programs, there are still large number of girls who fall prey to child marriage .

It has been a common practice to collect fodder for cattle in collective manner as they can make some merry making with their peers forgetting their pain and sorrows resulting from child marriage. Despite best effort to appease their in- laws in all aspects, daughter in laws are accused of doing no productive work, verbally abused and mentally tortured. In many instances, they are charged for not collecting enough fodder for the cattle. To avoid such nuisance, daughter in laws prefer visiting grassland and collecting fodder for their cattle even when it is not deemed necessary. This minimizes their presence at home and do not have to listen to any derogatory remarks under various pretext. They have lost the hope that better days lie ahead.

Danger of Activists being Caught in Between

The social and human rights activists face several challenges. Two years ago, Sita Bhatta, the then president of child club, reported and filed case against the growing cases of child marriage in and around Dashanand Municipality of the district. Since then the child marriage practice was stopped to large extent. After that, , the president was threatened, intimated and received backlash from the parents and relatives of the children for advocating the case of the adolescent. They even gheraoed the house of the Sita Bhatta, accusing her of anti social and cultural practices. The relatives and parents sacrificed animal especially he-goat in the temple to woo the goddess urging her to bring pain and sorrows to the anti child marriage supporters.

In Margha 2073, with the support of the adolescents circle , at least three-four child marriages were stopped in now Sunarya Rural Municipality. Following the incident, the parents and relatives prayed, and sacrificed animal especially he-goat in the temple to appease the goddess urging her to bring pain and sorrows to the anti child marriage supporters. Local people are against our role in bringing down the child marriage in the villages. The relatives and parents pledged to god to sacrifice animal especially buck if they can us suffering. They regular torment

us saying something bad will befall them hereafter, said Janaki Chanda, adolescent centre. Though we do not believe that something bad will befall after sacrificing animals in the temple, our parents will tend to worry about us when they come to know about such situation, she further a added. The growing cases of animal sacrificing in the temple have certainly emerged as a new problem in the village, she argued further.

With the support of the adolescent centre, the Siddeshwar VDC has been declared first child friendly friendly VDC of the district. Madan Singh Mahara, Health coordinator, Patan Municipality said that the mitigation of the child marriage is one of the indicators of child friendly local governance. The support of the adolescent girls 'centre has helped to make such declaration. Initially, the parents and relatives embraced religious tool to threat anti child marriage supporters. However, the situation has changed in the present context. After realizing the ramification of such ill practice, the parents and relatives have joined hand against child marriage , he further added

Active Involvement of Teenage/ Adolescent Groups.

With an objective to mitigate child marriage, the adolescent e children are being urged for their active involvement in the past three years. After their involvement as a group member, the child marriage is seems to be declining in the recent past. The UNFPA district office found that more than 50 child marriages were prevented with the support the adolescent groups' active in 33 areas of the village. There are increasing number movement in different parts of the village after realizing the adverse effects of child marriage.

A 21 members district based adolescent groups network was formed to make the anti child marriage movement more effective. Sita Bhatta, President of the network, said that the network will work towards mitigating the century old practice- child marriage in the district. We will have been trying to mitigate child marriage using different approaches such religious, social and cultural. We will continue our struggle against child marriage, the president added further.

Religious Leaders Joined the Bandwagon

The concern stakeholders have taken the local religious leader on board the anti child marriage movement after some superstitious beliefs and faith were posing problem in the mitigation process of the child marriage. A network comprising the traditional healers, pundits and astrologers have been forged to make the movement effective and a success. They have been oriented about the adverse effects of child marriage, legal provisions and punishment.

With the support of UNFPA which has been working in the areas of protection and promotion of child rights, an orientation program was organized in 15 VDCs of the district. Altogether 45 participants including traditional healers, pundits and astrologers took part in the event.

The involvement of religious leaders, traditional healers, astrologers and pundits has resulted into positive outcome. People are now being oriented about the negative effects of child marriage. Hari Prashad Joshi, Secretary, traditional healers groups, Patan, said that he was not aware about the consequences of child marriage in his initial days. Moreover, due to lack of awareness and superstitious belief, there was a custom and practice of child marriage in the community. In addition, the villagers believed that they will go to heaven after death if they marry off their children at adolescent

Now the religious leaders have also agreed that blind faith and superstitious belief was one of the major causes behind child marriage. Joshi argued that it is a religious crime to involve and support child marriage. We should join our hands to mitigate the problem once and for all. As it is necessary to get approval of the religious leader in the process of marriage, the prospect of mitigating child marriage seems to be positive, further added Joshi

Technology is Equally Responsible

In recent times, the pattern of child marriage in the district has shifted. The remarkable emergence of mobile and social networking has become the new and affordable medium among the adolescents to befriend in the changed context. With mobile and social networking sites like face book, they communicate on regular basis and eventually reach a stage where they agree to get married, said Binod Kunwar, Health Post Office in charge, Puchaudi Municipality -1. According to him, among 30 couples who tied the nuptial knot in then Hatt VDCs (now Pichaudi Municipality) in 2073-74, there were 27 cases of eloped child marriage reported. He further stated that they fall in love with the support of face book and marry in due course of time.

While several programs were underway to orient parents about negative consequences of child marriage, the young children started to embrace elope marriage, he further added. However, the program targeting both children and parents played a crucial in bringing down the child marriage in the district in 2073-74. The health post in charge said that very young couples visit to the hospital complaining their reproductive and pregnancy related issues. In recent past, the government and non state actors such as UNFPA, Nepal Red Cross Society and OXFAM Nepal have jointly launched program to raise awareness level among people especially children about technology with respect to mobile and social networking site such as Face book. They have also initiated women empowerment programs.

Support of District Administration Office

As there is blatant disregard of laws against child marriage, the District Administration Office has also agreed to extend its support to end child marriage. The office has agreed to provide security support to the individual and adolescent's led organization advocating against child marriage, said Chief District Officer, Deepak Acharya. He lauded the role of adolescents in bringing down the child marriage.

Senior Superintendent of Police, Surendra Bam, Baitadi said that he has already directed all the district police office to act immediately when they encounter any cases related with child marriage in the district. The Government alone cannot bring any substantial changes. To end child , the role of all stakeholders is vital, he further added.

Commitment of Local Government Institution

Soon after the just concluded local election, the elected representatives were invited to attend the program aimed at mitigating the child marriage, held at the district health office. The elected representatives in the event vowed to end the child marriage within two years in the district. To this end, few programs have already been implemented in several areas of the district.

In many areas, the participation of concerned stakeholders has increased in movement against child marriage. The elected representatives carried out door to door program aiming to end child marriage in Puchauda Municipality-1. The child clubs, women's group, health volunteers active in the district have also ex-

tended their support for the benevolent cause. They have been imparting the lessons on adverse impacts of child marriage among the local people.

Ganesh Bahadur, Ward Chairperson, Puchauda Municipality-1 said child marriage has posed a serious threat to the society. Such social evils should be ended, he stressed. Further, the first meeting of the ward committed has already decided to work for ending child marriage in the district. We are conducting door to door program to implement the decision, the chairperson added. The inter generational dialogue as part of the decisions are held in many places. The events bring senior citizens and adolescents together, and acquaint them about the adverse effects of child marriage.

As Baitadi is considered as a district with high cases of child marriage, the government and non government actors have launched several programs aimed at its mitigation. The recently elected representatives have also prioritized fight against child marriage as their major agenda. Some of the elected representatives have even committed to make their wards and areas as 'no child marriage' zone within one year. The children convention held nearly one and half years ago committed to make Baitadi a 'no child marriage district' by 2075.

Views and Opinions of Stakeholders
Sidharaj Joshi, CDO, Baitadi

An individual cannot make any changes with respect to child marriage. The role of collective voice is very essential. Further, it is important to raise awareness among people than their empowerment. The religious belief and faith will change with change of time and we should not view it as an obstacle. As a responsible citizen, the local people should report the cases of child marriage at district administration office, district police office and other concerned organization. Education is inalienable right of the children. Hence, they should not be deprived of education. Likewise, children should not be over burdened and conducive environment should be created for their recreational activities.

Heramb Sharma, DSP, District Police Office, Baitedi

Few cases related with child marriage are reported at the district police office. Though we are uniformed government servant, the sensitized citizens are non uniformed government servant. It is thus the role of every individual to raise the voice against the social evils. We will take immediate action as per the legal provision if we receive any cases related with child marriage. It has been found that the adolescents are attracted towards marriage. They are enticed when they see newly bride and groom. Unable to control their feelings, the adolescents consider elope marriage as way forward. Under such circumstances, we have to be formal and tackle the situation in diplomatic manner. At the same time, we are not adequately strong to deal with the cases of elope marriage due to our limited jurisdiction. Therefore, there is dire need to increase awareness level at the grassroots and disseminate the information about child marriage. Finally, we urge people to inform the police if they come across any child marriage in the community. We will bring the culprit into justice and punish them as per the law of the land.

Ganesh Shahi, District Officer, UNFPA

I have been actively involved in ending the child marriage in Baitadi district. The cases of child marriage are on the rise for some reasons. It seems people from all quarters have been directly or indirectly supporting child marriage l. The adolescent's led initiatives have played a significant role in mitigating the child marriage in the district. However, politi-

cal and social pressures are mounting on them to weaken their praiseworthy initiation. The members are intimidated, threatened by anti social elements that are hell bent against their movement. The effective implementation of law and order is central to this end. The parents are the avid violators of the law as they are often involve in child marriage by producing counterfeit birth certificate. Some parents even send their children outside the district to marry them off. If social activist, local elites, teachers, students, employees and other concern raise collective voice against child marriage, it can become a thing of the past.

Lokendra Panta, Project Coordinator, Multipurpose Development Society, Dadeldhura

There is dire need to sensitize parents in ending the child marriage that has remained as a major obstacle in the human development index of far western districts of the country. The conducive environment should be developed where children can involve in marry making, peer to peer knowledge exchange and talks about the pros and cons of the technology. For this, the role of parents is very important.

It is also important to visit the illiterate parents and advocate for ending the social evil in the society. The adverse effects of child marriage should be imparted to people section of the society s. Over the past decades, gender disparity, which is viewed as a major cause behind child marriage, should be ended by sensitizing the parents. Likewise, several income generation activities should be initiated at the community level to make people self reliant and improve their socio economic status.

Hari Prashad Joshi, Secretary, Faith healers Groups

The role of sensitized citizen is vital than literate one in the society. In the present context, we including traditional healers, pundits and astrologers have to disseminate the information related with religion in massive scale. The violence meted against a small girl by her in laws after the marriage is truly a crime against humanity. Such in laws will go not go heaven but hell after their death.

Brushing aside the past culture and custom, he said it is really a social, religious and legal crime if they torture a small girl after her marriage citing several reasons. As people such as traditional healers, pundits, astrologers and others are directly involved and support child marriage, there is a dire need to inform the district based astrologers, pundits and traditional healers about the adverse effects of child marriage. It is also important to impart them that child marriage is criminal offence and perpetrators will be booked as per the law of the land.

Relevant Sources/ References

- INSEC online
- Data and information, District health office fiscal year (2072/73, 2073/74)
- Data and information, District Education office, school enrolment, drop-out rate of adolescents
- Girl child is not bride movement (Data and information from Five VDCs surveyed)
- District Police office Data
- Several newspapers and other information medium
- Paper presented during several local orientation, workshop and seminars during 2073/74
- Constitution of Nepal (2015)
- District child marriage mitigation strategy 2074

Annex 1

Facts on Human Rights Violations and Abuses in 2017

Province 1

- Area: 25,905 sq.km.
- Poulation: 45,35,943
- Literacy Rate: 71.17
- District: 14
- Electoral Constituency (Parliamentary): 28
- Electoral Constituency (Provincial): 56
- Metropolitan City: 1
- Sub-Metropolitan City: 2
- Municipality: 46
- Rural Municipality: 88
- Total Ward No.: 1,157

Introduction of Province 1

Province number 1 consists of 14 districts. It has a total population of 45, 34,943 which is spread over 25,905 square kilometers. The province has 28 electoral constituencies for HoR and 56 for provincial. The maximum number of electoral constituency for HoR is 6 in Morang followed by 5 in Jhapa and 4 in Sunsari. Similarly, Ilam and Udayapur has 2 constituencies each whereas in other 9 districts, 1 constituency each is determined.

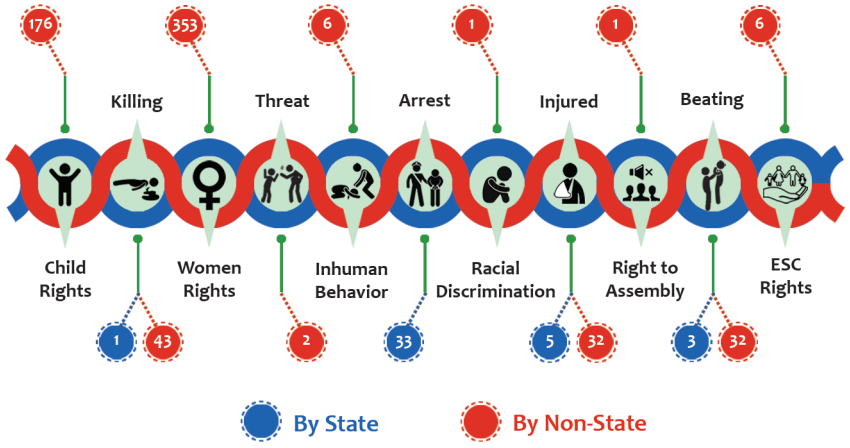
As a resource, this province includes snow fall capped peaks including Mt. Everest range, Makalu and Kanchanjunga with Koshi River and its tributaries having a good possibility of revenue collection. According to Nepal Human Development Report, this province has 17.12 percent of population contributing 17.46 percent in gross domestic production. The economic survey conducted in 2015/16 revealed that 31 percent of agriculture sector contributes in gross domestic production. The highest contributing district in agriculture sector is Chitwan (3.5%) which lies in province 3 followed by Morang (2.91%) and Jhapa (2.35%) in this province.

The government has determined Biratnagar, headquarter of Morang, as a temporary capital of this province. The majority of provincial assembly will decide its permanent capital.

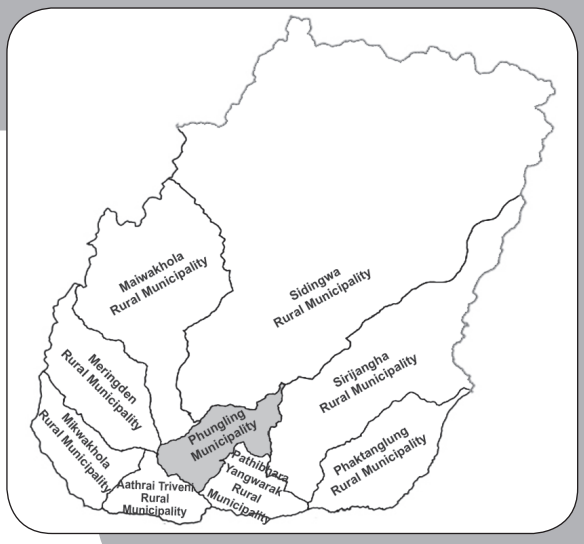
Human Rights Situation in 2017

In 2017, 42 people were victims by state actor whereas 652 were victims by non-state actor. This includes 6 women victims by state actor and 559 by non-state actor. In this province, 353 women were victims in incident of women rights violation and atrocities.

No. of Victims by Incident (In 2017)



1.1 Taplejung



Total Population
1,24,714

Women
66,286

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
34,066

No. of Migrant Workers
9,793

Population by Disability
3,730

Literacy above 5 yrs (%)
71.3

Dependent Population
55,254

Type of Events	By Non-State	
	Female	Total
Child Rights	5	5
Killing	1	1
Women Rights	8	8
Total	**14**	**14**

In 2016, 15 people were victims in an incident of human rights violation and atrocities, where as in 2017, 14 people were victims. All documented incidents were by non-state actor.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. However, there are 97 inmates, including 75 convicts and 22 detainees. The prison building was built in 1896 and it is in dilapidated condition. Inmates are facing difficulties on going to toilet, sleeping and drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. In 2017, there are 73 civil and 32 criminal cases pending till the end of this year. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

This district has 224 primary, 71 lower secondary and 61 higher secondary schools. Out of 1,138 posts for teachers, all are occupied. The annual budget

of District Education Office could not be received.

Type of Events	By Non-State	
	Female	Total
Rape	4	4
Sexual Abuse	1	1
Total	**5**	**5**

In 2016, 5 victims of child rights violation were documented and 2017, the number is same. This year 4 girls were victims of rape and 1 of sexual abuse.

Rape and Sexual Abuse

The victim's family of 10 years old girl lodged a complaint at District Police Office on February 28 against 20 years old Bikash B.K of Yangbarak Rural Municipality-6 on charge of rape. The accused was arrested by the police based on the complaint lodged by victim's family. By the court order on March 25, the accused was sentenced for 14 years and ordered to compensate victim for Rs 75,000 through Women and Children Office. The Women and Children Office confirmed that the victim was provided with compensation amount. The victim underwent health checkup at District Hospital of Taplejung on February 28.

A complaint against 22 years old uncle was lodged at District Police Office on April 2 by the victim's family of 6 years old girl on charge of rape. Based on a verbal complaint, the accused was arrested by the police on March 31. The victim underwent health checkup at District Hospital on March 31. The District Court of Taplejung ordered to sentence the accused for 13 years along with the compensation of Rs 50,000 to the victim.

ALL KINDS OF DISCRIMINATION AGANINST WOMEN

This year 21 women lodged complaint of domestic violence at Women and Children Service Center. This includes 10 incidents of beatings, 4 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate and other 6 incidents of minor dispute. Among these cases all were settled in an agreement. This year 4 incidents of polygamy, 1 killing and 4 incidents of rape were documented.

Type of Events	By Non-State	
	Female	Total
Polygamy	4	4
Rape	1	1
Rape Attempt	3	3
Total	**8**	**8**

Last year 7 women were victims of women violence. In 2017, 8 people were victims of women violence. In 2016, 5 women were victims of domestic violence and this year no such incidents were documented by INSEC. In rape cases, last year 1 woman was victim similar to this year. Similarly, this year 4 incidents of polygamy, 3 incidents of attempted rape were documented.

Rape

A complaint against 28 years old Aita Raj Limbu of Shejaya Rural Municipality-3 was lodged at DPO by the victim's party on March 29 on charge of rape on 64 years old elderly woman on March 27. Based on a verbal complaint, the accused was arrested by the police on March 28 and presented him in the court. By the court order on June 11, he was sentenced for 10 years along with the compensation of Rs 75,000 to the victim. The woman underwent a health checkup at District Hospital on March 28.

HEALTH SERVICE STATUS

In Taplejung district, there is 1 governmental and 1 private Hospital. In governmental hospital, there are 51 health posts, 2 primary health centers, 8 community health units, 3 urban health

centers. Out of 5 posts for doctors, 7 are working. There are no posts for gynecologists. For the posts of 6 staff nurses, 2 remained vacant. Out of 116 posts for AHW, 93 are working and for 114 posts for ANM, 93 are working. There are 59 posts for health assistant. The annual budget is 3,65,85,000 of which 1,35,74,200 are administrative cost and 10,35,000 are medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**		**Legal Proceeding**	**Total**
Rape	3		1	4
Sexual Abuse			1	1
Total	**3**		**2**	**5**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Polygamy		2	2	4
Rape	1			1
Rape Attempt	1		2	3
Total	**2**	**2**	**4**	**8**
Number of Incidents				
Type of Event		**Legal Proceeding**	**Total**	
Killing		1	1	

1.2 Sankhuwasabha

Total Population
1,58,742

Women
84,400

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
33,146

No. of Migrant Workers
14,863

Population by Disability
4,054

Literacy above 5 yrs (%)
82

Dependent Population
70,630

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	1	1			
Beatings				5	5
Child Rights			2		2
Injured			2	3	5
Killing				5	5
Women Rights			11		11
Total	**1**	**1**	**15**	**13**	**28**

In 2016, there were total of 34 victims of human rights violation and atrocities whereas in 2017, 29 people were victims including 1 victim by state actor.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

Killing

By Others

Ward ember Chinang Bhote, 38 of Bhotekhola Rural Municipality-2 was attacked with stone by his neighbor Chimik Bhote, 54 on June 18. The victim died in the attack. On June 19, the victim's family lodged a complaint at District Police Office of Khandbari against the accused. On a same day, the accused was arrested by the police from his house and by the court order on July 12, he was remanded in custody. The postmortem of the body was done at District Hospital of Khandbari on June 23. The postmortem was delayed due to the geographical proximity.

JAIL AND DETAINEES

The "D" graded district prison of Sankhuwasabha has a capacity to accommodate 25 inmates. However, there are 105 inmates, including 71 convicts and

34 detainees. There are 7 female inmates with no dependent child. The prison building was built in June 22 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. This year 84 civil and 11 criminal cases were decided. There is 1 civil and 1 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 254 primary, 63 secondary and 20 high schools. Out of 1640 posts for teachers, 44 remained vacant.All schools have a facilities of toilets. In this district there are no disabled friendly schools. The annual budget of the District Education Office is 19,42,70,000 of which 67,55,000 is an administrative costs.

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Total	**2**	**2**

In 2016, there were 3 children victims of child rights violation whereas in 2017, 2 children were victims. This year 2 girls were victims of rape whereas last year 1 girl was victim of rape.

Rape

The victim's party of 16 years old girl lodged a complaint at District Police Office on October 10 against 29 years old Nawa Raj of Sabhapokhari Rural Municipality-1 on charge of rape. Based on a complaint lodged by the victim's family, the accused was arrested by the police on October 11 and was presented to the court. The victim underwent a health checkup at District Hospital on October 11. By the court order on October 23, the accused was remanded in custody and the case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGANINST WOMEN

This year 21 women lodged complaint of domestic violence at Women and Children Service Center. This includes 7 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate and other 13 incidents of minor dispute. Among these cases all were settled in an agreement.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	7	7
Rape	1	1
Sexual Abuse	3	3
Total	**11**	**11**

The incident on women rights violation have decreased this year as compared to the last year. In 2016, INSEC documented 27 incidents of domestic violence whereas this year there are only 7 incidents documented. Similarly, last year 1 woman was victim of rape and this year the number is same. This year 3 woman were victims of sexual abuse.

Rape

The victim's family of 37 years old woman lodged a complaint at District Police Office on February 21 against 64 years old Kabir B.K of Chichila-5 on charge of rape. The accused was arrested by the police on February 22 and presented to the court. On January 8, the court ordered to sentence the accused for 5 years. The victim underwent a health checkup at District Hospital on February 22.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

An unidentified group of people set fire on a jeep with registration number Ko1Ja2123 at Chainpur Municipality-7 which was being used by left alliance for election assembly. The jeep belonging to

Ashish Shakya which was parked near the bus park was set on fire. The reason behind the incident is not known yet. The jeep was completely damaged in an incident and no one took responsibility till the end of this year.

HEALTH SERVICE STATUS

In this district there is 1 district hospital, 24 health posts, 4 Primary Health Centers and 6 Urban Health Centers. There are 8 positions for doctors and 5 positions are occupied. One post of gynecologist is vacant. Similarly, there are posts for 86 AHW and only 55 are occupied. Out of the posts of 86 ANM, 35 are working. Out of 6 posts of lab assistant, 2 are working. There are posts for 46 health assistant and 35 posts are occupied.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	2	2
Total	**2**	**2**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		7		7
Rape	1			1
Sexual Abuse		2	1	3
Total	**1**	**9**	**1**	**11**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	5	5

1.3 Solukhumbu

Total Population
1,05,187

Women
54,755

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
26,964

No. of Migrant Workers
5,617

Population by Disability
2,609

Literacy above 5 yrs (%)
67.54

Dependent Population
45,318

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	1		1
Injured		1	1
Killing		2	2
Women Rights	51		51
Total	**52**	**3**	**55**

In 2016, 59 women were victims of human rights violation by the non-state actor whereas in 2017, 52 women and 3 men were victims. This includes 2 killings by non-state actor.

JAIL AND DETAINEES

The "E" graded district prison of Solukhumbu has a capacity to accommodate 25 inmates. However, there are 69 inmates, including 45 male and 5 female convicts. Similarly, there are 19 detainees. The prison building was built in 2004. The prison chief Subash Tamang said that all inmates and detainees are provided health services and various skilled training. There are facilities of radio and T.V. The administration is ready to solve any issues of the inmates and detainees according to the chief Tamang.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. This year 47 civil cases out of 68 were decided. Out of 162 criminal cases, 94 were decided. There are two civil cases older than 2 years.

CHILD RIGHTS

Education Status

This year, 13,995 boys and 15,260 girls were enrolled in the schools from Primary to Secondary levels which includes 1622 dalit girls and 1228 dalit boys. Similarly, 11,284 boys and 10,814 girls from Janajati community were enrolled in the school. In government and community schools, 462 female and 448 male teachers are working. Similarly, in secondary level 18 female and 168 male are working. In Child Development centers, 1642 boys and 1745 girls are enrolled. This includes 248 dalit boys and 182 dalit girls.

Type of Events	By Non-State	
	Female	Total
Sexual Abuse	1	1
Total	**1**	**1**

In 2017, one girl was victim of sexual abuse and 2 were the victims of rape.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 48 women lodged complaint at Women and Children Service Centre against domestic violence. This includes 3 incidents of beatings and expulsion from the house, 4 incidents of deprivation of food and other 4 incidents of minor dispute. Among these dispute, police settled 45 incidents in an agreement while 3 incidents were forwarded for legal proceedings.

As compared to the last year data, there has been decrease in the incidents of women rights violation this year. In 2016, there were 55 incidents of domestic violence whereas this year 45 of them documented.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	45	45
Rape	4	4
Rape Attempt	2	2
Total	**51**	**51**

Similarly, this year 4 girls were victims of rape and attempted rape were documented whereas there were no such incidents last year.

Rape, Attempted Rape and Sexual Abuse

35 years old victim of Salleri-6 lodged a complaint at District Police Office of Solukhumbu on March 21 against 37 years old Dawa Sherpa accusing him of rape on March 20. The victim underwent a health checkup at District Hospital on March 21. The accused absconded after the incident and his search is undergoing according to SI Udaya Prasad Kattel of DPO.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital and 32 health posts. There are 3 posts for doctors and 1 post is occupied. One post of gynecologist is occupied. Similarly, there are 4 staff nurses, 1 lab assistant, 2 AHW, 2 ANM, 1 immunization supervisor, 1 tuberculosis supervisor and 2 health assistant. The annual budget of District Public Health Office is 7, 22, 00,000.

Number of Incident with Status of Legal Proceeding in 2017					
CHILD RIGHTS					
Type of Events	**Legal Proceeding**		**Total**		
Sexual Abuse	1		1		
Total	**1**		**1**		
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1	44			45
Rape			2	2	4
Rape Attempt				2	2
Total	**1**	**44**	**2**	**4**	**51**

Number of Incidents			
Type of Event	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	1	2

1.4 Okhaldhunga

Total Population
1,44,680

Women
78,494

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
30,017

No. of Migrant Workers
10,552

Population by Disability
3,490

Literacy above 5 yrs (%)
64.42

Dependent Population
65,758

Type of Events	By Non-State		
	Female	Male	Total
Beatings	3	6	9
Child Rights	3		3
Economic, Social and Cultural Rights		1	1
Inhuman Behaviour	1		1
Injured		5	5
Killing		2	2
Women Rights	26		26
Total	**33**	**14**	**47**

INSEC documented more than double incidents of human rights violation this year as compared to the last. In 2016, 26 people were victims of human rights violation and atrocities whereas in 2017, the number has increased to 47.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Nepali Congress cadres Durga Bahadur Shrestha,20 of Champa Devi Rural Municipality-9 and Uttam Karki, 32 of the same place were injured in a clash between the cadres of Maoist Center on November 23 at Champa Devi Rural Municipality-9, Dumse. They sustained head and face injuries. Both victims were airlifted to Kathmandu Teaching Hospital for treatment on November 24. Complaint against Mahesh Sunar, 25, Khilak Sunar,22, Shanti Karki, 20 and Beni Bahadur Shresth,38 were lodged at District Police Office on November 27. The District Police Office is investigating the case offence under public crime act.

JAIL AND DETAINEES

The "D" graded district prison of Okhaldhunga has a capacity to accommo-

date 25 inmates. However, there are 58 inmates, including 47 convicts and 11 detainees. There are 9 female inmates with 3 dependent child. There are 2 inmates above 65 years old. The jail is overcrowded by twice of its limit and the prison building is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

There is 1 High and 1 District Court. The position of judge is occupied. There are 66 civil and 61 criminal cases pending. There are no cases older than 2 years. Similarly, in High Court, there are 3 posts for judges and 4 are working. There are 162 civil and criminal cases pending this year. Three cases are older than 2 years.

CHILD RIGHTS

Education Status

There are 208 Primary Schools, 50 Lower Secondary, 41 Secondary and 30 High Schools. Out of 1575 posts for teachers 10 remained vacant. In this financial year, 15693 bys and 16,657 girls were enrolled in schools. There are 2 diabled friendly schools. The District Education Office has provided scholarships to dalit boys and girls. Eight children from conflict victim's family received scholarship.

Type of Events	By Non-State	
	Female	Total
Sexual Abuse	3	3
Total	**3**	**3**

In 2016, 4 girls were victims of child rights violation and in 2017 the number is 3. This year 3 girls were the victims of sexual abuse.

Rape and Attempted Rape

Krishna Bahdur Khatri, 21 of Prapcha VDC-5 attempted to rape 15 years old girl by obstructing her road on July 19. The perpetrator fled the scene after the victim screamed and asked for help. The victim lodged a complaint at District Police Office for justice on July 19. She underwent a health checkup at District Hospital of Okhaldhunga on a same day. The accused is at large till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 12 women lodged complaint of domestic violence at Women and Children Service Center. This includes 2 incidents of beatings and expulsion from house, 6 incidents of deprivation of food, 2 incidents of polygamy and other 2 incidents of minor dispute. Among these cases, 6 of them were settled in an agreement and 1 was forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	20	20
Rape	5	5
Rape Attempt	1	1
Total	**26**	**26**

In 2016, 21 women were victims of women violence and this year 26 were victims. 2 women were victims of rape and this year 5 were victims. In 2017, 1 woman was victim of attempted rape and 20 of domestic violence. Last year, 14 women were victims of domestic violence.

Rape and Sexual Abuse

The victim's family of 18 years old girl lodged a complaint at District Police Office of Okhaldhunga on August 20 against Nawa Raj Khadka, 24 of Siddhicharan Municiaplity-9 on charge of rape on August 1. The victim underwent a health checkup at Rumjatar Hospital. Police initiated the investigation regarding the case. The accused is absconding after the incident.

HEALTH SERVICE STATUS

In Okhaldhunga district there is 1 district hospital, 54 health posts and 1 primary health centers. There are 3 positions for doctors and 2 positions are occupied. Similarly, there are posts for 113 AHW and only 94 are occupied. The annual budget is Rs 2,09,38,000 and Rs 45,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Incomplete	Legal Proceeding	Total
Sexual Abuse	1	2	3
Total	**1**	**2**	**3**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	11	1		3	5	20
Rape		2		3		5
Rape Attempt			1			1
Total	**11**	**3**	**1**	**6**	**5**	**26**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	2	2

1.5 Khotang

Total Population
1,97,125

Women
1,05,692

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
51,315

No. of Migrant Workers
17,662

Population by Disability
1,158

Literacy above 5 yrs (%)
87.2

Dependent Population
352006

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	1	1			
Beatings				5	5
Child Rights			14		14
Economic, Social and Cultural Rights				4	4
Injured			1	1	2
Killing			7	1	8
Women Rights			27		27
Total	**1**	**1**	**49**	**11**	**60**

As per the documented incidents, majority of people were victims by non-state actors than state-actors. In 2016, 69 people were victims whereas 61 people were victims of human rights violation in 2017. This year 1 person was victim by state-actor and 53 were by non-state actors.

FIRING/INJURED IN AN EXPLOSION

An unidentified group of people have detonated bomb in the house of ward chairman candidate Leela Chauhan, 32 of Majhuwagadhi Municipality-8, Rupakot on June 20. In an explosion, daughter -in-law Shakuntala Chauhan, 24 sustained injuries on her both legs. She received treatment at local medical center. The bomb was exploded when family members were having dinner in the kitchen. The victim family members said that an unidentified people threw bomb and fled the scene. The bomb was identified a Sutali bomb. There was a minor damage in the house according to the family source. The victim's family had lodged a complaint at police demanding to identify the guilt. By the end of this year no one were arrested on charge of the explosion.

JAIL AND DETAINEES

The "E" graded district prison of Khotang district has a capacity to accommodate 99 inmates. There are 77 inmates and 22 detainees in the prison. The prison building is in dilapidated condition and there is a risk that the building might collapse at any time. The inmates and detainees said that the condition of the prison is okay and there are no problem till date.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. 38 civil cases and 6 newly registered cases were decided. According to the court, 38 criminal cases and out of 30 newly registered cases, 25 were decided. There are no cases older than two years.

CHILD RIGHTS

Education Status

In this district there are 316 Secondary schools where 13,366 girls and 13075 boys were enrolled. Similarly in 84 elementary Schools, 7,423 girls and 6,572 boys were enrolled. In 90 secondary scholls, 4060 girls and 3771 boys were enrolled. In standard 11 and 12, 739 girls and 504 boys were enrolled. This year 23,793 boys and 25,636 girls were enrolled in the schools. Out of 2157 teachers, all are working. Last year 1,39,96,960 students were provided with the scholarships whereas the scholarship amount for this year is yet to be distributed. The annual budget of the District Education Office is 19, 36, 00,000.

On May 29, an unidentified group of people have set fire in In Jyoti Secondary School at Rupakot Majhuwagadhi Municipality-12. Nine classrooms along with papers and library were destroyed. Police said that the fire damaged more than 2, 50, 00,000 worth property. The District Education Office said that an unidentified group have sprinkled petrol and set fire in the school. The accused could not be identified till the end of this year.

Type of Events	By Non-State	
	Female	Total
Corporal Punishment	1	1
Killing of Newborn Baby	1	1
Rape	9	9
Sexual Abuse	3	3
Total	**14**	**14**

In child violence, 10 children were victimized in 2016, whereas in 2017, 14 children were victims. This year 1 student was victim of corporal punishment. Nine girls were victim of rape and 3 of sexual violence.

Rape

The victim's family of 9 years old girl lodged complaint at District Police Office on August 8 against 15 years old boy on charge of rape. Based on the complaint lodged by the victim's family, police arrested the accused on August 13 and registered complaint on a same day. The accused boy was sent to the children rehabilitation center in Bhaktapur on September 4. The victim underwent a health checkup at District Hospital of Diktel on September 12. The case is still pending till the end of this year.

12 years old girl was raped by 56 years old Eebe B.K of Halesi Tuwachung Muncipality-7 on August 12 and complaint against him was lodged by the victim's family on a same day at Area Police Office of Halesi. The accused was arrested by the police on a same day based on a complaint lodged by the victim. The accused was presented to the court on September 4 and was remanded in custody by the court order. The victim underwent a health checkup at District Hospital of Diktel on August 15. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGANINST WOMEN

This year 22 women have lodged complaint of domestic violence at Women and Children Service Center. Out of the lodged complaint, three were of beatings, 6 of deprivation of food and clothes, 5 of not making or registering marriage certificate, 2 of polygamy, 3 of domestic dispute and 3 of abuse. Out of the registered cases, 3 were in legal proceedings whereas other all cases are settled according to the police.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	13	13
Polygamy	8	8
Rape	2	2
Rape Attempt	2	2
Sexual Abuse	2	2
Total	**27**	**27**

As compared to the last year, there has been decrease in the incidents of domestic violence in 2017. In 2016, INSEC had documented 48 victims of women violence whereas this year only 27 victims were documented. Last year 6 victims of rape were documented however this year there are 2 victims of rape, 2 of attempted rape, 2 of sexual abuse and 13 of domestic violence.

Killing by Family Members

Maiya Rai, 45 of Diprung Rural Municipality-4 was attacked by her husband Kailash Rai, 57 on March 24. She was seriously injured in an attack and was rushed to the hospital where she died while undergoing treatment on March 25. The victim's party had lodged a complaint agaist the accused at District Police Office of Diktel on a same day. Police presented the accused in the court on April 13 and by the court order, the accused was remanded in Diktel custody. The case has not been decided till the end of this year.

Dil Kumari Rai, 52 of Kplashgadhi Rural Municipality-1 was attacked by her 55 years old husband on June 18 in an inebriated state. The victim died on the spot and her 33 years old son lodged a complaint at District Police Office on the next day. Based on the complaint lodged by the victim, the accused was arrested by the police and presented to the court. The court ordered to remand him in custody. The postmortem of the body was conducted at District Hospital of Khotang. The case is still pending till the end of this year.

The victim's party of 42 years old woman lodged a complaint at DPO on November 19 against 46 years old husband on charge of murdering her. The accused was arrested on the same day by police and presented to the court. The District court remanded him in custody and the decision is yet pending.

Rape

50 years old woman was raped by Tika Ram Damai,51 of Sakela Rural Municipality -2 on February 21. The complaint against the accused was lodged by the victim's family on February 24 and based on the complaint he was arrested by the police on February 27 and presented in the court. The court ordered to remand him in custody. On August 24, the court ordered to sentence him for 10 years along with 1,00,000 penalty. The victim underwent a health checkup at District Hospital of Khotang on February 24.

HEALTH SERVICE STATUS

In Khotang district, there is 1 district hospital , 71 health posts, 2 sub-Health Posts and 2 Primary Health Centers, 1 Ayurvedic Health Center and 2 Ayurvedic Pharmacies. There are 4 positions for doctors and all positions are occupied. There are posts for 76 AHW and

only 58 are occupied. Out of 6 posts for staff nurses, 5 are working. Out of 3 lab assistant posts, 2 are working. Similarly out of 154 AHW, only 121 are working. There are posts for 153 ANM, 143 are working. The budget of District Public Health is 3, 66,32,400.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Corporal Punishment	1				1
Killing of Newborn Baby			1		1
Rape		1	7	1	9
Sexual Abuse	1	1	1		3
Total	**2**	**2**	**9**	**1**	**14**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence		8		4	1	13
Polygamy			3	5		8
Rape	1			1		2
Rape Attempt				2		2
Sexual Abuse				2		2
Total	**1**	**8**	**3**	**14**	**1**	**27**

Number of Incidents

Type of Event	Closed Case	Investigation	Legal Proceeding	Total
Killing	1	2	5	8

1.6 Bhojpur

Total Population
1,74,850

Women
93,078

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
44,268

No. of Migrant Workers
12,198

Population by Disability
4,618

Literacy above 5 yrs (%)
69.9

Dependent Population
77,169

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	1	2			
Beatings				1	8	9
Child Rights				8		8
Economic, Social and Cultural Rights					1	1
Inhuman Behaviour					1	1
Injured					4	4
Killing				2	3	5
Racial Discrimination				1		1
Threats				1		1
Women Rights				22		22
Total	**1**	**1**	**2**	**35**	**17**	**52**

This year more violation on human rights by non-state actor was documented. In 2016, 41 were victims of human rights violation whereas in 2017, 54 were victims. This year 2 people were victims by state actor and 52 by non-state actor.

INJURED/FIRING
Non-State Actor

Secretary of Youth Federation Bikram Rai, 33 of Temkemaiyung Rural Municipality-7was seriously injured in an explosion after an unidentified group detonated bomb in Shadananda-13, Bhirthapla on November 17. He sustained a serious head injury in an explosion. He was returning home from Dingla after finishing the day of election assembly. He received treatment at BPKHIS. The incident is still under investigation according to police.

THREAT/BEATING
By Non-Sate Actor

An unidentified group of people attacked the vehicle of Sher Dhan Rai, a politburo member of CPN UML and provincial candidate, on November 12 with bullet and bomb while he was on the way to address election assembly in Temke Maiyung Rural Municipality-8, Gogane.

His vehicle with registration number Ba15Ja5608 sustained minor damaged in the incident. His personal security officer ASI Dilli Devkota was injured in an incident. After the bomb attack, 21 rounds of bullets were fired targeting the vehicle of the candidate.

JAIL AND DETAINEES

The "B" graded district prison of Bhojpur has a capacity to accommodate 25 inmates. However, there are 96 inmates, including 79 convicts and 17 detainees. There are 6 female inmates with no dependent child. The jail is overcrowded creating difficulties on their management. Male inmates are compelled to sleep under the tent. The district prison building is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position for 1 judge is occupied. There are 46 civil and 22 criminal cases pending. There are no cases pending which are older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 264 elementary community schools, 56 elementary, 39 secondary and 27 higher secondary schools. There are posts for 1243 teachers in Primary, 293 in Lower Secondary, 227 in Secondary and 54 in Higher Secondary Schools. This year 21,481 boys and 21,611 girls were enrolled in various schools. The district has 57 disabled friendly schools. According to the District Education Office, 16,174 girls, 465 dalit and 288 disabled students were provided scholarships this year.

In 2016, INSEC documented 7 child victims in child rights violation whereas this year the number is 8. This includes 7 victims of rape. One infant was killed this year.

Type of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	7	7
Total	**8**	**8**

Rape, Sexual Abuse

Purna Bahadur Karki, 45 of Bhojpur Municipality-7 and Dev Bahadur Gajmer, 25 of Bhojpur Municipality-8 were accused of raping 10 years old girl on February 13. The incident was revealed by the girl to her parents. Afterwards, the victim's family lodged a complaint at District Police Office on February 14. She underwent a health checkup at District Hospital on a same day. By the court order on June 2, both the accused were sentenced for 4 years.

ALL KINDS OF DISCRIMINATION AGANINST WOMEN

This year 160 women lodged complaint at Women and Children Service Centre. This includes 50 incidents of deprivation of food, 18 incidents of non-cooperation in acquiring marriage and citizenship certificates, 23 incidents of polygamy and other 64 incidents of minor dispute. Among these dispute, police settled 95 incidents in an agreement while 43 incidents were forwarded for legal proceedings and 22 victims did not come into contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	12	12
Polygamy	4	4
Rape	2	2
Sexual Abuse	4	4
Total	**22**	**22**

In 2016, 27 women were victims of violence whereas in 2017, 22 women violence were documented. In 2016, 11 victims of domestic violence were documented whereas in 2017, 12 victims were documented. Similarly, last year 12 women were victims of rape and attempted rape whereas this year 6 became victims

of rape and sexual abuse. This year 4 women became victims of polygamy.

Killing By Family Members

Muna Moktan, 32 of Bhojpur Municipalty-1 was killed by 38 years old husband Harka Moktan with a sharp weapon in an inebriated state over a minor domestic dispute on April 3. On April 4, the victim's family lodged complaint at District Police Office. Police arrested the absconding accused from Dhankuta. The postmortem of the body was conducted at District Hospital on April 4. By the court order on June 17, the convict was sentenced for 10 years.

Rape, Attempted Rape and Sexual Abuse

Victim's family of 62 years old elderly woman lodged complaint at District Police Office on April 11 against 52 years old Badri Nath Shrestha on charge of rape. The victim underwent a health checkup at District Hospital on a same day. Police arrested the accused from his home on April 11 and by the court order on April 16, he was sentenced for 5 years along with compensation of Rs 35,000 to the victim.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Locals of Bhojpur district are deprived of getting services from local level due to the lack of staffs as per their posts assigned. There are 2 municipalities and 7 Rural municipalities in this district. Locals are facing more difficulties on receiving services after new structure. There is a delay in distribution of social security allowance due to the inefficiency of ward secretary. Single woman, elderly people, person with disability and Dalit could not get allowance on time. The social security allowance should be distributed 15 days prior to the Dashai festival, however the targeted group were deprived of this benefit due to the negligence from District Development Committee and Ward secretary. There are 25,000 targeted group in the district and the budget of Rs 8,49,60,800 is allocated for Social Security Allowance.

HEALTH SERVICE STATUS

In Bhojpur district, there is 1 District Hospital, 60 Health Posts and 3 Primary Health Centers. There are 5 positions for doctors and only 1 position is occupied. In this district there are posts for 129 AHW and only 64 are occupied. The annual budget of District Public Health Office is Rs 12, 00,87,432 and Rs 15,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Killing of Newborn Baby	1		1
Rape	3	4	7
Total	**4**	**4**	**8**

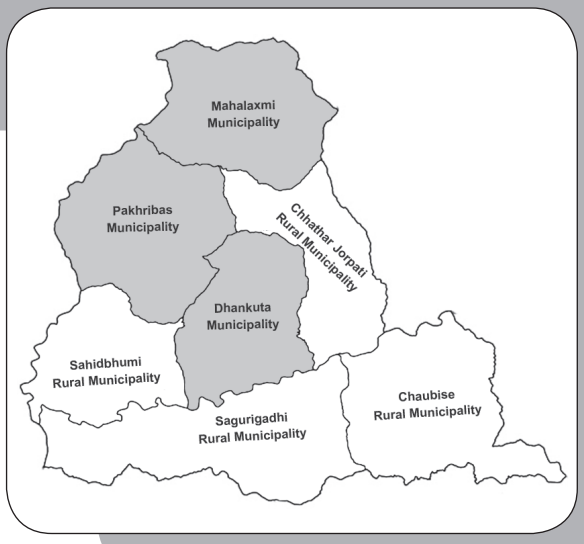
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		11	1	12
Polygamy	2		2	4
Rape	1		1	2
Sexual Abuse		3	1	4
Total	**3**	**14**	**5**	**22**

Number of Incidents

Type of Event	Closed Case	Investigation	Legal Proceeding	Total
Killing	3	1	1	5

1.7 Dhankuta



Total Population
1,62,300

Women
87,817

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
25,677

No. of Migrant Workers
14,415

Population by Disability
4,881

Literacy above 5 yrs (%)
95

Dependent Population
65,909

In 2016, 2 women and 2 men were victims by the state actor whereas this year no violation by the state actor was documented. Last year 44 women and 2 men were victims by non- state actor whereas this year 35 women and 2 men were victims by non-state actor including killing of 2 men.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 40 inmates. However, there are 55 inmates, including 5 detainees and 49 convicts with 1 dependent child. The prison is overcrowded and inmate are facing difficulties of space according to guard Dev Raj Adhikari. The prison building is in dilapidated condition. There are posts for 9 staffs however only 7 are working according to the prison administration.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and 1 high court. The position of 1 judge is occupied. There are 90 civil and 75 criminal cases pending. There are no cases older than 2 years. Similarly, there are 4 posts for judges in High court where

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	1		1
Killing		2	2
Women Rights	34		34
Total	**35**	**2**	**37**

all posts are occupied. There are 14 civil and 44 criminal cases pending and no cases are older than 2 years.

CHILD RIGHTS

Education Status

The district has 187 Primary Schools, 37 Lower Secondary Schools, 34 Secondary Schools and 39 Higher Secondary Schools. Out of 1,229 posts for teachers all are occupied. This year 15,279 boys and 16,966 girls were enrolled in schools. There are no disabled friendly schools in this district. All schools are child friendly. This year no scholarships were distributed. The annual budget of the District Education Office is 90,41,36,477 and administrative cost is 1,16,26,000.

Type of Events	By Non-State	
	Female	Total
Rape	1	1
Total	**1**	**1**

In 2017, 1 girl became victim of rape similar to the last year.

Rape and Sexual Abuse

12 years old girl was raped by 24 years old Umesh Ramtel on July 23. The victim's mother lodged an FIR against the accused at District Police Office on July 24. Based on FIR, the accused was arrested by police on a same day from his home and case was registered at District Court. The District Court ordered to sentence the accused for 8 years on November 14. The victim underwent health checkup at District Hospital on July 24.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 56 women lodged complaint of domestic violence at Women and Children Service Center. This includes 22 incidents of beatings and expulsion from house, 2 incidents of deprivation of food and 32 incidents of minor dispute. Among these cases, police settled 30 cases whereas 2 cases were forwarded for legal remedies.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	31	31
Polygamy	2	2
Rape	1	1
Total	**34**	**34**

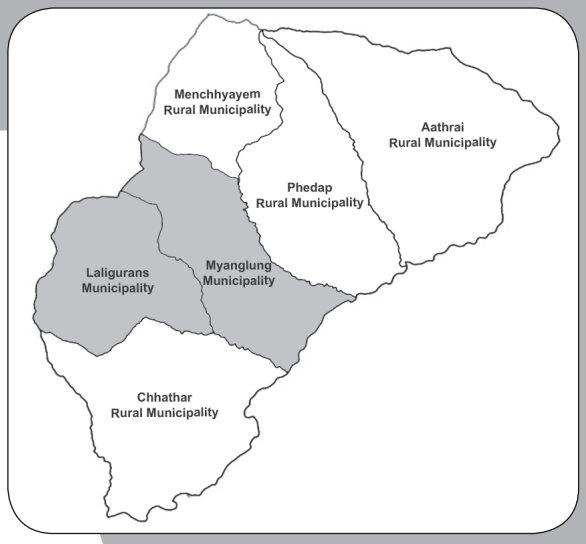
In 2016, 40 victims of domestic violence were documented whereas this year there are 31 victims. Last year 1 woman was victim of rape same as in this year. Similarly, in 2016, 1 woman was victim of polygamy and this year 2 woman became victim of polygamy.

HEALTH SERVICE STATUS

In Dhankuta district there is 1 District Hospital, 2 Primary Health Centers and 35 Health Posts. There are 5 posts for doctors and all are occupied. The district has no post for gynecologist. Out of 6 posts for staff nurses, 6 are working. Similarly, out of 7 posts of Lab assistant all posts are occupied. 11 posts of ANM are vacant out of 78 posts. The annual budget of the District Public Health Office is 14, 94, 20,728 and 61, 11,000 are administrative costs.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events			**Closed Case**		**Total**	
Rape			1		1	
Total			**1**		**1**	
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Incomplete**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	5	23	1	1	1	31
Polygamy				2		2
Rape				1		1
Total	**5**	**23**	**1**	**4**	**1**	**34**
Number of Incidents						
Type of Event	**Closed Case**		**Legal Proceeding**		**Total**	
Killing	1		1		2	

1.8 Tehrathum



Total Population
97,350

Women
52,993

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
14,677

No. of Migrant Workers
7,991

Population by Disability
2,626

Literacy above 5 yrs (%)
68.3

Dependent Population
41,079

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	1	1	2		2	2
Child Rights				7		7
Threats					1	1
Women Rights				4		4
Total	**1**	**1**	**2**	**11**	**3**	**14**

In 2016, 17 people were victims in incident of human rights violation & atrocities whereas in 2017, 16 people were victims which includes 2 incidents by state actor.

THREAT/BEATING

By State

Santa Bahadur Karki, 55 of Aathrai Rural Municipality-2 and Deepa Tamang,18 of the same place were injured in a beating by the police from Area Police Office Skranti on March 29. They were injured after the police charged baton on them while they were in a protest demanding the fair investigation on the death of Sarita Tamang, 26 of Aathrai Rural Municipality-3. The injured received treatment at local Health Post. The issue was settled after inspector Damber Puri agreed for fair investigation of the incident on March 31 in all party meeting held at Area Police Office.

JAIL AND DETAINEES

The "E" graded district prison of Tehrathum has a capacity to accommodate 35 inmates. However, there are 18 inmates and 70 detainees including seven

women. There are two dependent child. The jail is overcrowded three times creating difficulties on management. The jail building was built in 1972 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 35 civil and 17 criminal cases pending. There are 2 civil and 1 criminal cases older than 1 year.

CHILD RIGHTS

Education Status

In this district there are 182 elementary community schools, 16 elementary, seven private Secondary, 46 Secondary and two campuses. Out of 1337posts for teachers 42 remained vacant. This year 13,411 boys and 25,544 girls were enrolled in schools. In this district there are no disabled friendly schools. This year 1090 dalit boy and 1700 dalit girls were provided with scholarships. Similarly, 4 children from the conflict victim's family were provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	7	7
Total	**7**	**7**

In 2016, 3 girls were victim of violence whereas this year the number has increased to 7. Last year 3 girls were victims of rape and this year the number is 7.

Rape

The victim's family of 14 years old intellectually disabled girl had lodged a complaint at District Police Office of Terhathum on August 11 against 15 years old boy of Phedap Rural Municipality-4 on charge of rape. The victim underwent a health checkup at District Hospital on August 12. On August 12, the accused was arrested by the police and by the court order on September 1, he was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 34 women lodged complaint at Women and Children Service Centre. Among them 1 incident of polygamy is under legal process whereas other incidents were settled by the police.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	2	2
Polygamy	2	2
Total	**4**	**4**

In 2017, 4 women were victims of women rights violation. Last year the number of victims were 11 which included 3 victims of rape and 5 of domestic violence. This year 2 victims of domestic violence and 2 of polygamy was documented.

HEALTH SERVICE STATUS

In Tehrathum district, there is 1 district hospital, 2 Community Health Centers, 1 Urban Health Center, 29 Health Posts, 2 Primary Health Centers and 11 Birthing Centers. There are 4 positions for medical officers and 9 officers are working in a contract basis. Out of 32 posts for Health Assistant, 26 are working, out of 66 posts for AHW, 42 are working and out of 66 posts for ANM 56 are working.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**	**Total**	
Rape	7	7	
Total	**7**	**7**	
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	2		2
Polygamy	1	1	2
Total	**3**	**1**	**4**

1.9 Panchthar

Total Population
1,87,952

Women
1,01,083

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
21,724

No. of Migrant Workers
17,842

Population by Disability
5,049

Literacy above 5 yrs (%)
72

Dependent Population
79,317

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	4	4			
Child Rights			9	2	11
Injured			1	1	2
Killing			1		1
Women Rights			10		10
Total	**4**	**4**	**21**	**3**	**24**

In 2016, there were 31 victims of human rights violation and atrocities whereas in 2017, 28 people were victims of which 4 victims are by state actor.

FIRING/INJURED IN AN EXPLOSION
By Non-State Actor

Sujan Rai, 17 and Laxmi Rai, 15 were injured in an explosion in the jungle of Hilihang Rural Municipality-5 on April 16. They were injured after they set fire near the den in the jungle while grazing cattles. Both victims sustained stomach and leg injuries and received preliminary treatment at District Hospital of Panchrthar. In the incident site, parts of the explosives were recovered by the police according to DSP Nakul Pokhrel of DPO.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. However, there are 119 inmates, including 93 convicts and 26 detainees. There are 2 dependent child. The prison building is in dilapidated condition. Out of nine rooms in the prison, 4 are used by male inmates and remaining 5 by female. The jail is overcrowded and there is lack of

space. The prison administration has provided indoor-and outdoor sports facilities to inmates and detainees.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

By State Actor

Police arrested Nepal Communist cadres Gopal Prasad Acharya,44 of Phalgunanda Rural Municipality-2, Avisek alias Sher Bahadur Limbu,26 of Phakphukthom Rural Municipality-7 and Sagar Limbu, 32 of Sdingwa Rural Municipality-4 of Taplejung on May 15 on charge of their involvement in an anti-election activities. The District Police Office registered public offence case against them. By the order from District Administration Office on June 10, they were released on bail amount of Rs 2,000 each. They were re-arrested next day on same case and were released on bail amount of Rs 100 each on July 2.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 183 civil and 177 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 52 elementary community schools and 89 Secondary Schools. Out of 1861 posts for teachers all are working. This year 24,785 boys and 25,494 girls were enrolled in schools. In this financial year, 2596 boys and 2,558 girls were enrolled in private and community schools. The District Education Office has provided scholarships to 1,401 dalit boys and 1648 dalit girls. Similarly, 67 children from conflict victim's family were provided with scholarship.

This year 9 girls and 2 boys were victim of child rights violation of which 8 victims of rape and 2 victims including 1 boy was victim of sexual abuse. In 2016, number of victims in child rights violence was 10.

Type of Events	By Non-State		
	Female	Male	Total
Killing of Newborn Baby		1	1
Rape	8		8
Sexual Abuse	1	1	2
Total	**9**	**2**	**11**

Rape

Police arrested 12 years old boy on February 7 on charge of raping 5 years old girl on January 31. He was arrested based on the complaint lodged by the victim's family at District Police Office. The victim underwent a health checkup at District Hospital on February 7. The accused was handed over to his parents on February 8 by the court order on February 7. By the court order on March 28, the court decided to hand over the accused to his parents as he is under age.

Police have arrested 41 years old father on April 16 on charge of raping 14 years old daughter on April 14. The victim lodged a complaint on a same day at District Police Office. She underwent a health checkup at District Hospital on same day. By the court order on May 1, the accused was remanded in custody. On August 15, the court ordered to sentence him for 16 years along with Rs 5,000 compensation to the victim.

Sexual Abuse

Police arrested 14 years old boy on January 25 on charge of sexually abusing 17 months old boy on January 24. The victim underwent health checkup in District Hospital and on a same day the complaint was lodged at police office by the victim's

family. The court on February 14 ordered to hand over the accused to his family as he is under age.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 54 women lodged complaint at Women and Children Service Centre. This includes 15 incidents of beatings and expulsion from the house, 10 incidents of deprivation of food, 8 incidents of non-cooperation in marriage registration and acquiring citizenship certificates, 3 incidents of polygamy and other 15 incidents of minor dispute. Among these dispute, police settled 42 incidents in an agreement while 3 incidents were forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	1	1
For Practicing Witchcraft	1	1
Polygamy	7	7
Rape	1	1
Total	**10**	**10**

In 2017, there were total of 10 victims of women rights violation. Last year the number was 15. In 2016, in rape incident, 6 women were victims and 4 in attempted rape whereas this year, 1 woman was victim of rape. Similarly, 1 woman was killed by the family members, 1 incident of allegation of being witch and 7 victims of polygamy.

Killing

Police arrested Netra Bahadur Chemjong alias Banchare of Phalgunanda Rural Municipality-4 on July 13 on charge of killing his 52 years old wife Yasoda Rai. The postmortem of the body was conducted at District Hospital on July 14. On a same day, the victim's family lodged complaint at District Police Office. He was remanded in custody by the court order on July 25. The case remains pending till the end of this year.

Rape

Police arrested 31 years old Nishal Moktan of Hilihang Rural Municipality-7 on July 4 on charge of raping 38 years old woman on July 1. The victim underwent a health checkup at District Hospital on same day. On July 4, the victim lodged a complaint at DPO. By the court order on July 13, the accused was release on bail amount of Rs 23,000. The case is pending till the end of this year.

Allegation of Being Witch

Police arrested Dibya Kumari Manglak alias Deepa of Tumbeba Rural Municipality-3 on October 23 on charge of torturing 45 years old Phul Kumari Manglak of the same place being a witch doctor by alleging her of being witch. The victim lodged complaint on a same day at District Police Office. She underwent health checkup at District Hospital and by the court order on November 5 the accused was released on a bail amount of Rs 55,000. The case is pending till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital and 42 Primary Health Service Centers along with Health Posts. There are 11 Health units and 2 Urban Health Centers in operation. Out of 5 posts for medical officers, 11 are working. There are no gynecologist in the district. Out of 6 posts for staff nurses, 4 are working. Similarly, out of 88 AHW, 53 are working and 81 ANM are working out of 89 posts. Posts of Health Assistant, immunization officers and Tuberculosis supervisor are all occupied. The District Health Office said that serious patients are being sent to other district due to the lack of adequate resources.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing of Newborn Baby		1	1
Rape	4	4	8
Sexual Abuse	1	1	2
Total	**5**	**6**	**11**
WOMEN RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Domestic Violence		1	1
For Practicing Witchcraft		1	1
Polygamy	3	4	7
Rape		1	1
Total	**3**	**7**	**10**

Number of Incidents		
Type of Event	**Legal Proceeding**	**Total**
Killing	1	1

1.10 Ilam

Total Population
2,93,388

Women
1,52,781

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
21,005

No. of Migrant Workers
6,657

Population by Disability
7,636

Literacy above 5 yrs (%)
97

Dependent Population
1,07,324

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	4	15	19			
Beatings					1	1
Child Rights				18		18
Killing					2	2
Right to Assembly					1	1
Women Rights				17		17
Total	**4**	**15**	**19**	**35**	**4**	**39**

In 2017, 19 people were victims of human rights violation by state actor. Last year 1 woman was victim by state actor and 57 people became victims by non-state actor in an incident of Human Rights violation and atrocities. This year 39 people were victims by non-state actor.

JAIL AND DETAINEES

The "D" graded district prison of Ilam has a capacity to accommodate 125 inmates. However, there are 252 inmates and detainees, including 198 convicts and 54 detainees. There are 18 female inmates and 6 male inmates aged above 65. The prison building is overcrowded twice than its capacity creating difficulties in management. The prison building was built in 2012.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 courts including 1 District and 1 High Court. There is a position for 1 judge and it is occupied. This year there are 151 civil and 183 criminal cases pending. No cases are older than 2 years. Similarly, out of 6 posts of judges in high court, all are occupied. This year 180 civil and 298 criminal

cases are pending. There are 7 cases older than two years in high court.

CHILD RIGHTS

Education Status

The district has 330 elementary community schools and 89 Secondary Schools. In elementary level there are posts for 1649 teachers of which 107 remained vacant. Similarly, 9,286 girls and 9269 boys were enrolled in elementary level (from class 1-5). The district has 201 disabled friendly schools. The scholarships to dalit boys, girls and children from conflict victims were provided through local level.

Type of Events	By Non-State	
	Female	Total
Rape	18	18
Total	**18**	**18**

In 2016, 10 children were victims of child rights violation whereas, this year 18 children were victims. Similarly, in 2016, 7 girls were victims of rape and 2 of sexual abuses. In 2017, 18 girls became victim of rape.

Rape

The victim's family of 4 years old girl lodged complaint at District Police Office on January 9 against 17 years old Kai Mulaha Miya of Raxaul, India on charge of rape. He was accused of raping a girl on January 8 while she was playing in the street. Police arrested the accused on a same day the complaint lodged. The District Court ordered to sentence him for 7 years along with the penalty of Rs 25,000 on April 23.

A complaint against 18 years old Prakash Godar Thapa of Eektappa-1 was lodged at District Police Office on July 5 by the victim's family of 3 years old girl on charge of rape. After the complaint, he was arrested by the police for investigation on a same day. The victim underwent a health checkup at District Hospital on July 5. By the District Court order on January 2 he was sentenced for 11 years along with the compensation of Rs 10,000 to the victim.

ALL KINDS OF DISCRIMINATION AGANINST WOMEN

This year 68 women lodged complaint of domestic violence at Women and Children Service Center. This includes incidents of beatings and expulsion from house, incidents of deprivation of food, incident of non-cooperation in marriage registration and acquiring citizenship certificate along with some minor dispute. Most of the cases were settled however some of them were forwarded for the legal proceedings.

As compared to the last year, this year there has been decrease in the incident of Women Rights violation according to INSEC documentation.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	2	2
Rape	8	8
Women Trafficking	2	2
Total	**17**	**17**

In 2016, 30 incidents of domestic violence were documented whereas this year only 5 incidents were documented. Last year 5 women were victims of rape and this year 8 were victims. Similarly, this year two women were victims of polygamy and 2 of trafficking.

Rape

A complaint against 23 years old Prem Paudel of Chulachuli-5 was lodged at District Police Office on February 1 on charge of raping 58 years old woman. The accused was arrested and charged under rape case in the court. The victim underwent a health checkup on a same day.

By a single bench of district court judge Indra Kumar Chongteli, the accused was sentenced for five years along with the compensation of Rs 25,000 on December 31.

Women Trafficking

A complaint against 33 years old Garjman Rai of Ilam Aamchok and Asha Gurung,46 of Dharan sub-metropolis was lodged at District Police Office on August 9 by 19 and 22 years old victim on charge of taking them hostile in Itahari of Sunsari on August 5 pretexting them of good job in foreign country. The victims were rescued by police and both accused were arrested on August 8. The District Court ordered to release them on bail amount of Rs 1, 75,000 each on September 13. The case is pending till the end of this year.

HEALTH SERVICE STATUS

In Ilam district, there is 1 District Hospital, 44 Health Posts and 4 Primary Health Centers. The district also has 2 private Hospitals, City Health Center and 4 Community Health Centers. Out of 4 posts for doctors, 3 are vacant. There are 100 posts for AHW of which 98 remains vacant. Similarly, for the posts of 100 ANM, 44 are vacant. The half of the budget of District Pubic Health Office is transferred to Local level. The office has a budget of Rs 5, 00,000 as a medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Incomplete	Legal Proceeding	Total
Rape	4	3	11	18
Total	**4**	**3**	**11**	**18**

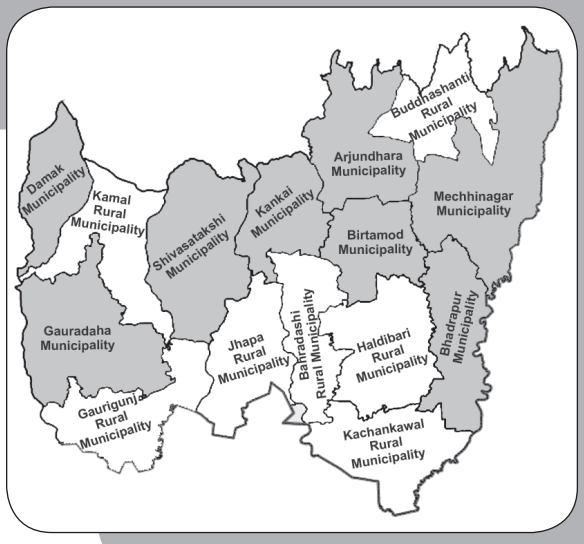
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Legal Proceeding	Total
Domestic Violence		1		4	5
Polygamy				2	2
Rape	2		3	3	8
Women Trafficking				1	1
Total	**2**	**1**	**3**	**10**	**16**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	1	2

1.11 Jhapa



Total Population
8,69,064

Women
4,65,092

No. of Constituency (HoR)
5

No. of Constituency (PA)
10

Below Poverty Level
85,736

No. of Migrant Workers
80,625

Population by Disability
15,376

Literacy above 5 yrs (%)
77.7

Dependent Population
3,52,006

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Child Rights			20		20
Injured	5	5			
Killing	1	1	1	4	5
Women Rights			8		8
Total	**6**	**6**	**29**	**4**	**33**

In 2016, 32 people were victims of human rights violation whereas in 2017, 39 people were victims. This year 6 people were victims by state-actor.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DEGNIFIED LIFE
KILLING

By State Actor

Locals and acquaintances of 11 years old Laxman Siwakoti of Arjundhara-11 staged demonstration on October 27 demanding fair investigation on his death. His body was recovered on September 27 from Arjundhara-6. The protestors accused police administration of not investigating the case. The agitators started to vandalize government buildings and pelted stones on police. In a clash, police opened fire leading a death of 32 years old Naresh Thapa, 32 of Arjundhara-11. Similarly, in a same incident, Mani Nepali, 35 of Mai Municipality-5, Sunil Pandey,25, Purna Luitel, 35, Ashok Basnet and Nawa Raj Koirala, 22 were injured in a police firing. Among the injured, Mani Nepal is receiving treatment in Kathmandu. Most of the injured sustained chest, leg and hand injury.

The government decided to provide financial relief of 1 million to the deceased family of Naresh Thapa along with free treatment to the injured. The victim's family has not received any relief till the end of this year.

By Unidentified Group

Hotel operator Rajesh Malik, 19 of Damak Municipality-5 was killed by a group of unidentified people on November 7 by using sharp weapon. The people involved in the incident are being searched by police according to DSP Deepak Giri of Area Police Office of Damak. The postmortem of the body was conducted at Health center in Mangalbare on November 8. The accused were not identified till the end of this year.

JAIL AND DETAINEES

The "B" graded district prison has a capacity to accommodate 300 inmates at a time. However, there are 831 inmates, including 429 male inmates and 35 female inmates. Similarly, there are 363 male and 28 female detainees. The prison has 3 dependent children. The prison building is three times overcrowded. The inmates and detainees are facing difficulties on going to toilet and sleeping. The prison building is in dilapidated condition and new building is necessary according to jailer Yagya Niraula.

RIGHT TO PROMPT AND FAIR TRIAL

There is 1 District Court with the posts for 5 judges. All posts are occupied. This year 481 civil cases out of 1290 were decided and 809 are pending. There are 52 cases older than two years. Out of 1323 criminal cases 509 were decided and 814 are pending of which 26 cases are older than two years.

CHILD RIGHTS

Education Status

There are 160 Primary Schools, 93 Lower Secondary Schools, 48 Secondary and 64 Higher Secondary Schools. In Secondary School, 22,276 girls and 20,842 boys were enrolled. Similarly, in Lower Secondary School, 15,515 girl and 14,3 89 boys were enrolled. In higher Secondary School, 7,580 girls and 6,150 boys were enrolled. In this district there are 705 Child Development Centers where 5931 girls and 7213 boys enrolled. The total budget of the district is 2.5 billion.

Type of Events	By Non-State	
	Female	Total
Rape	17	17
Sexual Abuse	3	3
Total	20	20

In 2016, 12 children were victims of child rights violation where as in 2017, 20 victims were documented. Last year 9 girls were victims of rape whereas 17 were victims this year. Similar to last year, there are three girls victim of sexual abuse.

Killing

The victim's family of 11 years old Laxman Siwakoti of Arjundhara Municipality-11 lodged an FIR at Area Police Office of Birtamod on October 1 against 55 years old Suresh Kumar Pokhrel, Mandira Pokhrel,50, Santosh Kumar Pokhrel,36, Samir Pokhrel,32, Sudhir Pokhrel, 30, Jhamak Kumari, 28, Bishnu Pokhrel,32 and Smriti Pokhrel,27 accusing them of killing and disposing his body in pond at Birtamod Municipality-1 on September 30. Police arrested Santosh, Samir and Suresh Pokhrel on October 1 and registered the case under murder. The district court of Jhapa ordered to remand them in custody on November 2. Other 5 accused are at large according to the police. The postmortem of the body was conducted at BPKHIS, Dharan on November 1.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 56 women lodged complaint of domestic violence at Women and Children Service Center. This includes 29 incidents of domestic violence, 10 incidents of threat and beatings and 6 incidents of polygamy. Among these cases, 37 complaints were settled, 14 cases are under investigation and 5 cases were processed for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Rape	7	7
Rape Attempt	1	1
Total	**8**	**8**

According to the INSEC documentation, last year 5 women were victims of violation whereas this year 8 were victims. In 2016, 3 women were victims of rape and 2 of attempted rape. This year 7 women were victims of rape and 1 of attempted rape.

Rape

Padam Bahadur Darji,45 had raped 8 years old girl on January 26 and the victim's family lodged a complaint at Area Police Office of Birtamod on January 28. He was arrested by the police on the same day. The accused was presented in the court and by the court order on May 3, the accused was sentenced for 10 years along with the compensation of Rs 35,000 through Women and Children Office. The victim underwent a health checkup at Mechi Zonal Hospital on January 26.

Govinda Rajbansi, 58 of Bhadrapur Municipality raped 28 years old intellectually disabled woman on the night of January 26. The complaint against the accused was lodged by the victim's family at District Police Office on January 27. He was presented in the court and by the court order on February 23, the accused was remanded in custody. On December 13, the court ordered to sentence him for 5 years. The victim underwent a health checkup at Mechi Zonal Hospital on January 27.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

By Unidentified Group

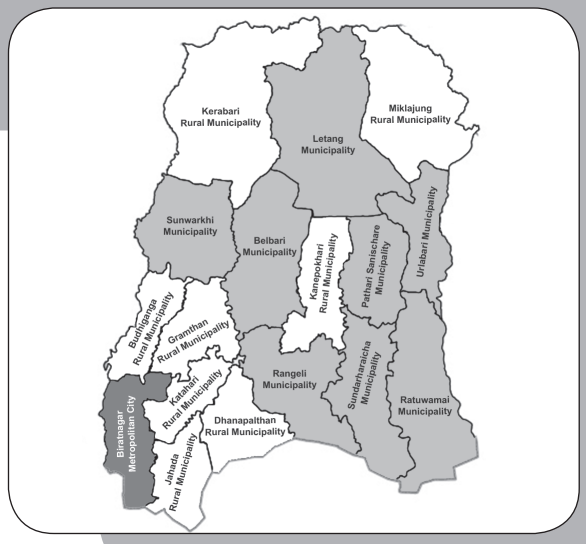
An unidentified group of people detonated a bomb in the garage of HoR candidate Uddav Thapa of Nepali Congress for the constituency number 2 on November 24. In an explosion, the vehicle with registration number Ba7Cha6895 was damaged. The reason behind the explosion is not known yet.

HEALTH SERVICE STATUS

In this district, there is 1 zonal hospital, 1 Hospital, 43 Health Posts and 6 Primary Health Centers. There are 6 positions for doctors and all positions are occupied. Out of 6 positions for staff nurse, all are working. Similarly, for the posts for 15 lab assistant, all are working. There are posts for 147 AHW and all are occupied. Out of the posts for 104 ANM all area occupied. The annual budget is Rs 16,00,00,00.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**	
Rape	5	11	16	
Sexual Abuse		3	3	
Total	**5**	**14**	**19**	
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Incomplete**	**Legal Proceeding**	**Total**
Rape	1	1	5	7
Rape Attempt	1			1
Total	**2**	**1**	**5**	**8**
Number of Incidents				
Type of Event	**Closed Case**	**Incomplete**	**Legal Proceeding**	**Total**
Killing	1	1	4	6

1.12 Morang



Total Population
10,19,421

Women
5,33,937

No. of Constituency (HoR)
6

No. of Constituency (PA)
12

Below Poverty Level
1,58,261

No. of Migrant Workers
70,462

Population by Disability
17,053

Literacy above 5 yrs (%)
86

Dependent Population
3,98,519

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	6	6			
Beatings	1	1		1	1
Child Rights			48	3	51
Inhuman Behaviour			2	2	4
Killing			3	3	6
Women Rights			67		67
Total	**7**	**7**	**120**	**9**	**129**

In 2016, 9 people were victims in incident of human rights violation and atrocities and this year 7 people were victims by state actor. Similarly, 105 people including 14 male were victims by non-state actor in 2016, whereas this year 129 people including 9 male were victims of human rights violation.

THREAT/BEATING

By State

Traffic Police Umesh Puri, 27 working on District Traffic Office was beaten by Tulamani Acharya, 38, ASI of same office on June 3,2017 over a dispute while returning back to office after duty. The co-ordination investigation committee was formed in command of Saurav Rana ,SP, Regional Traffic Office which convicted Acharya as guilt. He was suspended for six months and departmental action was taken against him.

Temporary police Barsha Subedi, 23 was misbehaved by SI Tanka Prasad Koirala of Area Police Office Nimuwa on December 7. The victim's party protested the incident and staged demonstration in front of the police office. The victim accused SI of using foul language. The in-

vestigation committee has been formed in command of DSP Bishnu Hari Koirala however the committee has not publicized the report till the end of this year.

JAIL AND DETAINEES

The "B" graded district prison of Morang district has a capacity to accommodate 250 male inmates and 50 female inmates. However there are 673 male and 61 female, including 497 convicts and 61 detainees. There are 15 inmates above 65 years which includes 2 female. There are 6 dependent children, of which 2 of them are of school going age. There are all total of 74 foreign inmates and detainees from India, Bhutan and Pakistan. In the prison, 13 inmates lost their lives during the treatment. Inmates are having various health issues due to the overcrowded prison.

RIGHT TO PROMPT AND FAIR TRIAL

In this district, there are 2 district courts including 1 high court. Out of 9 positions ,6 positions of judges are occupied. There are 82 civil and 35 criminal cases pending. There are 12 positions of judges in a high court out of which 11 are occupied. This year total of 289 cases were registered which includes 997 civil cases, 791 criminal along with 301 writ. Out of 2636 decided cases, 1262 are civil cases, 1054 are criminal cases and 420 are writ. There are 51 cases older than 2 years.

ARREST

Jitendra Mahara (Mahabir), 44, cadre of Nepal Communist Party of Biratnagar, sub municipality-10 was arrested on November 18 on charge of involving in anti-election activities. He was released on November 22.

Nepal Communist Party cadre Suman Limbu (Santaa), 40 of Biratnagar sub municipality-10 was arrested on November 18 on charge of operating anti-election activities. He was released on November 22. On November 18, Nepal Communist Party in-charge, Puskar Shreatha, 35 was arrested from Urlabari municipality-4 on charge of operating ant-election activities. He was released later on December 12.

CHILD RIGHTS

Education Status

In this district, there are 537 community including 276 are elementary school,105 lower secondary,98 secondary and 60 higher secondary schools. There are 54,535 girls and 62,070 boys in a community school. Out of this, 28,532 are from Dalit community. All the 4001 posts for teachers are occupied. The annual budget of this year is Rs. 38,27,89,000. The local level has a budget of Rs 1,62,000,0000 for education. The District Education Office provided scholarships to 14,455 Dalit children and 18,656 children from marginalized community. Similarly, 46 children from conflict victim's family and 405 disabled children were provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Child Trafficking		3	3
Killing of Newborn Baby	1		1
Rape	38		38
Sexual Abuse	9		9
Total	**48**	**3**	**51**

This year 51 children and including 3 boys were victims of child rights violation. Last year 17 were victims. This year 38 victims of rape was documeted.

Rape, Attempted Rape and Sexual Abuses

The victim's family of 15 years old girl lodged a complaint at District Police Office on January 30 accusing a 59 years old, Ashiram Majhi of Biratnagar,sub municipality-5 of raping her on January

22.The victim underwent health check-up at Koshi Zonal Hospital on February 1.The accused was arrested by Police on January 31 and by the court order on 15 May, the accused was sentenced for 6 years with compensation of Rs.30,000.

The victim's family of 7 years old girl lodged a complaint at Area Police Office on February 18 accusing 36 years old Nabin Pariyar from Jalpaigudi, India Bengal of raping her on February 17.The victim underwent health checkup at Koshi Zonal Hospital on February 20.The accused was arrested by Police on February 18 and by the court order on May 28,the accused was sentenced for 11 years.

Inhumane Behaviour

Samjhana Pariyar, 14 of Belbari municipality-2 was smeared with black soot on her face on October 5 by Durga Chaudhari, 45, Kuldip Chaudhari, 65, Anita Danuwar, 22, Govinda Magar, 21, Harkamaya Thapamagar, 44, Mankumari Tamang,52 and Birgunj Pariyar, 24 in alleging her of theft. Police arrested the accused on the same day. On October 6, police registered a case under Public Offense act, however the case is still pending till the end of this year.

Trafficking

Raju Bhandari, 36 and Suraj Rishidev,28 of Itahari-4,Sunsari along with Manjit Singh of India were arrested by District Police, Morang on October 24 on charge of trafficking a children from Morang and Sunsari to India. With the help of organization named Sana Haat Nepal, police arrested them from the railway station in Jogbani along with 3 children. The complaint was registeredagainst them for legal proceedings. Accused Raju and Suraj were sent to custody after they failed to pay a bail amount of Rs. 2, 35,000. The case is pending till the end of this year.

ALL KIND OF DISCRIMINATION AGAINST WOMEN

This year 22 women lodged a complaint of domestic violence at Women and Children Service Centre which includes beating and mental torture. Out of 22 incidents,8 were settled with agreement and in other cases victims were out of contact. Due to poor economic status and consequence of facing deprivation of food and living, victims didn't want to continue the case for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	4	4
Domestic Violence	22	22
Polygamy	14	14
Rape	13	13
Rape Attempt	13	13
Sexual Abuse	1	1
Total	**67**	**67**

This year 67 women were victims of Women Rights Violation of which 13 cases of rape, 13 cases of attempted to rape, 14 cases of polygamy, 22 cases of domestic violation, 4 cases of trafficking and one case of sexual abuse were documented by INSEC. Last year there was 68 women were victims of women rights violation.

Killing by Family Members

Sakal Sutihar aka Uday,26 of Ratuwamai Municipality-7 killed his 25 years old Santadevi aka Putali using a sharp weapon on February 8 in an inebriated state over a domestic dispute. Victim died while undergoing treatment at District Hospital,Rangeli on the same day. The accused was arrested by Police on February 8 and by the court order on February 26,the accused was remanded in custody. The postmortem of body was done at District Hospital, Rangeli. The case was not decided till the end of this year.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 18 years old woman lodged a complaint at District Police Office on January 16 accusing 25 years Santosh Sharma Badahi of Katahari, Rural municipality-6 of raping her on January 8.The victim underwent health checkup at Koshi Zonal Hospital on January 8.The absconding accused was arrested by the police on August 7 and by a court order of August 24,the accused was sentenced for 5 years with compensation of Rs.40,000.

Human Trafficking

On May 14,Manoj Neupane, 45 and Laxman Bhandari,35 of Belbari-11,Nabin Chhetri,32 of Biratnagar-17 and an Indian citizen Kailash attempted to traffick 4 women luring them of good job in Kuwait. They were being trafficked in India. The victims were suspicious about their activities and complained informed railway Police. The victims, lodged a complaint at Area Police Office, Belbari against the accused on May20 after being rescued by Police. The accused are at large till the end of the year.

Inhumane Behaviour

Sabitri Sardar, 30 and Rajkumar Thakur,35 of Rangeli-5 were beaten and smeared with black soot and were ostracized from the village on charge of polygamy. On December 29, Police arrested the accused Ranjit Thakur, 20, Kulananda Thakur, 64, Gobardan Thakur 42, Jayprakash Thakur,38,Satish Thakur,17 and Maya Nanda Thakur, 34 on charge of their involvement in the incident. Police informed that the case was registered under public offense on December 31. Among the accused, Dinesh Thakur, local UML leader is at large till the end of the year. The victim woman was given shelter at Safe house, Biratnagar whereas the man was taken for treatment to Delhi on the same day.

Cadre of Nepal Communist party, ANNFSU(R.) smeared with black soot on District Education Officer Devendra Raj Khanal in his office premises on charge of anomalies during the appointment of teachers. A group of six people misbehaved him in the administration of the office. According to Puskar Shrestha, Morang in charge of Nepal Communist Party, he was mistreated on charge of various irregularities in the office. The victim didn't lodge a complaint until the end of the year.

HEALTH SERVICE STATUS

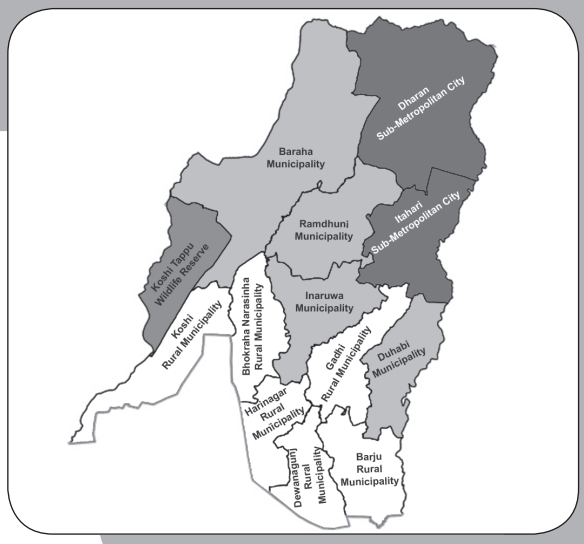
In Morang District, there are 2 hospitals,6 primary health centers and 60 health posts. There are 6 positions for medical executives in a district out of which 5 of them are occupied. Out of 66 posts for HA, 63 are occupied and 3 are still vacant. In this district, there are post for 198 AHW and only 188 are occupied. Out of 6 posts for staff nurse 1 is vacant. All the 6 posts for lab assistant and 138 for ANM is occupied. The annual budget is Rs. 10,83,30,274 and Rs.15,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017					
CHILD RIGHTS					
Type of Events	**Closed Case**	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Child Trafficking				1	1
Killing of Newborn Baby				1	1
Rape	8	1	7	22	38
Sexual Abuse	1		3	5	9
Total	**9**	**1**	**10**	**29**	**49**

WOMEN RIGHTS							
Type of Events	**Closed Case**	**Compromise**	**Incomplete**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Attempt to Trafficking				1			1
Domestic Violence		11			2	9	22
Polygamy	1		2	5	6		14
Rape	1			3	9		13
Rape Attempt				6	7		13
Sexual Abuse				1			1
Total	**2**	**11**	**2**	**16**	**24**	**9**	**64**

Number of Incidents			
Type of Event	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	4	5

1.13 Sunsari



Total Population
7,33,939

Women
3,81,563

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
89,888

No. of Migrant Workers
50,281

Population by Disability
10,409

Literacy above 5 yrs (%)
64.46

Dependent Population
3,24,036

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	13		13
Injured	3	3	6
Killing	1	2	3
Women Rights	32		32
Total	**49**	**5**	**54**

Last year 53 people were victims on incidents of human rights violation and atrocities. In 2017, the number of victims were 54.

A bomb was detonated in the house of HoR candidate Jaya Kumar Rai for constituency No. 1 on Nov. 23. Similarly another bomb was detonated in the house of mayer Tara Subba on June 26. Similarly, on November 23, a bomb was detonated near the UML election assembly. No body took responsibility of this incident.

INJURED FIRING/EXPLOSION

14 months old Yaman Neupane, Sharmina Adhikari,16, Dhana Bahadur Shrestha,40, Kumari Katuwal,45 and Srijana Adhikari,16 were injured after a bomb was exploded in Itahari sub-metropolis-9, Bhaladmi on November 30. The injured received treatment in various hospitals in Dharan and Biratnagar. Civilians were injured after a bomb was detonated near the venue of ward level assembly organized by Nepali Congress. No one has taken responsibility of the explosion and search for the person involved in an incident is undergoing.

JAIL AND DETAINEES

This is second largest prison of the country. The "B" graded district prison of Sunsari has a capacity to accommodate 1600 inmates. There are 1408 inmates, including 981 convicts and 422 detainees. The prison administration has provided indoor and outdoor sports facilities to the inmates. Similarly, the inmates and detainees have operated a small industry inside the prison where they make handmade chairs. The prison building was built in 2009 and there are no female inmates and dependent child.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of 6 judges are occupied. There are 1632 civil and 1474 criminal cases pending. There are 137 cases older than 2 years.

CHILD RIGHTS

Education Status

The district has 282 elementary schools and 97 secondary schools. There are 753 posts for teachers. This year 88,399 boys and 83,835 girls were enrolled in schools. Similarly, 770 students with disabilities are also enrolled in schools. The annual budget is not determined as the policy and programs of local level are yet to be made.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	12	12
Total	**13**	**13**

In 2016, 24 children were victims of child rights violence whereas this year the number is 13. In 2017, 12 girls were victims of rape and 1 victim of child marriage.

Killing After Rape

Amita Kumari Mudiyari, 11 of Chandbela Rural Municipality-9 was killed after rape on February 24. Her body was recovered inside the Hume pipe near the field on February 26. She was missing since February 24 after she attended the marriage ceremony of neighbor. The victim's uncle Rajan Mudiyari was arrested by the police on April 15 on suspicion of his involvement in killing. By the court order on May 1, he was remanded in custody. The case is pending till the end of this year.

Rape

Police arrested Ajaya Kumar Urao, 19 of Chitaha Rural Municipality-6 on February 12 on charge of rape. The victim's family had lodged complaint at Area Police Office on February 12 against the accused on charge of rape on February 11. The victim underwent a health checkup at Koshi Zonal Hospital on February 12. By the court order on March 8, the accused was remanded in custody in Jhumka prison.

ALLL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 263 women lodged complaint of domestic violence at Women and Children Service Center. This includes 153 incidents of beatings and expulsion from house, 133 incidents of deprivation of food, and other 71 incidents of minor dispute. Among these cases 249 were settled in an agreement and 114 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	20	20
Polygamy	3	3
Rape	7	7
Rape Attempt	2	2
Total	**32**	**32**

In 2017, the incidents of women rights violation has increased according to INSEC documentation. In 2016, 14 in-

cidents of rape, 4 incidents of attempted rape, 1 incident of women trafficking and 2 incidents of sexual abuses were documented. This year 20 incidents of domestic violence, 3 incidents of polygamy, 7 incidents of rape and 2 incidents of attempted rape were documented.

Torture

Saira Khatun, 26 of Duhabi Municipality-8 was given physical torture by Mairuddin, 33, Aalauddin, 32, Saddam Husain,30 and Bhola Miya, 34 on July 25 by giving her to carry bricks for 12 hours on charge of not giving divorce. Local Mahabul Miya said that she was tortured by the direction of 45 years old ward chairman Mehedi Hussain of Duhabi Municipality-8. The victim was seriously injured in a beatings and underwent treatment at Inaruwa Hospital. She was forced to give divorce after she married 30 years old Suhan Miya, a brother of 32 year old Shubhan Miya, with whom she had first marriage. Shubhan Miya is in foreign employment and after he went for foreign employment, Saira Khatun married his brother. After the incident 45 years old Mehedi Hussain including others forced her to give divorce as per Muslim law. She was given torture after they denied divorce. The victim was given shelter by her relatives. She had lodged a complaint against the perpetrators at District Court on August 25. The case is still pending till the end of this year.

Rape

45 years old victim has lodged a complaint at Area Police Office of Dharan on March 4 against 20 years old Sanjeev B.K of Tetariya Rural Municipality-5on charge of rape. Police arrestd the accused on a same day the complaint was lodged. She underwent a health checkup at Inaruwa hospital and by the court order on March 27, he was remanded in Jhumka prison. On June 12, the court ordered to sentence him for 10 years along with Rs 20,000 compensation.

HEALTH SERVICE STATUS

In this district, there are 47 district hospitals, 47 health posts and 5 primary health centers. There are posts for 141 AHW and only 3 are vacant. Similarly, out of 94 positions of ANM, 94 are working. One post for staff nurse remained vacant out of 4 positions.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Incomplete	Legal Proceeding	Total
Child Marriage		1	1
Rape	1	11	12
Total	**1**	**12**	**13**

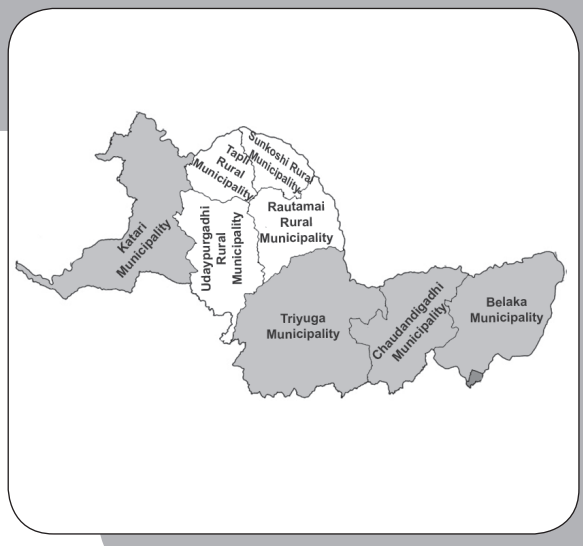
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Legal Proceeding	Total
Domestic Violence		18		2	20
Polygamy				3	3
Rape	1		1	5	7
Rape Attempt				2	2
Total	**1**	**18**	**1**	**12**	**32**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	3	3

1.14 Udayapur



Total Population
3,30,613

Women
1,78,450

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
81,618

No. of Migrant Workers
22,060

Population by Disability
7,781

Literacy above 5 yrs (%)
65

Dependent Population
1,46,684

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	22		22
Injured	2	5	7
Killing	1		1
Women Rights	36		36
Total	**61**	**5**	**66**

In 2016, 93 people were victims of human rights violation whereas this year 66 people were victims.

FIRING/INJURED IN AN EXPLOSION

Nepali Congress candidate Narayan Bahadur Karki, 69 of Katari Municipality-7, Risku for provincial assembly of Udayapur, NSU leader Meera Katuwal, 23 of Katari Municipality-3, Dhana Maya Dhaulakoti of Udayapur Rural Municipality-8, Rajan Karki, 36 of Katari-7, policeman Kalidas Shrestha, 35 of Katari-3, journalist Nawa Raj Paudel, 30 of Katari-3 and 51 years old Ganesh Puri of Udayapurgadhi Rural Municipality-2 were seriously injured on November 29 when a bomb was detonated targeting their vehicle. Among the injured, candidate Karki and Meera Katuwal was immediately airlifted to Kathmandu where as other injured were taken to Kathmandu in the evening for treatment. All injured are receiving treatment at Teaching Hospital in Kathmandu till the end of this year. The candidate Karki sustained eyes, hand and other injuries whereas Katuwal lost her legs below her knees. Karki was elected as a constitutional assembly mem-

ber in 2013. Police arrested NCP district secretary Babu Ram Subedi of Thokshilabelka Municipality-4, Bal Bahadur Pulami of Udayapurgadhi Rural Municipality-5 on charge of their involvement in an attack. The District court on December 26 ordered to remand them in custody.

JAIL AND DETAINEES

The "E" graded district prison of Udaypur district has a capacity to accommodate 50 inmates. However there are 137 inmates, including 56 convicts and 81 detainees. The jail is overcrowded. The inmates complains about the problem regarding the number of washrooms, scarcity of drinking water, and problem in sleeping as there are only six rooms without beds.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 district court. The 2 positions of judges is occupied. There are 286 civil and 313 criminal cases pending. There are 12 civil cases and 13 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 227 elementary schools, 117 lower secondary schools, 67 secondary schools and 43 higher secondary schools. All 2,155 posts for teachers are occupied. This year 31,920 boys and 35,059 girls were enrolled in schools. 4,572 boys an 5,010 girls from Dalit community were enrolled.

Type of Events	By Non-State	
	Female	Total
Child Trafficking	2	2
Rape	17	17
Sexual Abuse	3	3
Total	**22**	**22**

In 2016, there were 16 victims on incident of Child right violation and this year 22 victims were documented. This year 2 were victims from trafficking, 17 of rape and 3 of sexual abuse.

Killing After Rape

Family of 3 year old girl lodged a complaint at DPO on October 22, accusing a 22 year old man Shankar of Triyuga-9 for killing her after rape on October 21.The postmortem of body was done at District Hospital on October 22.The accused was arrested by police and by the court order of November 16, he was remanded in the custody. The case is not decided till the end of this year.

Rape, Attempt to Rape

Family of 14 years old girl lodged a complaint at DPO on September 1 accusing a 15 years old boy, Sachin Gurung, Sujan Adhikari, 18 and Shrawan Kumar Adhikari Danuwar, 18 on charge of rape on August 31. Other accused Durga Bahadur Rai and Bimal Tamang were arrested by Police on September 3 and by court order of October 9, the accused were remanded in custody. Accused Sujan Karki was sent to child rehabilitation centre in Biratnagar. Sachin Gurung, Sujan Adhikari and Shrawan Kumar Adhikari are absconding till the end of this year.

Family of 7 years old girl lodged a complaint at DPO on September 5 accusing 15 years old boy of raping her on September 1.On the same day the victim underwent health checkup at District Hospital. By the court order on October 9, he was taken to child rehabilitation center. The case is not decided till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 68 women lodged complaint at Women and Children Service Centre. Out of which 49 incidents were settled in an agreement and 19 incidents were forwarded for legal proceedings. Complaint for 24 physical torture under

Type of Events	By Non-State	
	Female	Total
Domestic Violence	20	20
Polygamy	6	6
Rape	5	5
Rape Attempt	5	5
Total	**36**	**36**

domestic violence, 27 mental cases and 2 economic torture cases were lodged.

This year number of women victims have decreased in comparison to last year. In 2016, 59 victims of domestic violence were documented whereas this year, 20 were documented. Similarly, in 2016, there were 5 victims of rape and this year also 5 victims of rape were documented. Likewise, 5 cases of attempt to rape and 6 cases of polygamy were documented.

Rape, Attempt to Rape

Family of 19 years old girl lodged complaint at DPO on February 26 againts 19 year Pramod Kumar Sada of Surunga-1, Saptari currently living in Gaighat, on charge of attempting to rape her on the same day. The victim underwent health checkup at District Office on the same day and by the court order on June 5, the accused was sentenced for 2 years and 6 months.

Family of 53 years old disabled woman lodged a complaint at Area Police Office, Katari on March 17 accusing 45 years old Sher Bahadur Budhathoki of raping her on March 11.The victim underwent health checkup at Katari Hospital on March 18.The accused was arrested by the police on March 18 and by court order of April 10,the accused was remanded in the custody.The case is not decided till the end of this year.

Dhani Das, 21 of Bhimdutta municipality-9 was arrested by Police on October 25 on charge of attempting to traffick 14 and 16 years old girl to India for selling. The case was registered against the accused on November 14,and by a court order of November 15,the accused was remanded in custody. The case is not decided till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Human trafficking and transportation

The victim's party of 26 years old Bhairab Bahadur Tamang lodged complaint at District Police Office of Bokse on January 15 against Sharmila Tamang, 38 of Udayapurgadhi Rural Municipality-8, Bom Bahadur Tamang, 55 and Harka Bahadur Tamang, 34 of Rautamai Rural Municipality-7 on charge of trafficking him in India pretexting him of good job in Himanchal Province on December 16. Three accused were arrested on a same day and by the court order on February 11 they ewre remanded in custody.

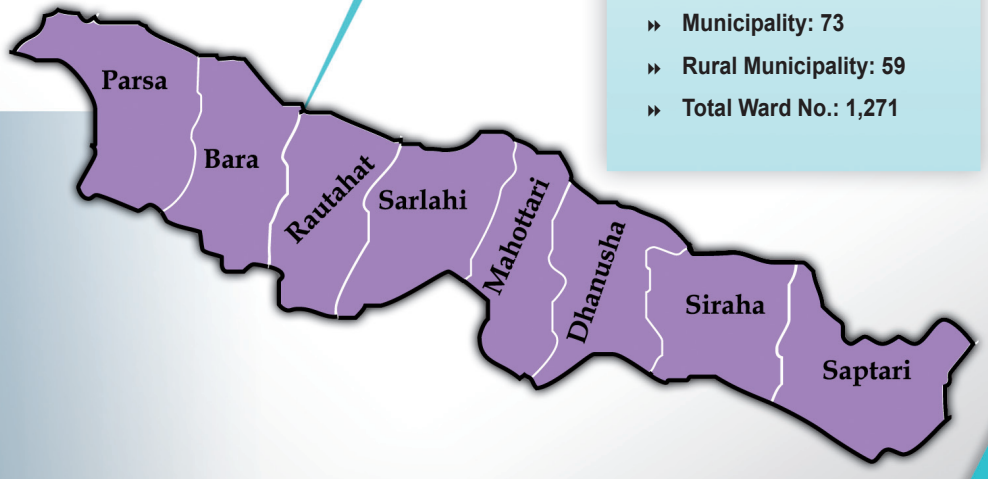
HEALTH SERVICE STATUS

In this district, there are 2 hospitals, 1 primary health center and 44 health posts. There are 19 positions for doctors but only 7 are occupied. Out of 8 posts for staff nurses, 4 are occupied, There are 152 posts for AHW and only 79 are occupied. Similarly 82 posts for ANM are occupied, out of 100 ANM.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events	**Incomplete**		**Legal Proceeding**		**Total**	
Child Trafficking			1		1	
Rape	1		16		17	
Sexual Abuse			3		3	
Total	**1**		**20**		**21**	
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	4	1		14	1	20
Polygamy	1			5		6
Rape			1	4		5
Rape Attempt	1		2	2		5
Total	**6**	**1**	**3**	**25**	**1**	**36**
Number of Incidents						
Type of Event	**Legal Proceeding**			**Total**		
Killing	1			1		

Province 2

- Area: 9,661 sq.km.
- Poulation: 54,04,145
- Literacy Rate: 49.72
- District: 8
- Electoral Constituency (Parliamentary): 32
- Electoral Constituency (Provincial): 64
- Metropolitan City: 1
- Sub-Metropolitan City: 3
- Municipality: 73
- Rural Municipality: 59
- Total Ward No.: 1,271



Introduction of Province 2

This province is made by combining 8 districts of Madhes which has a total population of 54,04,145. It covers about 9,661 square kilometers area. There are 33 electoral constituencies for HoR and 66 for provincial. Five electoral constituencies lies in Sarlahi district which is the highest number of this province followed by Saptari, Siraha, Mahottari, Rautahat, Bara, Dhanusha and Parsa having 4 constituencies each.

The mother language of this province is Maithili (45.30%), Bhojpuri (18.58%), Banjika (14.65%), Nepali (6.67%) and remaining are Urdu, Tharu, Tamang and Magar. Majority of Yadav community with 14.62% lives in this province followed by , Muslim (11.62%), Tharu (5.27%), Teli (5.09%), Chamar (4.21%), Dhanuk (3.46%), Musahar (3.01%), Kurmi 92.83%), Dushadh (2.79%) and other with 42.57%. The per capita income of people is 992 dollars and average life expectancy is 70.43 years.

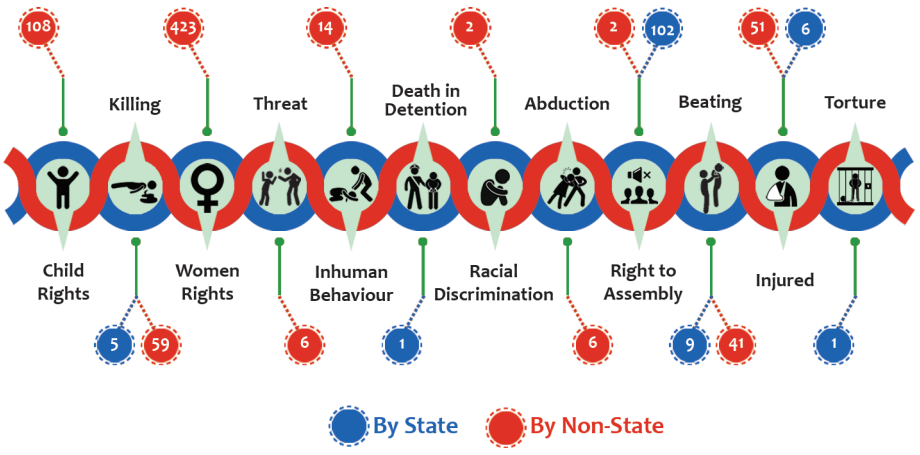
There is high possibility of agriculture in this province because of the high fertile land. If the tourist hub, religious and cultural sector of this province is well developed, it will have positive affect in the overall economy of the country.

Janakpur is determined as a temporary capital of this province. The majority of province assembly will determine the permanent capital as per constitution.

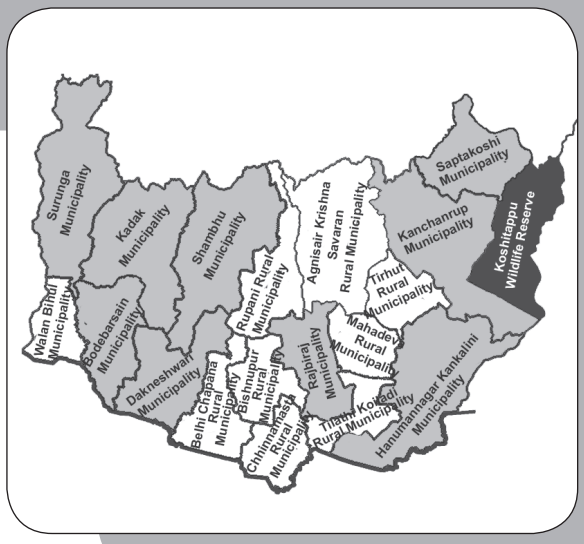
HUMAN RIGHTS SITUATION IN 2017

In this province, 5 people were killed by state actor in 2017. Similarly, 9 people were victims of threat and beatings by state actor whereas 47 were victims by non-state actor. Two people were victims of caste discrimination, 104 of right to assembly and freedom of speech, 423 of women rights violation and 108 children were victims of child rights violation.

No. of Victims in 2017 (By Incident)



2.1 Saptari



Total Population
6,69,470

Women
3,46,173

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
2,51,579

No. of Migrant Workers
26,433

Population by Disability
8,044

Literacy above 5 yrs (%)
65

Dependent Population
2,96,657

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction			1		1
Beatings			3	15	18
Child Rights			18		18
Inhuman Behaviour				4	4
Injured	4	4		4	4
Killing	5	5	4	1	5
Racial Discrimination			1	1	2
Right to Assembly				2	2
Threats			3		3
Women Rights			67		67
Total	**9**	**9**	**97**	**27**	**124**

In 2017, 5 male were killed by state-actor, 1 boy was killed by family members and 3 women were killed by an unidentified people. The number of incidents by non-state actor has increased this year as compared to the last. During this period 1 person was injured in a firing by Pragatishil Terai Mukti Morcha, 1 in an ambush explosion and 2 in an explosion by Terai Mukti Morcha (revolutionary). The cadres of Democratic Madhesi Morcha misbehaved UML leader by smearing soot on to his face.

INSEC has documented 11 incidents of Civil and Political Rights and 16 incidents of destruction of property. Out of 16 incidents of destruction, 45 were of vandalization of vehicles and buildings. Majority of destruction was documented during the agitation of United Democratic Madhesi Morcha and RJP.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DIGNIFIED LIFE
KILLING

By State Actor

Sanjan Mehata, 26 of Maleth Rural Municipality-2, Pitamber Mandal,50 of Maleth-4, and Ananda Kumar Shah 50

of Prasabani Rural Municipality-4 were killed in a police firing on March 6 in a clash with police during a demonstration organized by United Madhesi Morcha cadres against the Mehi-Mahakali campaign of CPN UML. Among the injured, Birendra Mehata,38 of Maleth Rural Municipality-2 died on March 8 and 57 years old Iner Dev Yadav of Jamuni Madhepura Rural Municipality-2, Kotbi died on March 10 while undergoing treatment at BPKHIS in Dharan. The postmortem of bodies were done at BPKHIS on a same day. The government announced to provide Rs 10,000,00 each to the victim's family as a relief and a District Security Committee formed high level investigation committee to investigate the incident and decided to write letter to Home Ministry to initiate other relief to the victim's family. The victim's family received bodied on March 10, and on March 11 bodies were cremated. The District Police Office registered the complaint lodged by victims family.

The other injured Dilip Yadav of Bir Pur Rural Municipality-2, Surendra Shah,13 of Rajbiraj Municipality-6, Digamber Yadav,43 and Arun Kumar Yadav of Malhaniya Rural Municipality-4 received treatment at BPKHIS.

FIRING/INJURED IN AN EXPLOSION/ DESTRUCTION

By an Armed Group

Akhil Terai Janatantrik Mukti Morcha (revolutionary) detonated a powerful cooker bomb at department of survey office at Rajbiraj Municipality-8 on May 11. There were no human loss reported in the incident however a damage sustained in garage and 1 cycle is completely destroyed. The civilians were terrorized in an incident. Police arrested Aditya Sharma, 19 of Bishnupur Rural Municipality-7 along with pistol and two rounds of bullet, 500gm of cannabis and pamphlets. Based on his information, police arrested Mohamed Nasir,33 of Rupani Rural Municipality-1. Coordinator Jaya Krishna Goit of Morha claimed that the arrested cadres do not belong to Morcha. A complaint against them were lodged and were charged under small arms and drugs act. By the order from CDO Krishna Bahadur Katuwal, the accused were remanded in Rajbiraj prison from June 27. The case is still pending till the end of this year.

On May 19, Terai Janatantrik Mukti Morcha (revolutionary) detonated powerful cooker bomb in the house of Area Administration Office at Bode Basain Municipality-1. The search for the person involved in an explosion are being searched.

By An Unidentified Group

Nawa Raj Koirala, 25 of Sunder-Haraicha Municipality-4 and a security guard in Distillery PVT LTD was shot and injured by an unidentified group of people on October 10. The victim sustained wrist injury. He received treatment at Sapta Rishi Hospital in Lahan Municipality-3. The search for the accused is undergoing according to SP Mukesh Kumar Singh. No complaints were lodged regarding the incident according to Area Police Office of Kadarbona.

RIGHT TO ASEMBLY AND FREEDOM OF SPEECH

The cadres of United Democratic Madhesi Morcha attempted to obstruct the second National Congress inauguration program of Nepal Revolutionary Peasant Federation, sister wings of Nepal Peasant Party, held at Harinandeshwor Mahadev Temple premises at Rajbiraj Municipality-1 on February 11by tearing the banners and flags along with protesting against chairperson Narayan Man Bijukche. To avoid possible clash between the Morcha cadres and organizer, police arrested district chairperson Amar Nath Mandal, Satish Singh, district chairper-

son Hare ram Yadav of Forum Democratic including 48 local leaders. However, all of them were released on same day by the police.

The meeting minute of CPN UML was snatched by the cadres of United Madhesi Morcha on February 23 from regional chairperson Satya Narayan Yadav in Manraja Rural Municipality-4. The minute was snatched by the cadres while Yadav was returning home after finishing regional assembly in constituency number 6 during Mechi-Mahakali campaign of CPN UML. Two number regional assembly of UML organized in Bathanaha on February 24 was obstructed by cadres of Morcha. The cadres destroyed the minute threatening not to organize the assembly. UML on a same day released press urging to return back the minute however they denied to return it back. No complaint was lodged against them.

CPN UML vice-secretary Pratap Narayan Chaudhary,50 was misbehaved by the cadres of United Democratic Madhesi Morcha on March 4 by smearing black soot on to his face in front of Land Revenue office in Rajbiraj-1. Chaudhary was returning back home after finishing national Mechi-Mahakali campaign when a group of people in 10-12 motorbike cordoned him and smeared black soot in his face before feeling the scene. Similarly, Morcha cadres misbehaved and intimidated UML district secretary Shambhu Yadav,45 on March 4 . They also snatched the party's document and Rs 14,300 from him. The cadres threatened him not to do politics or quit UML party. The cadres even threatened to set fire on his home. The pary office of UML , Saptari released press statement and condemned the incident and said that their step is against the democratic practice.

Advocate Sujit Pokhrel,50 of Rajbiraj Municipality-3 was misbehaved by the Madhesi Morcha cadres on March 8 by smearing black soot on his face. The high court of Rajbiraj condemned the incident. No action was taken till the end of this year.

The United Democratic Morcha announced to ostracize the supporter of CPN UML in a decision meeting held on March 8. The Morcha even released a press statement and called on everyone to support them. The supporter of UML started to flee Rajbiraj bazar after the cadres started to pelt stones in the house of UML supporter.

The cadres of Madhesi Morcha misbehaved 54 years old Jyoti Pyakurel, wife of Suman Raj Pyakurel (UML central member) and her 30 years old daughter-in-law Raktim Pyakurel on March 29. They were misbehaved by the cadres after cordoning the vehicle with registration number Ba10Ja5437 along with foul language according Pyakurel. The family members were rescued by the police and were sent to Biratnagar according to CDO Krishna Bahadur Katuwal.

The cadres of Democratic Madhesi Morcha obstructed the election assembly organized by Nepali Congress at Kochabakhari in Chinnamasta Rural Municipality-5 on April 10. The program was postponed to avoid possibile of clash according to Nepali Congress leader Shambu Lal Dev.

Principal Nara Bahadur Thapa ,50 of Secondary School Sonara in Mahadeva Rural Municipality-1 was misbehaved by Hari Narayan Yadav,52 of Pakari Rural Municipality-5, Rakhi Yadav,37 and Nisha Yadav,30. They were arrested by police on June 22 on charge of attempting to smear black soot on his face. Police registered complaint on a same day against them under public offence act after the complaint was lodged against them by Mahendra Yadav, chairperson of school management committee.

JAIL AND DETAINEES

The "D" graded district prison of Saptari has a capacity to accommodate

125 inmates. However, there are 287 inmates, including 182 convicts and 105 detainees. There are 16 female inmates with 1 dependent child. There are 8 inmates and detainees above 70 years old. The jail is overcrowded. It was built in 2010.

DEATH IN PRISON

During this period, 2 inmates died in prison. 71 years old Nathuni Yadav died due to diabetes while going treatment on April 4. Similarly, inmate Charuchandra Mishra died on June 3 after lung failure.

This year 42 inmates and detainees are less than the last year data, however they are facing lack of space. There are 4 telephones in three different prison buildings. Inmates and detainees are provided with some national and international daily newspapers however, there are no facilities of sports. Prison has 9 toilets and 9 tube well. There is shortage of books in the library. Inmates and detainees entertain themselves through 5 public and 20 personnel TV along with 10 personnel radios. This year no skilled trainings were provided in the prison. Detainees are compelled to wait long due to the delay in their case decision. All inmates and detainees have to live in very congested room creating a possibility of various diseases.

The prison building is in dilapidated condition and they are facing various issues.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 high and 1 district court. There are positions for 9 judges however 5 are at work. This year 2863 civil and 1071 criminal cases are pending. There are 383 civil and 145 criminal cases older than 2 years.

Similarly, there are 11 positions of judges in high court in which 6 judges are working. Until the end of this year 369 civil and 132 criminal cases are pending. There are 369 civil and 73 criminal cases older than 2 years.

Legal entrepreneurs staged sit-in-protest in front of high court Janakpur Rajbiraj bench and in a main gate of District court on February 7 protesting against the appointment of judges in high court on January 12 saying that it is against the principal of proportionate inclusion.

CHILD RIGHTS

Education Status

In this district there are 236 primary schools, 99 lower secondary, 44 secondary and 33 high schools. Under institutionalize, there are 81 primary, 25 lower secondary, 35 secondary and 12 high schools. In Rajbiraj there is 1 government Mahendra Multiple Campus.

There are 2,597 positions for teachers including accepted position of 1800 and relief positions of 766. Out of which 2,527 are working and 70 remains vacant. Out of total number of teachers 21 are differently abled.

This year in institutionalized and community schools, 63469 boys and 67,382 girls were enrolled. Under community schools 57703 girls and 46717 boys were enrolled. Similarly, under institutionalized schools 9,679 girls and 16,752 boys were enrolled. There are 6,545 children out of the reach from the schools. This year 12,108 dalit boys and 13452 girls were enrolled in schools. Similarly, 37 children from the conflict victim's family received scholarship.

The total budget og the district is 26, 69,99,000. The administrative cost is 1, 36,85,000. All schools are having toilet facilities and 50% of schools are disabled friendly.

The school block of Surya Boarding school at Hariharpur Rural Municipality-3 was completely destroyed after an unidentified group of people set fire on March 5. The founder Dev Narayan Chaudhary is a former UML secretary.

Majority of schools could not get text books even after the beginning of academic session due to the delay in printing books despite of "enrolling campaign" operated in the district.

The academic institutions were closed during the last month of July after the flood hit Tilathi, Koiladi, Basain, Bamangama Katti, Kusaha, Hanumannagar Kankalini, Madhawapur, Rampura Malhaniya, Sakarapur and Madhawapur Arji. The schools converted into the place for the displaced people.

More than 18,932 students from the flood hit area were deprived of going to schools according to District Education Office. Children deprived of going to school were compelled to live their lives doing some labor job.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	11	11
Sexual Abuse	6	6
Total	**18**	**18**

In Saptari, 11 girls were victims of rape this year including one 13 years old verbal impaired girl. In 2017, 6 girls were victims of sexual abuse. Last year 9 girls were victims of sexual abuse, 9 of rape, 1 of child trafficking and 1 of corporal punishment. Similarly, this year 1 girl was victim of child marriage.

Killing

Three years old Ram Awatar Khang Mandal of Pato Rural Municipality-5 was hacked to death by his 25 years old aunty Urmila Devi Khang Mandal on February 6. Police arrested the accused on a same day after she gave statement to police about the killing. The complaint lodged by the grandfather Ram Dev Khang was registered by the police on a same day. The postmortem of the body was conducted at Gajendra Narayan Singh Sagarmatha Zonal Hospital on February 7. By the court order on February 24, the accused was remanded in custody. The case is not decided till the end of this year.

Rape, Attempted Rape and Sexual Abuse

The victim's father of 13 years old verbally impaired girl lodged a complaint at District Police Office against Dev Narayan Yadav alias Bilaitiya of Rupani Rural Municipality-2 on September 8 charge of rape. The victim said that the accused raped her in mango garden at Rupani Rural Municipality-2. The accused was arrested by the police on a same day the complaint was lodged and registered complaint against him. The victim underwent health checkup in Rajbiraj Ganasingh Sagarmatha Zonal Hospital on September 8. The accused however denied the accusation. By the court order on August 6, he was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 283 women lodged complaint of domestic violence at Women and Children Service Center. This includes 47 incidents of beatings and expulsion from house,47 incidents of deprivation of food, 11 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 30 incidents of polygamy, 11 incidents of violence regarding Dowry and other 137 incidents of minor dispute . Among these cases 55 were settled in an agreement and 4 cases were processed for legal action.

In Saptari, this year 10 victims of rape, 8 victims of attempted rape and 2 victims of sexual abuse was documented. Last year 238 women were victims of domestic violence whereas this year only 36 were victims. Similarly, in 2017, 4 women were victims of allegation of being witch, 7 of polygamy. In 2017, majority of perpetrators were brought under legal remedies as compared to 2016.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	36	36
For Practicing Witchcraft	4	4
Polygamy	7	7
Rape	10	10
Rape Attempt	8	8
Sexual Abuse	2	2
Total	**67**	**67**

Killing By Family Members

A complaint against 67 years old Dev Narayan Chaudhary of Nakati Raypur Rural Municipality-7 was lodged by the victim's brother Hari Chaudhary at District Police Office on August 25 on charge of beating 29 years old Prabha Kumari Chaudhary to death. The postmortem of the body was conducted at Sagarmatha Zonal Hospital on August 26. The District Police Office registered the complaint on November 5. The accused is at large till the end of this year.

Lalita Devi Yadav,40 of Bode Barsain Municipality-3, Gaura was killed by her 42 years old husband Jaya Prakash Yadav by slitting her throat in the field of Jogendra Godahang Yadav on November 14. The accused was arrested by the police from his house on a same day. The victim was in a field to cut some grasses. At the same time the accused attacked with a sharp weapon and beheaded her. The Area Police Office of Kalyanpur registered the case on a same day and the postmortem of the body was done at Uma Prasad Sharada memorial hospital. By the court order on December 11, the accused was remanded in custody. The case is still pending till the end of this year.

Kushuma Devi Pandey, 40 of Shambhunath Municipality-3 was seriously injured after her 45 years old husband Mahesh Pandey attacked her with iron rod on November 17. The victim sustained serious injury on her head and was referred to Koshi Zonal Hospital after she could not be treated in Rajbiraj. The victim succumbed the injury on November 26. The victim's daughter Kabita Pandey lodged complaint at District Police Office on a same day. Based on a complaint lodged, the accused was arrested by the police on November 27 and registered the case against him on November 29. By the court order on December 27, the accused is remanded in Rajbiraj custody.

Rape, Attempted Rape and Sexual Abuse

Police arrested 26 year old Jaya Narayan Paudel of Sitapur Rural Municipality-8 on May 21 on charge of raping 19 years old intellectually disabled woman on May 21. The victim's mother lodged complaint at Area Police Office of Kanchanrup accusing him of raping victim in a corn field. The victim underwent a health checkup at BPKHIS on a same day the complaint was lodged. By the court order on June 14 he was remanded in custody.

Allegation of Being Witch

Bishnu Devi Shah, 40 of Rupani Rural Municipality-2 was beaten by Shiva Kumar Mandal, 37, his brother Chandra Shekhar Mandal and 35 years old Dharma Dev Mandal on June 19 alleging her of being witch. A complaint against the accused was lodged at District Police Office by the victim on July 23. The accused even attempted to set fire on her by dragging and beating. The District Police Office registered complaint against the accused. After the incident, the victim received treatment at Sagarmatha Zonal Hospital. All accused are at large till the end of this year. Police have issued warrant against them on September 11.

Sunita Kumari Shah, 35 of Shambhunath Municipality-5, Mohanpur was alleged of being witch on September 2 by Pulkit Shah,58 of the same place, Sona Deci Das,55, her son Ram Narayan Shah,25 and his wife 22 years old Geeta

Kumari Shah and attempted to feed her with human excrete after beating her. The victim lodged complaint at Area Police Office of Kalyanpur on September 3 and the police office registered the complaint against the accused. The accused have not been arrested till the end of this year. The District Court has issued warrant against the accused on November 21.

OTHER MISBEHAVIOUR

Abortion

Five months pregnant women Punam Devi Shah, 28 of Shambhu Nath Municipality-2, Khoksar Prabaha Kanakpatti was alleged of being witch and was beaten on January 28 by Rafidan Khatun,48 of the same place, Mahirun Khatun,28, Lukman Miya,21, Mohamad Jalam Miya,30, Jamila Khatun,35 and Bhuwan Shah,52 . In a beating she had miscarriage. The victim lodged complaint at District Police Office on January 31 against the accused. Among the accused, Rafidin was arrested by the police on February 2. Police registered the complaint against the accused on charge of abortion on February 3. The victim underwent treatment at eastern regional police hospital, Unique hospital and Gajendra Narayan Singh Sagarmatha Zonal Hospital. The court ordered to release Rafidin on March 1 on a bail amount if Rs 25,000. Other accused Bhuwan was released on bail amount if Rs 25,000 on April 18 and other accused on bail amount of Rs 15,000 each on April 20. The case is still pending till the end of this year.

CAST BASED DISCRIMINATION

42 years old Liladhar DasTatma and his wife Dukheni Devi Das Tatma, 35 of Bodebasain Municipality-6 lodged a complaint at District Police Office and Area Police Office of Bodebasain on June 28 against raj Kumar Yadav,45, Kashindra Yadav, 30, Ram Chandra Yadav,55, Sakkaldev Yadav, 42 and Jitendra Yadav, 41 on charge of cast discrimination. The accused had beaten the victims when they were in a Gram Dihabar Than Temple for Asari worship on June 27 saying that they are of low cast. Victim Liladhar sustained fractured shoulder and his wife sustained injury on her body. Both the victim received treatment at Sagarmatha Zonal Hospital and in Biratnagar. The District Police Office registered complaint against them under cast discrimination act on June 28. The accused are not arrested till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction Of Property

The cadres of Democratic Madhesi Morcha demonstrated in front of District Education Office at Rajbiraj Municipality-8 and Municipality Office at Rajbiraj Municipality-1 on February 23. The demonstrators smashed the window glasses of the offices by hurling stones. The pelted stones on charge of operating offices by defying strike called on by the Morcha against the decision to hold local level election prior to amendment of constitution. None of the demonstrators were arrested by the police.

Surya Boarding English School at Hariharpur Rural Municipality-3 was set fire by an unidentified people on the night of March 5. The school was completely destroyed in the incident. The founder of the school is a Dev Narayan Chaudhary and he is a former secretary of CPN UML.

The vehicle belonging to National Human Rights Commission (NHRC) regional office of Janakpur with registration number Ba7Cha7473 was vandalized by the cadres of United Democratic Madhesi Morcha in front of District Court at Rajbiraj Municipality-1 on March 8. In a vandalization, 45 years old driver Shre Ram Karki, of Kathmandu Metropolitan city-8, Mulpani sustained minor injury.

The vehicle belonging to NHRC with registration number Ba7Cha 7479 was vandalized by Ranjan Meheta, 28 of Maleth Rural Municipality-2 including others on March 10. Ranjan Meheta is a brother of Sanjan Meheta who died during Saptari incident. The vehicle was carrying NHRC spokesperson Mohana Ansari and it was vandalized while she was returning after meeting the victim's family of Saptari incident. The vehicle sustained smashed windows in an attack. They attempted to set fire on a vehicle by sprinkling petrol on it.

The cadres of United Democratic Madhesi Morcha attempted to set fire in the office of Land and Reformation at Rajbiraj Municipality-4 on March 10. The fire destroyed one wheel chair of the office. A bus with registration number Na-5Kha6713 was set on fire by the cadres of United Democratic Madhesi Morcha on March 10. The bus was coming from Birgunj to Rajbiraj. The demonstrators took passengers out from the bus and set fire by sprinkling petrol on it. In an incident, the bus was completely destroyed. The demonstrators also intimidated bus owner Kalpana Yadav,38 of Rajbiraj Municipality-1.

The leaders and cadres of Rastriya Janta Party (RJP) entered into the city level leadership cadres' assembly organized by UML at Rajbiraj Municipality-4 on June 11 and started to vandalize chairs along with attempting to set fire. The cadres set fire on banners and flags including some documents. UML City Committee chairman Niranjan Jha condemned the incident and said that the act was against democratic practice. He demanded to take action against the guilt involved in an incident. The agitation committee of RJP had publicly announced to obstruct any program organized by CPN UML in the district.

An unidentified group of people have vandalized and set fire in the Jaycees building at Rajbiraj Municipality-7 on July 11. The fire destroyed property worth of 1, 00,000. Jaycees chairperson Santosh Singh of Rajbiraj said that an unidentified people sprinkled petrol before setting fire on it. The incident was condemned by Jaycees Rajbiraj, civil society, NGO federation and many other active organization of the district and demanded the action against those involved in such criminal activities.

HEALTH SERVICE STATUS

In this district, there is one zonal hospital, 1 Bhardaha hospital under District Public Health Office, 4 primary health center and 111 health posts. There are 30 positions for doctors however only 8 are working. In zonal hospital there are positions for 23 doctors and there are 1 acting medical superintendent, 2 physician and 2 medical officers. Five doctors are working in contract under Nepal Government, 1 in scholarship contract, 1 in limited daily basis and 1 is temporarily working. The hospital is in shortage of surgeon, orthopedic surgeon, anesthesia, gynecologists, ENT specialist, pathologist and medical journalist. In zonal hospital, there are 5 positions for AHW and all 5 are working, out of 4 posts for ANM all are occupied. 1 lab assistant is working at zonal hospital and out of 7 positions of lab assistant in District Public health, 6 are at work. One health assistant is working at zonal hospital and out of 111 positions in District Public Health, 96 are working. There are 1 each posts for immunization supervisor, tuberculosis and leprosy supervisor and all of them are occupied.

Eastern regional police hospital (Thakodevi-Jogendra Bhagat) at Rupani Rural Municipality-1 with 25 beds has started its emergency service along with its inauguration on January 17.

The annual budget of zonal hospital is 4,38,00,000 and 30,00,000 is a medicine expenses. The annual budget of Dis-

trict Public Health Office is 4,83,95,000 and 17,75,000. The primary health centers and health posts of the district are facing medicine crunch throughout the year according to health incharges.

Children were deprived of having Polio drops scheduled nationwide on February 19 and 20, under the polio immunization campaign, after the United Trade Union revolutionary Committee padlocked the main gate of District Public Health Office on charge of not managing the posts and government not implementing the Health Service Act 9 (B) . After the sit-in-protest in front of the gate, the polio program was postponed. The operation of Bhardaha Hospital including 4 primary health centers and 111 health posts were completely affected by the strike.

DIARRHEA

Diarrhea was spread in severely flood affected area of dalit village in Tilathi Koiladi Rural Municipality-3 from the second week of September 23. One couple was severely affected by diarrhea and was referred to Biratnagar and other 90 received treatment at camps and some of them received treatment at Gajendra Singh Sagarmatha Zonal Hospital. The health officials said that the spread of diarrhea was due to the lack of toilets in the village as majority of people have not made toilets due to the poverty.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage			1	1
Rape	1	9		10
Sexual Abuse		6		6
Total	**1**	**15**	**1**	**17**

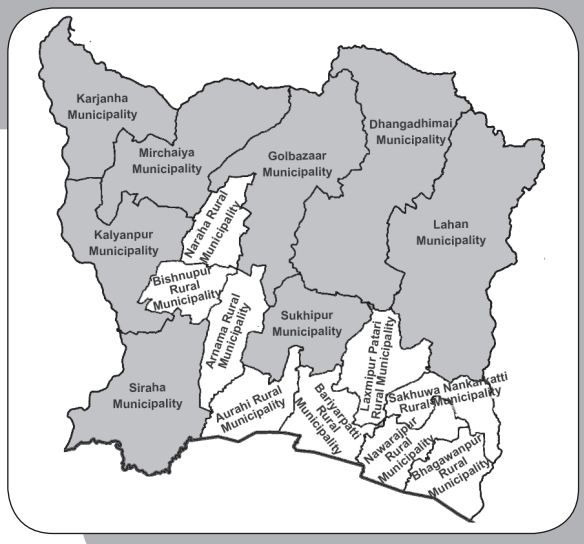
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	2	9	2		17	4	34
For Practicing Witchcraft			1		3		4
Polygamy	1				6		7
Rape					10		10
Rape Attempt				2	5	1	8
Sexual Abuse					2		2
Total	**3**	**9**	**3**	**2**	**43**	**5**	**65**

Number of Incidents

Type of Event	Closed Case	Investigation	Legal Proceeding	Total
Killing	1	1	4	6

2.2 Siraha



Total Population
6,65,858

Women
3,49,044

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
2,19,339

No. of Migrant Workers
45,790

Population by Disability
6,665

Literacy above 5 yrs (%)
58.05

Dependent Population
3,09,291

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	2	2	4		2	2
Child Rights				33		33
Inhuman Behaviour				1	1	2
Injured					7	7
Killing				8	3	11
Threats					2	2
Women Rights				50		50
Total	**2**	**2**	**4**	**92**	**15**	**107**

In 2016, 5 people were victims by the state actor whereas in 2017, 4 people were victims. Similarly, last year 88 people including 81 female and 7 male were victims by non-state actors whereas this year 107 people including 15 male and 92 female were victims.

FIRING/INJURED IN AN EXPLOSION
By Non-State Actor

An unidentified group of people opened fire at 31 years old YCL leader Lalu Khan of Kalyanpur Municipality-8 on February 12. He was on the way to celebrate "People's War Day" in motorbike organized by Maoist center. He was shot by bullet at Mirchaiya Municipality-2. The victim underwent treatment at BPKHIS. Police arrested Devendra Kumar Yadav, 20 and Rabindra Kumar Yadav, 22 on February 21 for their involvement in the incident. The accused were remanded in custody by the court order on March 17. The case is pending till the end of this year.

THREAT/BEATING
By State

30 years old Dhananjaya Yadav

of Lahan Municipality-8 was severely beaten by SI Lok Bahadur Diyali of District Traffick Office on November 18. The victim was severely beaten by the policemen in command if SI Diyali after taking him to the police office. He was beaten in a dispute after the accused denied to stop bike immediately after police gave him signal to stop. The victim sustained swollen face and bleeding nose. He was taken to local Leela Madan Poly clinic for treatment. Inspector Rudra Chudal of District Police Office said that the accused was given departmental action. The incident was monitored by the officer Deep Yadav of National Human Rights Commission, Janakpur on November 21.

By Non-State Actor

30 years old Dilip Singh, a representative of Nayapatrika daily was threatened of beating by the principal Murari Shah, 45 of Dev Ideal English Boarding School on March 21 over the issue of publishing news regarding the arrest of false invigilator during the examination of Math in Padariya Tharu Tol center. The principal accepted that her threatened Singh for publishing incomplete news. The incident was settled after the principal apologized about the incident in presence of teachers, police and rights activists on March 22.

JAIL AND DETAINEES

The "D" graded district prison of Siraha has a capacity to accommodate 150 inmates. However, there are 328 inmates, including 174 convicts and 154 detainees. There are 23 female inmates . The jail is overcrowded by twice than its capacity. This year 1 inmate died while undergoing treatment. The prison building was built in 1970 and is in dilapidated condition. The overcrowded prison is creating difficulties for the prison administration on managing inmates and detainees.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. There are 7 positions for judges however 5 are working at present. There are 1673 civil and 673 criminal cases pending. There are 170 civil and 50 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 351 elementary and 72 secondary schools. Out of 1663 posts for teachers, 76 remained vacant. This year 11028 boys and 11366 girls were enrolled in schools. In this district there are 435 disabled friendly schools. The District Education Office provided scholarships to 31372 dalit boys and girls.

Type of Events	By Non-State	
	Female	Total
Rape	22	22
Sexual Abuse	11	11
Total	**33**	**33**

In 2016, 21 children including 19 girls were victims of child rights violation. In 2017, 33 girls were victims. This year 22 girls were victims of rape and 131of sexual abuse. In majority of incidents, accused are absconding according to the police.

Beating

By State Actor

The family members of 9 and 7 years old girls Preeti and Priya Kushwaha of Lahan Municipality-3 have complained that they were beaten by police on March 7 while they were out from the house for playing. The victim girls said that they were beaten by the police from Area Police Office of Lahan near Hotel Godhuli in Lahan-3. Police intimidated girls while attempting to control the mob that were burning tires in a demonstration. In an incident, Preeti sustained fractured leg

and Priya had hand injury. Both of them received treatment at Saptarishi hospital in Lahan. DSP Hira Bahadur Pandey of Area Police Office said that the incident was unfortunate and accepted that it was a mistake by policemen. The case was settled after police agreed to pay Rs 10,000 as their treatment cost.

Child Trafficking

The victim's party of 13, 16 and 16 years old girls have lodged a complaint at Area Police Office of Lahan against 35 years old Bijaya Mahato of Lahan-3 on November 13 accusing him of attempting to traffick girls by luring them on November 11. According to DSP Naresh Raj Subedi of Area Police Office, the accused was arrested on November 15. By the court order on January 7 the accused was remanded in custody and the case remains pending till the end of this year.

Rape

17 years old intellectually disabled girl was raped by Mohi Narayan Chaudhary,45 of Sukhipur Municipality-1 on September 25 and victim's family lodged a complaint at Area Police Office on September 26 against the accused. The victim underwent a health checkup at Ram Kumar Uma Prasad Hospital on a same day. The accused is at large till the end of this year according to the police.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 257 women lodged complaint of domestic violence at Women and Children Service Center. This includes 24 incidents of beatings and expulsion from house, 113 incidents of deprivation of food, 54 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 15 incidents of polygamy and other 54 incidents of minor dispute. Among these cases 185 were settled in an agreement and 21 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	27	27
For Practicing Witchcraft	1	1
Polygamy	9	9
Rape	3	3
Rape Attempt	5	5
Sexual Abuse	5	5
Total	**50**	**50**

As compared to the last year, there has been slight decrease on women rights violation. In 2016, 31 victims of domestic violence were documented whereas this year 27 were documented. Similarly, last year 7 victims of rape were documented whereas this year 3 women were victims of rape. Similarly, this year 9 victims of polygamy, 5 victims of attempted rape, 5 victims of sexual abuse and 1 victim of allegation of witchcraft were documented.

Killing by Family Members

Shitali Devi Tamang, daughter of 53 years old victim Dukhani Tamang of Lahan Municipality-15 lodged a complaint at Area Police Office of Lahan on March 18 against her father Kale Tamang,60 charging him of hacking her to death on March 17. The postmortem of the body was done at Ram Kumar Uma Prasad memorial hospital on March 17. The accused was arrested by the police on March 16. By the court order on April 12, he was remanded in custody. On October 31, the court ordered to sentence him for life along with confiscation of his property.

Rape

A complaint against 45 years old Devendra Yadav of Laxmipur Patari Rural Muncipality-6 was lodged at Area Police Office on March 27 on charge of rap-

ing 37 years old woman on May 21. The victim underwent health checkup at Ram Kumar Uma Prasad Memorial Hospital on May 21. The accused is at large after the incident according to police.

ALLEGATION OF BEING WITCH

The victim's family of 55 years old Kushma Devi Yadav of Dhagadhimai Municipality-6 lodged complaint at Area Police Office of Lahan on April 17 against Shuva Kumar Yadav, 38, Bijaya Kumar, 34, Asharam Das,36, Jaya Lal Das,40 on charge of alleging her of being witch on April 13. The victim Yadav said that she was attacked with sharp weapon by the accused alleging her of practicing witchcraft. The injured victim underwent health checkup at Lila Madan Polyclinic. One of the accused Shiva Kumar Yadav was arrested by the police on April 16 where as other accused are at large till the end of this year. The court ordered to release the accused on bail amount of Rs 65,000 on May 4.

CASTE BASED DISCRIMINATION

The Human Rights Protection Center Network of the district has lodged a complaint at Area Police Office of Lahan on September 28 against the ostracize of Ramita Sadaya,18 of Dhangadhimai Municipality-2 in command of by 55 years old Shyam Sunder Sadaya from September 24. The Sadaya Community had ostracized her on charge of having affair with Muslim boy and being pregnant. At about 40 Sadaya families had ostracized the girl and locked her without giving her even water. The incident was monitored by NHRC officer Deep Yadav of Janakpur along with other human rights activists on September 27. The accused was arrested by the police on September 28 and was released on bail amount if Rs 20,000 on October 17. The case is pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction Of Property By United Democratic Madhesi Morcha

The cadres of United Democratic Madhesi Morcha have set fire on a truck with Indian plate (B.R51A4013) on March 6 at Golbazar Municipality-6 The cadres set fire on protest of death of their cadres by a police firing in Saptari. The front part of the truck was damaged by the fire.

HEALTH SERVICE STATUS

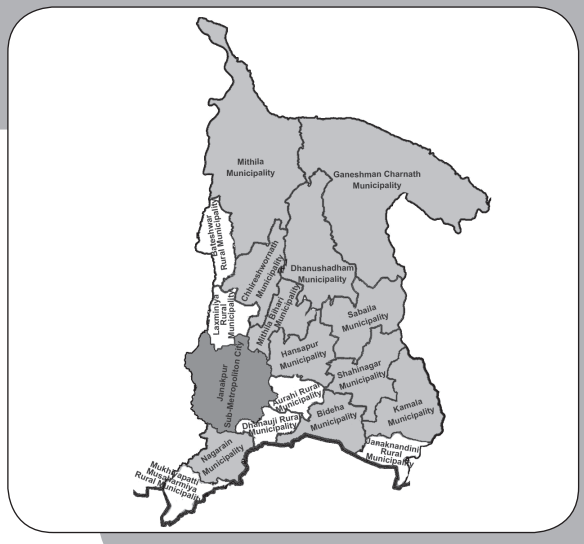
In this district, there are 2 district hospitals, 104 health posts and 4 primary health centers. There are 8 positions for doctors and 5 positions are occupied. In this district there are posts for 438 AHW and only 383 are occupied. The annual budget of District Public Health is Rs 40, 31,58,041and Rs 94,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017					
CHILD RIGHTS					
Type of Events	**Closed Case**	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	3	9	9	22
Sexual Abuse	1			10	11
Total	**2**	**3**	**9**	**19**	**33**

WOMEN RIGHTS					
Type of Events	**Compromise**	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	25			2	27
For Practicing Witchcraft				1	1
Polygamy		1	5	3	9
Rape		1	1	1	3
Rape Attempt			1	3	4
Sexual Abuse			1	3	4
Total	**25**	**2**	**8**	**13**	**48**

Number of Incidents					
Type of Events	**Closed Case**	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	1	2	7	11

2.3 Dhanusha



Total Population
7,91,293

Women
3,90,853

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
1,74,071

No. of Migrant Workers
60,400

Population by Disability
8,412

Literacy above 5 yrs (%)
50.44

Dependent Population
3,46,824

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					3	3
Beatings		1	1		10	10
Child Rights				12		12
Injured				2	9	11
Killing				6	5	11
Right to Assembly	32	70	102			
Torture		1	1			
Women Rights				32		32
Total	**32**	**72**	**104**	**52**	**27**	**79**

In 2016, 111 people including 88 women were victims in an incidents of human rights violation and atrocities whereas in 2017, 183 people including 84 women were victims.

This year 104 people including 32 women were victims of human rights violation by state actor. In 2016, 12 people including 2 women were victims by state actor.

INJURED IN A FIRING
By Others

Bilat Shah, of Janakpur sub-metropolis-7 and a principal at Suryadaya Secondary School along with 50 years old Narendra Kumar Sharma was injured after an unidentified group of people, in a motorbike, opened fire on them while they were on the way to school on June 25. The victim's party lodged complaint at District Police Office on June 11. Among the injured, Sharma was airlifted to Kathmandu for treatment. Police arrested 38 years old Raj Kishore Mandal alias Raju of Janakpur-4, Ganesh Prasad Shah,40 of Janakpur submetropilis-7 and 27 years old Saha Dev Kumar on charge of their involvement in the incident on July 9. By

the court order on August 11, Raj Kishore Mandal and Ganesh Prasad Shah were remanded in custody whereas other accused Sah Dev was released on a bail amount of Rs 45,000. The case is pending in the court.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Police arrested RJP leader Sarita Shah along with 41 cadres from Janakpur Chok on June 18 during the candidacy nomination process for second phase of local level election. The party was in agitation against the election and was in a campaign to boycott the election. The arrested were released on a same day by the District Administration Office. In a police baton charge, coordinator Parmeshwor Jha of RJP, Sanjaya Kumar Singh, leader Punam Jha, Kunti Pathak, Rita Jha and Sita Chaudhary were injured. The injured received treatment at Janakpur Zonal Hospital. The general strike called on by RJP had severely affected the transportation and commuters were stranded.

CLASH

A clash started between the cadres of United Democratic Madhesi Morcha and UML on February 22 after UDMM cadres started cordoning the house of UML leader Raghubir Mahaseth from the morning. UML senior leader Bam Dev Gautam was also in the house. In a clash, 35 years old Raj Kumar Shah of Sadbhawana Party and 22 years Kul Deep Shah , vice-chair of Janakpur Students Forum and UML cadre Lal Bahadur Laheri were injured. They received treatment at Janakpur Zonal Hospital. The cadres of Morcha had pelted stones in the house of Raghubir Mahaseth.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 district and 1 high court. There are 8 positions of judge and 4 are occupied. This year 2,316 civil and 963 criminal cases are pending. There are 275 civil and 159 criminal cases older than 2 years.

Similarly, 11 positions of judges in a high court are occupied. This year 1343 civil and 902 criminal cases are pending along with 256 civil and 164 criminal cases older than 2 years.

TORTURE AND INHUMANE BEHAVIOUR

21 years old victim Jaya Kishore Yadav of Aurahi Rural Municipality-4 lodged compliant at National Human Right Commission (NHRC), Janakpur on November 2 against Area Police Office of Aurahi for torturing him in a custody on October 31 and November 1. The victim sustained legs, face and backbone injuries and received treatment at District Hospital of Janakpur on November 2. He was arrested by the police on October 31 over a dispute with local vendor regarding the issue of selling cows and oxen. The victim's party lodged compliant at District Court on November 16 against Area Police in- charge Bindeshwor Yadav, policeman Indal Yadav and Umesh Ram demanding the action against them along with the compensation. The case is still pending in the court.

CHILD RIGHTS

Education Status

The district has 242 primary, 63 lower secondary, 49 secondary and 36 higher secondary schools. Out of 2,277 posts for teachers, 87 remained vacant. This year 74,895 boys and 73,005 girls were enrolled in schools. In this district there are 40 disabled friendly schools. The District Education Office provided scholarships to 11,880 dalit boys and 12,020 dalit girls. Similarly, 16 children from conflict victim's family provided with scholarship.

In Dhanusha district, this year 2 boys were killed and one 12 years old girl was killed after rape. A seven months old

boy was abducted and was released in co-ordination of family and police.

Type of Events	By Non-State	
	Female	Total
Rape	5	5
Sexual Abuse	7	7
Total	**12**	**12**

This year 5 girls with age group 6-15 were victims of rape and 7 were victims of sexual abuse. Similarly, a 15 years old girl was a victim of gang rape.

Killing After Rape

The victim's family of Bibika Kumari Shah, 12 of Janakpur Sub-metropolis-1 lodged complaint at District Police Office on August 16 against 35 years old Ram Chandra Mahato of Janakpur sub-metropolis-1 accusing him of killing her after rape on August 15. The body which was packed in a box was recovered by the locals and informed police. The victim was arrested by the police on a same day from the incident site and by the court order on September 12 he was remanded in custody. The postmortem of the body was conducted at Janakpur zonal hospital on September 12. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 528 women lodged complaint of domestic violence at Women and Children Service Center. This includes 380 incidents of beatings and expulsion from house, 58 incidents of deprivation of food, 19 incidents of non-cooperation in marriage registration and acquiring citizenship certificate, 23 incidents of polygamy and other 48 incidents of minor dispute. Among these cases 382 were settled in an agreement and 12 cases were processed for legal action. In 134 incidents, victims did not come into contact.

This year 4 women were killed by family members which includes 2 incidents of murder over a dowry dispute. In 2016, 1 woman was killed by the family member. This year 1 woman was victims of gang rape and 3 of attempted rape. In 2016, 2 women were victims of rape as per.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	24	24
Polygamy	4	4
Rape	1	1
Rape Attempt	3	3
Total	**32**	**32**

Rape, Attempted Rape And Sexual Abuses

The victim's party of 19 years old woman lodged complaint at District Police Office on June 13 against Deepak Yadav, 22 of Dhanushadham Municipality-4 and Santosh Yadav, 29 of the same place on charge of gang raping her while she was in a jungle to fetch grasses on June 6. The victim underwent health checkup at Janakpur Zonal Hospital on June 13. Both accused were at large and the incident is under the investigation according to police. The case remains pending till the end of this year.

Killing by Family Member (Dowry Related)

The victim's party of 18 years old Meena Devi Das of Chireshwor Municipality-10 lodged complaint at District Police Office on March 25 against 25 years old husband Kamlu Das, father-in-law Siriya Das, 55 and neighbor Amiro Yadav,50 on charge of hacking her to death on March 22. The victim's party accused them of killing her for not giving birth to a baby boy and not bringing enough dowry. The postmortem of the body was conducted at Janakpur Zonal Hospital on March

24. Police arrested Siriya Das and Amiro Yadav on March 25 on date. The case is pending till the end of this year.

In a similar incident, Ranjana Sharma, 22 of Janakpur Sub-metropolis-2 was killed by her 65 years old father-in-law including 5 other on the night of November 24 in a dowry dispute. She was killed on charge of not bringing motorbike as a dowry. The victim's family lodged complaint at District Police Office against the accused on November 26. The victim's father Ram Narayan Thakur said that they killed her daughter for not bringing motorbike despite of giving them Rs 15,00,000 cash and 7 ounces of gold as a dowry. Police arrested father in-law Dev Narayan and mother-in-law Sunitra Devi Thakur, 60 on November 25 , Dev Narayan was remanded in custody by the court order on December 24 however Sumitra was released. Other accused involved in the incident are at large till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 zonal hospital, 98 health posts and 5 primary health centers. There are 5 positions for doctors and all positions are occupied. The district has posts for 309 AHW and only 305 are occupied. The annual budget is Rs 4, 77, 00,000 and Rs 15,00,000 is allocated for medical expenses. The District Public Health Office said that this, year there was a shortage of essential medicine even in District and Health Posts.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	No Legal Proceeding	Total
Rape			3	2	5
Sexual Abuse	1	2	2		5
Total	**1**	**2**	**5**	**2**	**10**

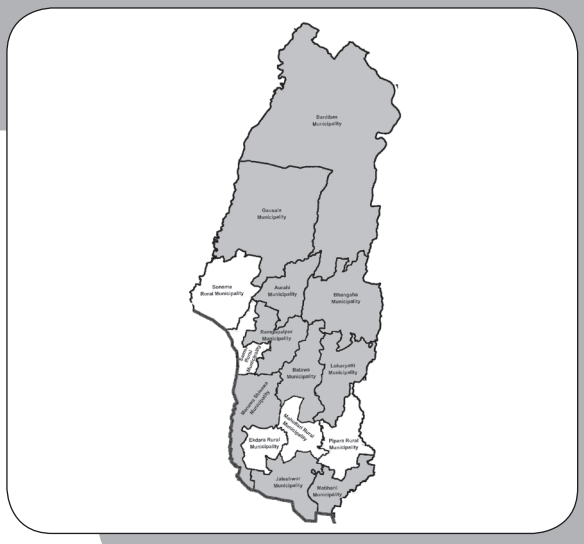
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	11	4		8	24
Polygamy				3	1	4
Rape			1			1
Rape Attempt		1	1	1		3
Total	**1**	**12**	**6**	**4**	**9**	**32**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	2	9	11

2.4 Mahottari



Total Population
6,60,374

Women
3,39,602

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
1,00,544

No. of Migrant Workers
40,541

Population by Disability
10,166

Literacy above 5 yrs (%)
47

Dependent Population
3,15,767

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	5		5
Inhuman Behaviour		1	1
Killing	1	1	2
Women Rights	226		226
Total	**232**	**2**	**234**

In 2016, 1 person was victim of human rights violation by state actor and 227 including 217 women were victims by non-state actor. This year 234 people were victims by non-state actor including 232 women.

JAIL AND DETAINEES

The "B" graded district prison has a capacity to accommodate 135 inmates. However, there are 423 inmates, including 154 convicts and 267 detainees. There are 40 female inmates with 1 dependent child. The jail is overcrowded and is in dilapidated condition. It was built 154 years ago.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. There are 5 positions of judges and 4 are occupied. There are 2,702 civil and 441 criminal cases pending. There are 105 civil and 45 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 411 primary, 127 lower secondary, 65 secondary

and 42 higher secondary schools. Out of 1505 posts for teachers, 55 remained vacant. This year 48,653 boys and 42,611 girls were enrolled in schools. In this district there are 16 disabled friendly schools. The District Education Office provided scholarships to 20,253 dalit boys and girls in elementary level and in secondary level 2,289 dalit students were provided scholarship. Similarly, 29 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	4	4
Sexual Abuse	1	1
Total	**5**	**5**

In 2016, 8 children were victims of child rights violation whereas in 2017, 5 children were victims. Last year 7 victims of rape and 1 of sexual abuse was documented by INSEC. This year 4 incidents of rape and 1 incident of sexual abuse was documented.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 16 years old girl lodged complaint at Area Police Office on April 5 against 38 years old English teacher Ramdular Shah Sonar on charge of rape. The accused was arrested by the police on a same day and victim underwent health checkup at District Hospital of Jaleshwor on April 7. By the court order on May 1, he was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 276 women lodged complaint of domestic violence at Women and Children Service Center. This includes 135 incidents of beatings and expulsion from house, 74 incidents of deprivation of food, 16 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 5 incidents of polygamy and 20 incidents of threat. Among these cases 92 were settled in an agreement by police and 184 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	4	4
Domestic Violence	214	214
Polygamy	1	1
Rape	6	6
Rape Attempt	1	1
Total	**226**	**226**

In 2016, 203 women were victims of women violence whereas this year 226 were victims. In 2016, 2 women were victims of rape, 1 of attempted rape, 1 of sexual abuse, 8 of polygamy and 191 of domestic violence. This year 6 victims of rape, 1 incident of attempted rape, 1 of polygamy, 4 of attempted trafficking and 214 of domestic violence.

Rape, Attempted Rape and Sexual Abuse

19 years old woman lodged complaint at District Police Office on June 11 against 26 years old Sunil Shah of Aurahi Rural Municipality-2, Aniket Yadav, 20, Ramesh Panjiyar, 21 and Suresh Yadav,20 on charge of gang rape her on the night of June 11. Among the accused, Sunil Shah was controlled by the locals and handed over to the police whereas other accused Aniket Yadav, Ramesh Panjiyar and Suresh Yadav were arrested by police on June 22. The victim underwent health checkup at District Hospital and by the court order on July 9, the accused were remanded in custody.

Killing After Rape

Police arrested 46 years old Barun Kumar Yadav of Loharpati Municipality-1, 37 years old Amrita Devi and Jibrul Rain, 37 on July 18 on charge of gang raping and killing 35 years old woman of Bhangaha Rural Municipality-9 on May

2. The victim's body was recovered by police on May 3. The postmortem of the body was conducted at Jaleshwor Hospital on May 3. By the court order on August 17, the accused were remanded in custody.

Dowry Related Violence

Amrita Kumari Kapar, 19 of Bardibas Municipality-8 was rejected from marriage on January 23 when marriage rituals were in process. She was rejected by 22 years old Raudi Kapar of Dhanushadham Municipality-8, Kanchibazar after not getting buffalo as a dowry. The victim's father Ram Prajash Kapar lodged complaint at United Service Center Bardibas on January 25. The center forwarded the case to Area Police Office, Bardibas. The accused Raudi was arrested by police on February 25. The accused was released on bail amount on March 4 after the victim's party did not come into contact according to Area Police Office, Bardibas.

HEALTH SERVICE STATUS

In this district, there are 2 district hospitals, 70 health posts and 5 primary health centers. There are 8 positions for doctors and 6 positions are occupied. There are no positions for gynecologist. The district has posts for 230 AHW and only 220 are occupied. Out of the positions for 9 staff nurses, 7 are occupied. The annual budget of District Public Health is Rs 16,21,21,000 and Rs 7,40,19,000 is allocated for medical expenses. There was a shortage of medicine in the district due to the new structure of local level according to District Public Health Office.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	2	2	4
Sexual Abuse	1		1
Total	**3**	**2**	**5**

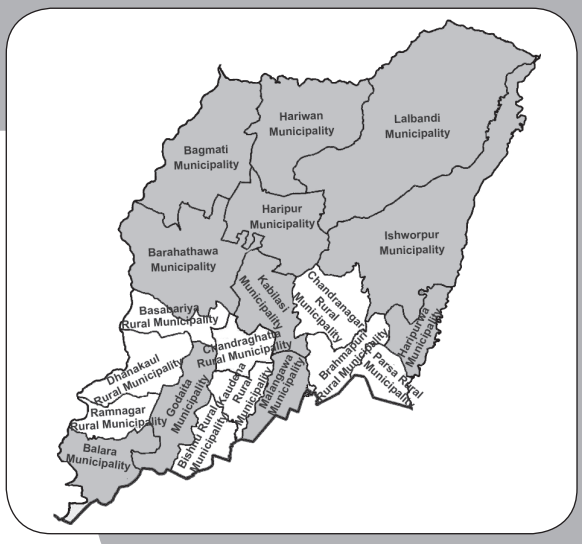
WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Attempt to Trafficking				1		1
Domestic Violence	55	1	13	1	144	214
Polygamy			1			1
Rape			2	4		6
Rape Attempt			1			1
Total	**55**	**1**	**17**	**6**	**144**	**223**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	2	2

2.5 Sarlahi



Total Population
8,31,067

Women
4,14,067

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
1,35,268

No. of Migrant Workers
21,401

Population by Disability
9,585

Literacy above 5 yrs (%)
89

Dependent Population
352006

Type of Events	By Non-State		
	Female	Male	Total
Abduction		1	1
Beatings	3		3
Child Rights	11		11
Injured	1	1	2
Killing	4	2	6
Women Rights	4		4
Total	**23**	**4**	**27**

In 2016, 35 people including 31 women were victims of human rights violation by non-state actor whereas this year 27 people were victims including 23 women. This year, there were no incidents of violation by state actor.

This year 1 incident of killing of children by giving poison was documented .

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

By Non-State Actor

Police arrested Krishna Shah, 23 of Barahathawa Municipality-16, Jaya Prakash Paswan, 27 of Lalbandi Municipality-2, Prabhu Narayan Mahato, 27 of Lalbandi Municipality-2 and Bhola Mandal,21 of Kabilasi Municipality-1 on October 22 on charge of killing gold vendor Sunil Kumar Shah, 22 of Kabilasi Municipality-2 in a gun shot on October 10. The victim;s family had lodged complaint at Police Office on October 13. By the court order on December 4, all accused were remanded in custody.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 100 inmates. Inmates and detainees were shifted to other district's prisons since 4 years due to the old and dilapidated condition of the prison building. The prison building sustained damage during the armed conflict and it was further weakened after the earthquake in 2011, September 18. The construction process began three years ago however the process is still continuing.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and 5 positions of judges are occupied. There are 1753 civil and 700 criminal cases are pending. There are 104 civil and 35 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 318 primary, 58 lower secondary and 38 higher secondary schools. There are 1660 positions for teachers. This year 16,546 boys and 15,379 girls were enrolled in schools. In this district there are 25 disabled friendly schools. The District Education Office provided scholarships to 12,517 dalit boys and 11,430 dalit girls. Similarly, 10,94,000 children from conflict victim's family provided with scholarship as a relief according to the District Education Office.

Type of Events	By Non-State	
	Female	Total
Rape	8	8
Sexual Abuse	3	3
Total	**11**	**11**

In 2016, 11 children were victims of child rights violation. Similar to the previous year, this year as well, 11 children were victims of child rights violation. Last year 1 infant was killed , 6 girls were victims of rape and 4 of sexual abuses whereas this year 8 girls were victims of rape and 3 of sexual abuses. This year 2 complaints were lodged at police office against father on charge of rape on daughters.

Rape, Sexual Abuses

The victim's family of 8 years old girl lodged complaint at Area Police Office of Lalbandi on June 29 against 22 years old Gyan Bahadur Rumba of Lalbandi municipality-10 on charge of rape. The victim underwent health checkup at District Hospital of Malangwa on a same day. He was arrested by the police on a same day the complaint was lodged and by the court order on September 8, the accused was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 267 women lodged complaint of domestic violence at Women and Children Service Center. This includes 36 incidents of beatings and expulsion from house, 228 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate and 2 incidents of polygamy. Among these cases 228 were settled in an agreement and 40 cases were processed for legal action.

In 2016, 17 women were victims of women violence whereas this year only 4 women were victims. Last year, 1 woman was victim of witchcraft allegation, 3 of rape, 4 of attempted rape,1 of polygamy, 1 of trafficking and 7 of domestic violence. In 2017, 1 woman was alleged of being witch, 2 were raped and 1 was attempted to rape.

Type of Events	By Non-State	
	Female	Total
For Practicing Witchcraft	1	1
Rape	2	2
Rape Attempt	1	1
Total	**4**	**4**

Attempted Killing by Family Members

Tara Khatun, 32 of Rautahat, currently living in lalbandi Municipality-1 was attempted to kill by her 47 years old husband Muskim Shesh by attaking her with knife on February 2. The victim's family lodged complaint at Area Police Office on February 8 against the accused. He was arrested on a same day the complaint was lodged and by the court order on March 7, he was sent to Jhumka Prison after not being able to pay bail amount of Rs 10,000. The case remains pending.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 39 years old woman lodged complaint at Area Police Office of Ishworpur on February 18 against Phurba Singh Pakhrin, 33 of Lalbandi-9 on charge of rape. The victim underwent health checkup at District Hospital of Sarlahi on a same day. He was arrested by the police on February 18 and by the court order on March 13, he was remanded in custody. The case is still pending in court.

WITCHCRAFT ALLEGATION

Sunita Moktan,36 of Bagmati Municipality-3 was attacked with wood stick and burning wood on the night of July 18 by 55 years old Sanumaya Loh and her 18 years old daughter Lalimaya Loh accusing her of being witch. The victim's party lodged complaint at Area Police Office on July 19 against the accused. After the incident, victim underwent primary treatment at Namuna Hospital in Hariban and further referred to Bharatpur. On a same day, both accused were arrested by the police and by the court order on August 13, the accused were released on bail amount of Rs 40,000. The case remains pending.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Poverty

Gundra Devi, 30 of Kabilasi Municipality-2 committed suicide by consuming poison on January 2. Before committing suicide, she gave poison to her 13 years old daughter Puja Kumari, Chanda Kumari,10 and 3 years old daughter Radha Kumari. After the incident, Gundra Devi and her 10 years old daughter Chanda Devi died whereas 13 years old Puja Kumari and 3 years old Radha Kumari received treatment in Birgung and their health improved. The investigation revealed that the incident was a result of poverty according to DSP Sita Ram Rijal. The investigation also revealed that the victim was facing severe financial crisis and facing difficulties on grooming her daughters.

In another incident, 22 years old Sabita of Barahathawa Muncipality-11 committed suicide on January 5 by consuming poison. Prior to her suicide, she also gave poison to her 5 years old daughter Aman Pal and 3 years old son Prince Pal. Sabita and Aman died due to the poison whereas son Prince received treatment in Birgunj. Police said that the suicide was because of severe poverty.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 94 health posts and 5 primary health centers. There are 10 positions for doctors and 4 positions are occupied. In this district there are posts for 282 AHW and only 267 are occupied.

Number of Incident with Status of Legal Proceeding in 2016				
CHILD RIGHTS				
Type of Events		**Legal Proceeding**		**Total**
Rape		8		8
Sexual Abuse		3		3
Total		**11**		**11**
WOMEN RIGHTS				
Type of Events	**Investigation**	**Legal Proceeding**	**Total**	
For Practicing Witchcraft		1	1	
Rape	1	1	2	
Rape Attempt		1	1	
Totl	**1**	**3**	**4**	
Number of Incidents				
Type of Event	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	2	2	6

2.6 Rautahat

Total Population
7,53,205

Women
3,70,102

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
2,27,000

No. of Migrant Workers
9,331

Population by Disability
8,698

Literacy above 5 yrs (%)
47

Dependent Population
3,64,751

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				1	1
Child Rights			8		8
Inhuman Behaviour				1	1
Injured	2	2	16	8	24
Killing			4	5	9
Threats				1	1
Women Rights			25		25
Total	**2**	**2**	**53**	**16**	**69**

In 2017, 2 people were victims by state and 69 by non-state actors. In 2016, 5 were victims by state and 37 by non-state actor. INSEC documented 2 incidents of violation by state actor this year whereas last year 1 person was killed and 4 were injured by the state actor. Last year, 16 victims of child rights violation and 16 victims of women rights violation was documented. In 2017, 1 incident of abduction, 8 incidents of child rights violation, 1 incident of inhumane behavior and 25 incidents of women rights violation were documented. This year 69 people were victims by non-state actors including 16 men. Similarly, 9 people were killed this year including 4 women. Last year 4 women were killed.

INJURED IN FIRING/EXPLOSION

By Unidentified Group

Sarita Rai, 31 of Chandrapur Municipality-5, her 7 years old son Jaibik Rai, 45 years old Laxmi Rai, 54 years old Ram Bahadur B.K, 48 years old Kunta Khatri, 39 years old Gopal B.K, 45 years old Dil Maya Rai and 50 years old Yamuna Kafle were injured in an explosion by an unidentified group of people on November

18. The bomb was detonated targeting the program of left alliance at Radha Krishna Temple in Chandrapur Municipality-5. The victims received treatment at Chitwan Medical College.

CLASH

Hasina Khatun, 30 of Ishanath Municipality-7, Mojare Alam,15, Rauashun Khatun,35, Yasmin Khatun,12, Sadina Khatun,30, Julekha Khatun,50, Marenad Khatun,18, Gulkheda Khatun,8, Phulnad Khatun,8, Sekh Anwar,40, Sujina Khatun,42 and Saphatun Khatun,30 were injured in a clash between the cadres of Nepal Democratic Forum and Nepali Congress on the night of October 8. The clash started after the cadres of Nepali Congress attacked the victory rally of Nepal Democratic Forum after the City working committee's election at Ishanath Municipality. The victims received treatment at Birgunj Medical College. The incident was settled after the agreement between both parties on October 11.

INHUMANE BEHAVIOUR

Manishanker Nidhi, 47, a district chairperson of National Teachers Association was misbehaved by the cadres of Madhesi Morcha on March 6 by smearing black soot on to his face. He was on the way to his house when the cadres stopped and put black soot on his face before fleeing the scene according to UML district secretary Laxman Regmi. Morcha accused UML party of not supporting on their demands. UML party said that Nidhi was disseminating the Mechi-Mahakali campaign of CPN UML. The incident is under investigation.

JAIL AND DETAINEES

The "B" graded district prison has a capacity to accommodate 100 inmates. However, there are 170 inmates, including 78 convicts and 92 detainees. There are 9 female inmates with no dependent child. There is 1 inmate above 65 years old. The jail is overcrowded and is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. There are 7 positions of judges and 5 are occupied. There are 528 civil and 306 criminal cases pending. There are 149 civil and 31 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 8 incidents of child rights violation documented this year. In 2016, 16 incidents of such violation was documented. Among the documented incidents, 1 is of trafficking, 5 of rape and 2 of sexual abuses. Last year 12 girls were victims of rape and 4 of sexual abuse.

Type of Events	By Non-State	
	Female	Total
Child Trafficking	1	1
Rape	5	5
Sexual Abuse	2	2
Total	**8**	**8**

Rape, Attempted Rape and Sexual Abuse

The victim's family of 11 years old girl lodged complaint at Area Police Office of Garuda on March 15 against 42 years old Nageshwor Yadav of Brindaban Municipality-4 on charge of rape. The complaint lodging process delayed due to the attempt of settling it within the village. The victim underwent health checkup at Gaur Hospital and accused remains absconding till the end of this year.

Child Trafficking

The victim's party of 15 years old girl lodged complaint at District Police Office of Rautahat on August 9 against 58 years old Julekha Dhaniya Rain of Ishanath Municipality-5, and Mustak

Munsari,50 of east Chanparan of India on charge of trafficking the girl in India after abducting her from the house on August 5. The police could not arrest the accused till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 452 women lodged complaint at Women and Children Service Centre. This includes 145 incidents of beatings, 145 incident of non-cooperation from husband, 15 incidents of expulsion from house, 32 incidents of deprivation of food, 8 incidents of non-cooperation in acquiring marriage and citizenship certificates. Among these dispute, police settled 237 incidents in an agreement while 6 incidents were forwarded for legal proceedings. In 191 incidents, victims were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	18	18
For Practicing Witchcraft	1	1
Polygamy	2	2
Rape	4	4
Total	**25**	**25**

In 2017, 25 women were victims of violation by non-state actors. In 2016, 16 such incidents were documented by INSEC. This year, 18 incidents on women violence, 1 incident of witchcraft allegation, 2 of polygamy and 4 of rape were documented. In 2016, 1 woman was victim of polygamy and 14 of domestic violence.

Rape, Attempted Rape and Sexual Abuse

Police arrested 45 years old Jabahir Sahani of Durga Bhagwati Rural Municipality-2 on July 21 on chrge of raping 35 years old intellectually disabled woman on July 20. The victim underwent health checkup at Gaur hospital on a same day. By the court order on August 17, he was remanded in custody and the case remains pending till the end of this year.

Killing by Family Members

20 years old Kanti Devi Raut's brother Jaya Prakash Patel lodged complaint at District Police Office of Rautahat against her father-in-law Saha Dev Patel,60 and husband Junga Bahadur Raut,22 on charge of killing her over a domestic dispute on the night of September 24 and cremating her body. After the complaint, the accused were arrested by the police. By the court order on October 24, they were remanded in custody. He case remains pending.

Jagiya Devi Kurmi, 25 of Bijayapur Municipality-2 was set on fire by her 42 years old husband Ram Pukar Raut on the night of May 18 by sprinkling kerosene over her body. She died while undergoing treatment in Gaur Hospital on May 31.The victim's father Bishundayal Raut lodged complaint at DPO on June 1 against the accused. Police said that the accused are at large till the end of this year.

WITCHCRAFT ALLEGATION

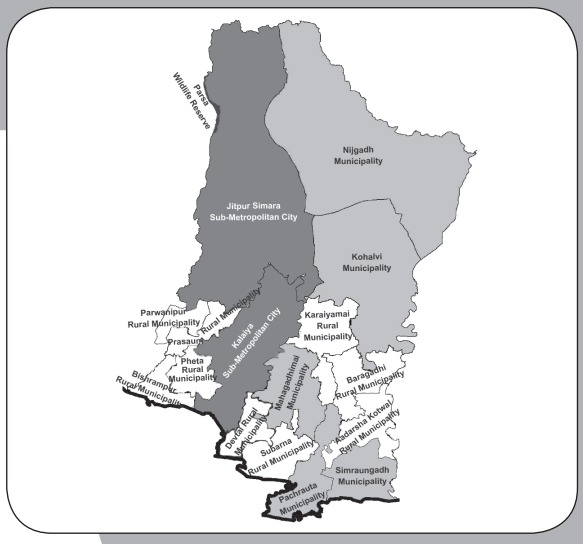
Janaki Devi Chamar,45 of Ishanath Municipality-4 was misbehaved and beaten by Surendra Mahara Chamar,40 and Mahendra Mahara Chamar, 35 of the same place on September 19 allegin her of being witch. The injured victim underwent treatment at District Hospital of Gaur on September 19. On September 21, the victim's husband Rajendra Mahara Chamar lodged complaint at Police Office and on a s ame day one of the accused Surendra Chamar was arrested by the police however other remained absconding. By the court order on October 15, the accused was remanded in custody. The case remains pending till the end of this year.

HEALTH SERVICE STATUS

There is 1 district hospital and 1 Chandranigahapur hospital in Rautahat. There are 4 primary health centers, 85 health posts and 6 community health centers. The district hospital of Gaur has 50 bed capacity. Out of the positions for 12 doctors, 10 doctors including 3 women are at work. Three gynecologist are working. In 15 bedded hospital of Chandranigahapur, there are posts for 3 doctors and 2 are occupied. The annual budget of the hospital is Rs 46,00,000

Number of Incident with Status of Legal Proceeding in 2017					
Number of Incidents					
Type of Events	**Investigation**		**Legal Proceeding**		**Total**
Child Trafficking	1				1
Rape			5		5
Sexual Abuse			2		2
Total	**1**		**7**		**8**
WOMEN RIGHTS					
Type of Events	**Compromise**	**Incomplete**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	15	1		2	18
For Practicing Witchcraft			1		1
Polygamy			2		2
Rape			4		4
Total	**15**	**1**	**7**	**2**	**25**
Number of Incidents					
Type of Event	**Investigation**		**Legal Proceeding**		**Total**
Killing	1		8		9

2.7 Bara



Total Population
7,47,105

Women
3,67,568

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
2,03,484

No. of Migrant Workers
12,530

Population by Disability
11,649

Literacy above 5 yrs (%)
52

Dependent Population
3,43,957

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	4	4	1	5	6
Child Rights			9		9
Death in Detention	1	1			
Inhuman Behaviour				5	5
Injured				3	3
Killing			8	4	12
Women Rights			5		5
Total	**5**	**5**	**23**	**17**	**40**

In 2016, 49 people were victims in incidents of human rights violation and atrocities whereas in 2017, 45 people were victims. Last year 3 people were victims by state actor and 46 by non-state actor whereas in 2017, 5 people were victims by state actor and 40 by non-state actor. This year in Bara, 8 women were killed including 3 by the family members. Similarly, incidents of election related violence are documented this year.

THREA/BEATING

UML party office secretary Shankar Bhattari, 53 of Kalaiya sub-metropolis-4 was misbehaved by the cadres of United Madhesi Morcha on March 9 at main Chok in the morning by smearing black soot onto his face. The victim did not lodge complaint regarding the incident. On March 7, the cadres set fire in the party office of UML.

Similarly, UML Kalaiya City Committee member Ram Ekbal Patel, 50 of Kalaiya Sub-metropolis-2 and was smeared with black soot on March 9 by the cadres of UDMM on March 9 however no complaint was made regarding the incident.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Parliamentarian Purusottam Paudel of UML from the constituency number 6 of Bara was attempted to attack and misbehaved by the cadres of Maoist center on February 28 during the interaction program regarding the progress report of proposed second International Airport in Nijgadh of Bara. The program was obstructed after the situation was tensed. It was participated by senior leader Madhav Kumar Nepal including party leaders. No complaints were made regarding the incident.

RIGHT TO PROMPT AND FAIR TRIAL

In this district, there is 1 District Court. There are positions for 7 judges and 6 posts are occupied. There are 1581 civil and 667 criminal cases pending. There are 46 civil and 20 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

The district has 261 primary, 82 lower secondary, 28 secondary and 43 higher secondary schools. Out of 2,249 posts for teachers, 40 remained vacant. This year 6,400 boys and 5,200 girls were enrolled in schools. In this district there are 256 disabled friendly schools. The District Education Office provided scholarships to 1100 dalit boys and 10,000 dalit girls. Similarly, 18 children from conflict victim's family and martyr families were provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	5	5
Sexual Abuse	3	3
Total	**9**	**9**

In 2016, 18 children were victims of child rights violation where as in 2017, 9 girls were victims. Last year 10 girls were victims of rape whereas this year 5 were victims. Similarly, last year 8 children were victims of child trafficking whereas this year 1 girl was victim of child marriage and 3 of sexual abuse.

Rape and Sexual Abuse

Police arrested 24years old Sona Lal Shaha Teli of Kaliya sub metropolis-22 on February 19 on charge of raping 15 years old girl. The victim's party had lodged complaint at District Police Office against the accused on January 7. Based on a complaint lodged, the accused was arrested by the police. The victim underwent health checkup at District Hospital on January 7. By the court order on March 19, the accused was remanded in custody and on July 6, court ordered to sentence him for 3 years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 605 women lodged complaint of domestic violence at Women and Children Service Center. This includes 17 incidents of beatings and expulsion from house, 186 incidents of deprivation of food, 85 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 23 incidents of polygamy and other 294 incidents of minor domestic dispute. Among these cases 434 were settled in an agreement and 9 cases were processed for legal action according to women and child service center.

Last year 7 women were victims of women violence whereas in 2017, 5 women were victims. In 2016, 2 women were victims of rape, 4 were victims of attempted rape and 1 of polygamy whereas this year 1 was victims of attempted rape and 4 of polygamy.

Type of Events	By Non-State	
	Female	Total
Polygamy	4	4
Rape Attempt	1	1
Total	**5**	**5**

Killing by Family Members

The victim's party of 30 years old Kunti Devi Ram Chamar of Kalaiya sub metrolois-24 lodged complaint at District Police Office on July 26 against 35 years old husband Kisun Ram on charge of killing her with an axe on the night of July 25. He was arrested by the police on July 29 and by the court order on August 28, the accused was remanded in custody. The postmortem of the body was conducted at District Hospital of Kalaiya. The case remains pending.

Rape, Attempted Rape and Sexual Abuse

23 years old woman lodged complaint at District Police Office on April 7 against Anurag Yadav, 28 of Pachrauta Municipality-8 on charge of attempting to rape her on April 6. The accused is absconding and search for him is going on according to police.

ECONOMIC, SOCIAL AND CULTURE RIGHTS

The cadres of United Democratic Madhesi Morcha set fire on UML party office in Kalaiya on March 7 during the general strike called on in protest of Maleth incident on March 6. However, the cadres denied the allegation.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 94 health posts and 5 primary health centers. There are 16 positions for doctors and 6 positions are occupied. There are no posts for gynecologist. In this district there are posts for 300 AHW and only 178 are occupied. The annual budget is Rs 5,00,000,00 and Rs 13,00,000 is allocated for medical expenses.

1,40,000 children below five years were deprived of having Polio drops on February 18 and 19 due to the agitation called on by the health professionals demanding the re appointment of promoted health staffs. Because of the agitation, children could not get the Polio drops. The government rescheduled the program for March 4 and 5 however they could not het the drops due to the lack of time for preparation caused by strike.

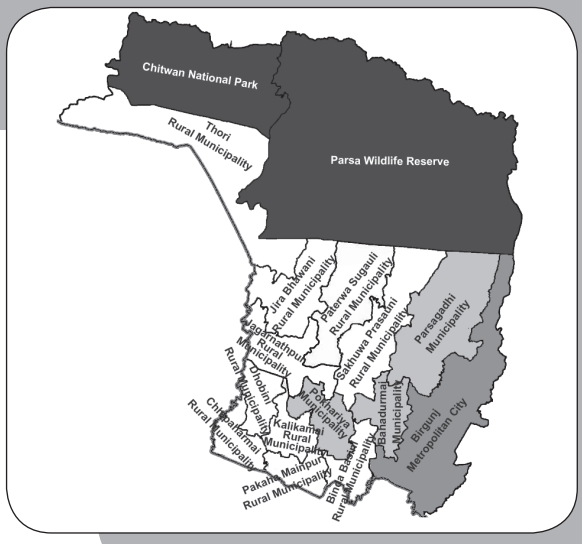
MONITORING OF PAST INCIDENT

Torture inflicting police charged

The District Court ordered for departmental action against two police officers along with the compensation of Rs 75,000 after finding them guilty on torturing Brij Kishore Shah in cutody , two years ago. Former DSP Binod Sharma and inspector Sashi Kumar Thakur were charged on April 30 by the court. The victim Shah had lodged complaint at court demanding for the justice against the torture inflicted on him in the custody. He was arrested in 2016 March 26 and was beaten with bamboo stick, fist and boot inside the police custody by DSP Sharma. He sustained several bruises over his body along with head, eyes and facial injuries. The victim said that he was happy by the decision of the court.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage			1	1
Rape	1	1	3	5
Sexual Abuse		1	2	3
Total	**1**	**2**	**6**	**9**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Polygamy	2		2	4
Rape Attempt		1		1
Total	**2**	**1**	**2**	**5**
Number of Incidents				
Type of Event	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	3	8	12

2.8 Parsa



Total Population
6,48,381

Women
3,12,450

No. of Constituency (HoR)
4

No. of Constituency (PA)
8

Below Poverty Level
1,72,599

No. of Migrant Workers
8,053

Population by Disability
6,215

Literacy above 5 yrs (%)
80

Dependent Population
2,87,578

Type of Events	By Non-State		
	Female	Male	Total
Beatings	1	1	2
Child Rights	12		12
Inhuman Behaviour		1	1
Killing	3		3
Women Rights	14		14
Total	**30**	**2**	**32**

In 2016, 113 people including 102 women were victims of human rights violation by non-state actor whereas in 2017, 32 people including 30 women and 2 men were victims.

JAIL AND DETAINEES

The "B" graded district prison of Parsa district has a capacity to accommodate 700 inmates. However, there are 1214 inmates, including 605 convicts and 607 detainees. There are 2 dependent child. The jail is overcrowded and almost the double then its capacity. The prison building was made in 1950 and it is provided with solar system.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 courts including 1 high court. The positions for 6 judge are occupied. There are 2295 civil and 1246 criminal cases pending. There are 155 civil and 74 criminal cases older than 2 years.

Similarly, in the high court there are 15 positions for judges of which 11 are working. This year there are 1262 civil and 1666 criminal cases pending. Also there are 140 civil and 96 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 303 primary, 32 Madarsha, 2 open , 5 alternative, 508 child development center, 87 lower secondary, 86 secondary and 30 higher secondary schools. Out of 1705 posts for teachers, 24 remained vacant. This year 1,86,608 boys and 59,515 girls were enrolled in schools. In this district there are 32 disabled friendly schools. The District Education Office provided scholarships to 24,019 dalit boys and 9,346 dalit girls.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Child Trafficking	1	1
Rape	7	7
Sexual Abuse	3	3
Total	**12**	**12**

In 2016, 18 children were victims of child rights violation whereas in 2017, 12 children were victims. Last year 12 girls were victims of rape, whereas this year the number is 7. Similarly, 4 girls were victims of trafficking and sexual abuses in 2016 whereas this year INSEC documented 1 victim of child marriage, 1 victim of trafficking, 7 of rape and 3 of sexual abuse.

Rape, Attempted Rape

The victim's family of 4 years old girl lodged complaint at District Police Office on April 12 against 29 years old Ramesh Das Tharu on charge of rape on April 11. The accused was arrested by police on a same day and the victim underwent a health checkup at Narayani sub-regional hospital. By the court order on May 7, the accused was sentenced for 10 years along with Rs 50,000 penalty.

ALL KINDS OF DISCRIMINATION AGAIST WOMEN

This year 708 women lodged complaint of domestic violence at Women and Children Service Center. This includes 211 incidents of beatings and expulsion from house, 198 incidents of deprivation of food, 61 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 38 incidents of polygamy and other 52 incidents of minor dispute. Among these cases 597 were settled in an agreement and 1 case was processed for legal action. Other remaining cases are under investigation.

In 2016, 83 women were victims of violence where as in 2017, 14 women were victims. Last year 1 woman each was victim of rape and attempted rape, 4 of polygamy, 10 of trafficking and other 67 of domestic violence. This year 2 women were victims of attempted trafficking, 2 of witchcraft allegation, 5 of rape and 5 of attempted rape.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	2	2
For Practicing Witchcraft	2	2
Rape	5	5
Rape Attempt	5	5
Total	**14**	**14**

Killing After Rape

Complaint against 32 years old Umesh Hajara was lodged at DPO by the victim's family of 50 years old Sani Laxmi Bomjan of Thori Rural Municipality-5 on October 6 on charge of killing her after rape. The postmortem of the body was conducted at Narayani Sub regional hospital on October 7. He was arrested by the police on October 9 and by the court order on June 5 he was remanded in custody. The case remains pending till the end of this year.

Killing by Family Members

The victim's party of 21 years old Alisa Sunar of Thori Rural Municipality-1 lodged complaint at Area Police Office of Pokhariya on February 24 against 35

years old husband Ashok Lohar and his first wife Jamuna Lohar,33 on charge of killing her on February 22. She was killed with a sharp weapon and her body was lying in the kitchen according to Inspector Lokendra Singh Gurung of Thori. She was married a second wife by Ashok just two days ago. The postmortem of the body was conducted at Narayani Sub-regional Hospital on February 23. The court ordered to remand them in custody on May 5. The case remains pending.

Rape, Attempted Rape and Sexual Abuses

Police arrested 30 years old Mohamad Taberja, Mohamad Taiyab,30 of Bigunj Metropolis-16 and Narul Hoda, 29 on July 11 on charge of gang raping 22 years old woman on July 11. The victim lodged complaint at police on a same day. All accused were arrested by the police on a same day and by the court order on August 2, they were remanded in custody.

55 years old Raj Kumari Upadhyaya, chairperson of District Women Rights Forum was misbehaved on September 24 alleging her of being witch. The victim lodged complaint at District Police Office against Sarita Shrestha, 26 of Birgunj Metroplis-8, Sonu Karki, 28 of the same place, Preeti tamang,35, Sunil Gurung,40 and Bhogendra Karki,30. All accused were arrested by the police on a same day and by the court order on November 24 they were remanded in custody. The case is still pending till the end of this year. The victim underwent treatment at Narayani sub-regional hospital from September 26 till September 30. She was further referred to Kathamdnu.

HEALTH SERVICE STATUS

In this district, there is 1 zonal hospital, 1 hospital 79 health posts and 3 primary health centers. There are 6 positions for doctors and 2 positions are occupied. There are no gynecologist in the district. In this district there are posts for 169 AHW and only 2 are occupied. The annual budget is Rs 4,01,75,000 and Rs 16,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Child Trafficking	1			1
Rape	1	1	5	7
Sexual Abuse	1		2	3
Total	**3**	**1**	**8**	**12**

WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Attempt to Trafficking		1	1
For Practicing Witchcraft		2	2
Rape		5	5
Rape Attempt	3	2	5
Total	**3**	**10**	**13**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	3	3

Province 3

- Area: 20,300 sq.km.
- Poulation: 55,29,452
- Literacy Rate: 70.31
- District: 13
- Electoral Constituency (Parliamentary): 33
- Electoral Constituency (Provincial): 66
- Metropolitan City: 3
- Sub-Metropolitan City: 1
- Municipality: 41
- Rural Municipality: 74
- Total Ward No.: 1,121

Introduction of Province 3

This province consists of 13 districts including Chitwan, Makwanpur, Sindhuli, Ramechhap, Dolakha, Sindhupalchok , Rasuwa, Dhading, Kathmandu, Lalitpur, Bhaktapur, Kavre and Nuwakot. The total population of the province is 55,29,452 with an area of 20,300 square kilometers. The province has 33 electoral constituencies for HoR and 66 for provincial assemblies. The majority of 10 electoral constituencies for HoR is in Kathmandu followed by Chitwan and Lalitpur with 3 each. Similarly, Dading, Nuwakot, Bhaktapur, Kavre, Sindhupalchok and Makwanpur has 2 constituencies each followed by Ramechhap, Rasuwa and other remaining districts with 3 constituencies each.

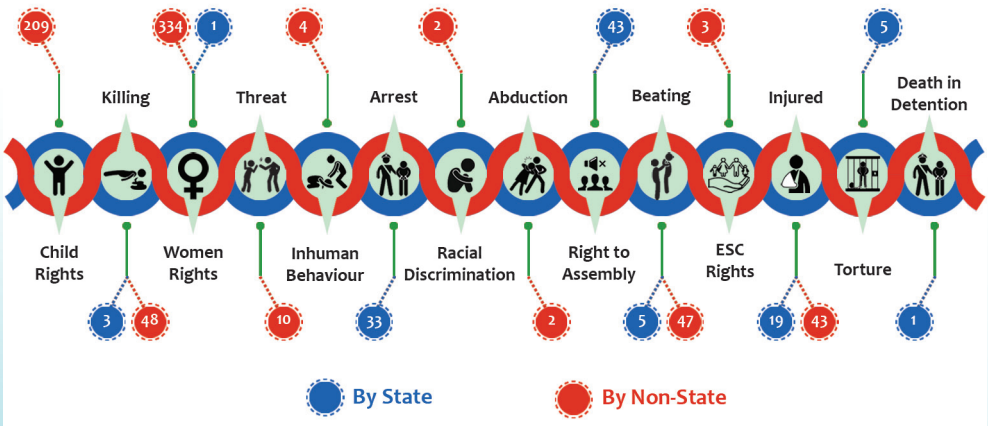
This province has 20.45% Tamang population followed by 18.28% Brhamans, 17.28 % Chettris, 16.91% Newars, 4.89% Magar, 2.5% Kami, 2.25% Gurung, 1.66 % Tharu, 1.53% Rai, 1.35% Damai and 12.90 % with other caste. Majority of people with 57.42% speaks Nepali language followed by 18.32% Tamang, 12.30% Newar, 1.82% Magar, 1.34% Tharu, 1.21% Maithali, 0.95% Gurung, 0.84% Chepang, 0.76% Bhojpuri, 0.51% Rai and 4.52% other language.

Out of total population, 20.87% lives in this province. The province contributes 17.46% gross domestic products which is almost equal to its population. According to the economic survey in 2015/16, the contribution of agriculture in gross domestic product is 31% and highest contributing district is Chitwan with the contribution of 3.5%. The temporary capital of this province is determined in Hetauda, headquarter of Makwanpur. The majority of provincial assembly will determine the permanent capital as per the constitutional provision.

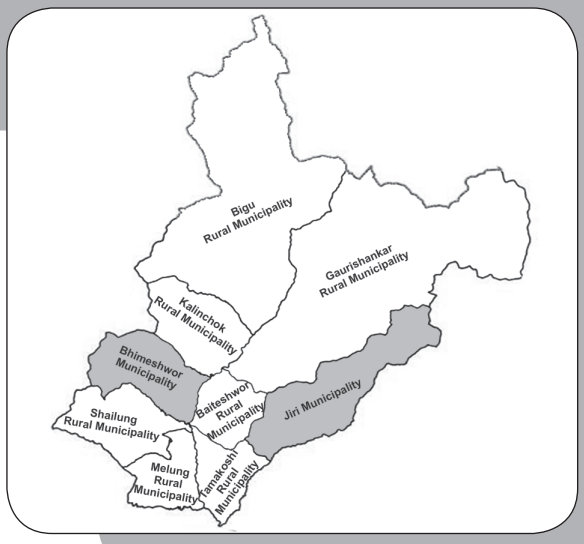
HUMAN RIGHTS SITUATION IN 2017

In 2017, 110 people were victims by state and 702 by non-state actor. This includes 8 women victims by state and 577 by non-state actor. In this province, 3 people were killed by state actor. During this period, 5 people were victims of torture, 43 of right to assembly and freedom of speech and 5 of beating by state actor. This year 335 women were victims of women violence whereas 209 childre were victims of child rights violation.

No. of Victims by Incident (in 2017)



3.1 Dolakha



Total Population
1,80,032

Women
82,302

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
48,064

No. of Migrant Workers
10,121

Population by Disability
5,587

Literacy above 5 yrs (%)
95.41

Dependent Population
86,772

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	2	3			
Beatings					7	7
Child Rights				10		10
Death in Detention		1	1			
Injured	1	11	12		1	1
Killing		1	1	1	1	2
Women Rights				6		6
Total	**2**	**15**	**17**	**17**	**9**	**26**

In 2016, 17 people were victims of human rights violation and atrocities by state-actor, whereas this year 17 people were victims including 2 women by state actor and 26 by non-state actors. This year 1 person was killed in a police firing at Melung Rural Municipality-1, Satyashwor Secondary School polling center. Similarly, 14 years old boy Rabi KC died in a police custody. He was arrested on charge of theft.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

Killing

By State-Actor

Nahakul Bhujel, 32 of Melung Rural Municipality-1 died in a police firing at the polling center in Satyashwor Secondary School on May 14 during a local level election. Police said that he died in a police firing in a clash while attempting to capture the booth, destroying ballot papers and attacking police. In a police firing, 41 years old Nirmal Kumar Koirala, Roshan Bhujel,32, Budha Raj Basnet,18, Prabin Basnet,34, Guna Raj Basnet,23, Uddav Budathoki, 21, Bhuwan Thapa, 28, Chiranjivi Thakuri, 45, Ghalendra

Budathoki, 33, Prakash Khatri, 21 and Manhari Budathoki, 37 were injured. The injured were immediately air lifted to Kathmandu for treatment. The victims did not lodge complaint till the end of this year.

By Non-State Actor
Maoist Center

The victim's party of 33 years old Kul Bahadur Tamang of Gaurishankar Rural Municipality-1 lodged complaint at District Police Office of Charikot on May 10 demanding the action against the accused involved in a killing. The victim Kul Bahadur Tamang was beaten to death by the cadres of Maoist center at Nilkanthenshwor Secondary School in Resham dada of the same ward on May 9. Prior to the killing, Kul Bahadur was sitting in a local house. He ran away after he was pelted with stones by the cadres. They chased him and beaten to death after he reached to the school premises. In a same incident Dil Bahadur Budathoki of the same place was injured. The victim received treatment in Kathmandu Teaching Hospital. In suspicion of involvement in the incident, police arrested Suresh KC, 23 of same Rural Municipality-2, Andiz Karki, 24, Rakesh Karki,19, Milan Jirel,20, Sangdorje Sherpa, Neema tamang, 28 and Prem Tamang, 23 on May 10. By the court order on June 9, they were released on date. The case is pending till the end of the year.

FIRING/INJURED IN AN EXPLOSION

Leela Khadka, 45 of Tamakoshi Rural Municipality-5 was injured in a firing by police at the polling center of Janajagriti Secondary School on May 14. Police opened fire after the cadres of Maoist Center, Nepali Congress and CPN UML attempted to obstruct the polling process. She sustained bullet injury on her thigh and received treatment at Kirnetaar Health Post. The victim did not lodge complaint till the end of this year.

THREAT/BEATING

Bharat Karki,58 of Tamakoshi Rural Municipality-3, 54 years old Yagya Bahadur Karki,54, Pushkar Thapa,34 and Santosh Karki,32 of the same place were attacked by the cadres of Nepali Congress and Maoist Center at Amar Secondary School polling center at Jhule on May 14. The victims lodged complaint at NHRC on May 15 seeking for justice. Among the injured, Yagya Bahadur and Bharat received treatment at Charikot Community Hospital whereas Santosh was referred to Kathmandu for treatment. The victim's party did not lodge complaint till the end of this year.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 17 inmates. However, there are 89 inmates, including 54 convicts and 35 detainees. There are 2 inmates above 65 years old. The prison is overcrowded five times than its capacity creating difficulties in management. Women inmates and detainees are transferred to other prison. A new prison building is being built for male inmates and detainees.

Death In Prison

The victim's acquaintances have lodged complaint at District Administration Office on September 8 against the death of Rabi KC, 14 of Bhimeshwor Municipality-5 in a police custody. Police said that the KC was rushed to the hospital after he suddenly became ill and died on the way to Kathmandu for treatment. The victim's party said that the complaint was lodged for delaying and neglecting in his treatment and taking him in custody despite of his bad health condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 positions for judge in District Court. All positions of judges are occupied. There are

147 civil and 134 criminal cases pending. There are 10 civil and 5 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 305 elementary schools, 95 secondary and 11 campuses. Out of 1854 posts for teachers, all are occupied. This year 21, 797 boys and 24,223 girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 2,406 dalit boys and 2,079 girls. Similarly, 27 children from conflict victim's family provided with scholarships.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	4	4
Sexual Abuse	5	5
Total	**10**	**10**

In 2016, 7 children were victims of child rights violation whereas this year 10 girls were victims. Last year, 5 were victims of rape, 1 each of child marriage and sexual abuses whereas this year 4 were victims of rape, 5 of sexual abuse and 1 of child marriage.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 7 years old girl lodged complaint at Area Police Office on May 30 against 61 years old Dil Bahadur Basnet of Jiri Municipality-3 on charge of rape on May 20. The victim underwent health checkup at District Hospital on May 20 and police arrested him on a same day the complaint was lodged. By the court order on June 13, the accused was remanded in custody by police and case remains pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 95 women lodged complaint of domestic violence at Women and Children Service Center. This includes 7 incidents of beatings and expulsion from house, 15 incidents of deprivation of food, 2 incidents of polygamy and other 60 incidents of minor domestic dispute. Among these cases 64 were settled in an agreement and 7 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Polygamy	1	1
Rape	2	2
Rape Attempt	3	3
Total	**6**	**6**

A complaint was lodged against 30 years old Anendra Khadka of Gaurishankar Rural Municipality-5 on March 1 at District Police Office on charge of rape on 19 years old girl.

Killing by Family Members

Police arrested 35 years old son on October 8 from the incident site after he killed his 71 years old mother of Bhimishwor Municipality-8. The victim's party lodged complaint against him at police office and by the court order on October 12 the accused was remanded in custody. The case remains pending till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 52 health posts and three primary health centers. There are 5 positions for doctors and all positions are occupied. In this district there are posts for 116 AHW and only 92 are occupied. The annual budget is Rs 1,72,11,000 and Rs 10,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Child Marriage		1	1
Rape		4	4
Sexual Abuse	1	4	5
Total	**1**	**9**	**10**

WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Polygamy	1	1
Rape	2	2
Rape Attempt	3	3
Total	**6**	**6**

Number of Incidents			
Type of Event	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Killing	2	1	3

3.2 Sindhupalchowk

Total Population
2,80,960

Women
1,47,723

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
72,613

No. of Migrant Workers
19,712

Population by Disability
6,608

Literacy above 5 yrs (%)
98.85

Dependent Population
1,22,789

In 2016, 26 people were victims of human rights violation by non-state actor. In 2017, the number of victims by non-state actor remains the same. This year 2 people were injured in a clash at Kali Devi Secondary School polling center between the cadres of democratic and left alliance over a dispute on voter's ID card during provincial and parliamentarian election.

CLASH

On November 26, there was a clash between the democratic and left alliance cadres at Kali Devi Secondary School polling center at Toka of Balephi Rural Municipality-8. In a clash, ward member candidate 45 years old Laxman Adhikari of left alliance and 62 years old Suk Man Tamang, a cadre of democratic alliance, of the same place were injured. The clash was started regarding the dispute of casting vote with or without the voter's ID card. Police opened two rounds of fire to control the clash.

JAIL AND DETAINEES

The "D" graded district prison of the district is in dilapidated condition especially after the devastating earthquake

Type of Events	By Non-State		
	Female	Male	Total
Beatings		3	3
Child Rights	11		11
Women Rights	12		12
Total	**23**	**3**	**26**

in 2015. The prison could not be reconstructed till the end of this year. In this prison there are 118 inmates and detainees. There are 8 female inmates. Because of not having prison, the inmates and detainees are transferred to other district prisons of which, 10 are in Ramechhap, 3 in Nakkhu in Lalitpur, 10 in Kathmandu, 2 in Dillibazar, 2 in Bhimphedi of Makwanpur, 75 in Dhulikhel and 16 in the custody of District Police Office.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 164 civil and 155 criminal cases pending. There are 2 civil cases and 8 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 530 schools including 309 elementary schools and 221 secondary schools. There are 1705 posts for teachers in primary, 419 in lower secondary and 342 in secondary schools of which all are occupied. This year 15,699 boys and 15,753 girls were enrolled in schools. In this district there are 4 disabled friendly schools. The District Education Office provided scholarships to 2531 dalit girls and 2,275 dalit boys. Similarly, 18 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	7	7
Sexual Abuse	4	4
Total	**11**	**11**

In 2016, 6 children were victims in an incident of child rights violation whereas this year 11 children became victims. Last year, 5 girls were victims of rape and 1 of sexual abuse whereas this year 7 girls were victims of rape and 4 of sexual abuses.

Rape and Sexual Abuses

The victim's family of 15 years old boy lodged complaint at District Police Office on January 18 against 15 years old boy on charge of rape on January 13. The victim underwent health checkup at Chautara Hospital on a same day and the accused was arrested by the police on January 25. By the court order on July 9, the accused was sentenced for 3 years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 139 women lodged complaint of domestic violence at Women and Children Service Center. This includes 124 incidents of beatings and other 15 incidents of minor dispute. Among these cases 95 were settled in an agreement and in 44 cases victims were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
For Practicing Witchcraft	1	1
Rape	4	4
Rape Attempt	2	2
Total	**12**	**12**

In 2016, 15 women were victims of women violence and this year the number of victims are 12. Last year, 6 women were victims of rape, 4 of polygamy, 2 of witchcraft allegation, 1 of women trafficking and 2 of domestic violence. In 2017, 4 women were victims of rape, 2 of attempted rape, 1 of allegation of witchcraft and 5 of domestic violence.

Rape, Attempted Rape and Sexual Abuse

Sete Tamang, 50 of Balephi Rural Municipality-3 was arrested by the police based on a complaint lodged by the victim's family of 71 years old elderly woman on charge of rape on August1. The victim underwent a health checkup at District Hospital of Chautara on August 18. The accused was arrested by the police on Au-

gust 22 and by the court order on September 6, he was remanded in custody and the case remains pending till the end of this year. The complaint against the accused was lodged in an initiation of INSEC district representative.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 75 health posts and 3 primary health centers. There are 6 positions for doctors and all positions are occupied. There is no posts for gynecologist in the district. Out of 7 posts for nurses 2 are occupied. In this district there are posts for 158 AHW and only 71 are occupied. The annual budget is Rs 7, 00,000,00 and Rs 10,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	2	5	7
Sexual Abuse	1	2	3
Total	**3**	**7**	**10**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	2	3	5
For Practicing Witchcraft		1	1
Rape		4	4
Rape Attempt		2	2
Total	**2**	**10**	**12**

3.3 Rasuwa

Total Population
42,773

Women
22,007

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
13,324

No. of Migrant Workers
3,108

Population by Disability
1,016

Literacy above 5 yrs (%)
59.9

Dependent Population
18,758

In 2016, 4 people were victims of human rights violation and atrocities by non-state actor. This year 2 people were victims by state actor and 16 by non-state actors. This year INSEC documented the incident of clash and beatings during Local Level, Provincial and Parliamentarian elections.

At least 450 families of Haku, Dadagaun, Ramche, Dhunche and Langtang of Rasuwa were displaced after whole village was at risk of flood due to the incessant to rain and impact of devastating earthquake in 2015. Victims displaced from Haku and Dandagaun are living at Bogatitaar, Naubise, Khalte including many other parts could not be rehabilatated even after 2 years of their displacement. Because of government failing to provide alternative place, dispute between the land owner and victims are arising. The displaced victims could not do grant agreement with government for building their shelter.

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest		1	1			
Beatings				2	3	5
Child Rights				4		4
Injured				1	3	4
Women Rights	1		1	3		3
Total	**1**	**1**	**2**	**10**	**6**	**16**

THREAT/BEATING

Krishna Bahadur Tamang, 35 of Kalika Rural Municipality-3 and a cadre of Naya Shakti Party was injured after he

was attacked with a sharp weapon by 29 years old Ganesh B.K, YCL chairperson. On a same day the complaint against him was lodged at District Police Office by the victim however the accused is at large till the end of this year. B.K attacked Tamang after he attempted to take control on him on charge of distributing cash during election campaigning.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEEECH

25 years old Buddhi Bahadur Tamang of Gosainkunda Rural Municipality-1 was attacked with a sharp weapon by Pramesh Ghale, 23, Sagar lama, 20, Sagun Ghale, 29 at Tumure on February 11 on charge of debating with them. The victim received treatment at District Hospital of Dhunche. Police arrested the accused on February 12 and by the court order on May 15, they were remanded in custody.

ARREST

Lekh Nath Lamichhane, 54 of Kalika Rural Municipality-3 was arrested by the police on November 20 on charge of his involvement in anti-election activities. He was released later on December 8 after the polling result is out.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. However, there are 105 inmates, including 80 convicts and 25 detainees. There are 6 female inmates and detainees with no dependent child. The jail is overcrowded and inmates are facing difficulties of sleeping, drinking water and health issues.

The prison building was made in 1976 and the front part of the building was collapsed in a devastating earthquake in 2015. Last year inmates and detainees were compelled to sleep under the tent. Due to the cold weather, they are also facing health issues.

The prison management has provided radio and TV facilities to the inmates. Inmates are given some skilled training to make handmade chairs. The prison building is not safe in a security point of view as well.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 11 civil and 9 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 18 primary and 19 secondary schools. Out of the posts for 439 teachers, 13 remained vacant. This year 5,435 boys and 6,849 girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 9690 dalit boys and 8,700 dalit boys. Similarly, 241 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Child Trafficking	2	2
Rape	1	1
Sexual Abuse	1	1
Total	**4**	**4**

In 2016, 3 children were victims in incident of child rights violation whereas in 2017 4 children were victims as per INSEC documentation. Last year 3 girls were victims of rape and this year 1 each were victims of rape and sexual abuses and 1 of child trafficking.

Rape, Attempted Rape and Sexual Abuses

The vicim's family of 14 years old girl lodged a complaint at District Police

Office against 28 years old Umesh Chalise of Melamchi Rural Municipality-4 on July 6 on charge of rape on July 5. The victim underwent a health checkup at District Hospital on a same day. He was arrested by the police and by the court order on July 24, the accused was remanded in custody. The victim was given shelter at Women and Children Office and was sent to Maiti Nepal in Kathmandu on August 19. The case remains pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 5 women lodged complaint of domestic violence at Women and Children Service Center. This includes 1 incident of beatings and expulsion from house, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 1 incident of polygamy and other 2 incidents of minor dispute. Among these cases 3 were settled in an agreement and 2 cases were processed for legal action.

Type of Events	By State		By Non-State	
	Female	Total	Female	Total
Domestic Violence			1	1
For Practicing Witchcraft			1	1
Lack of Pre & Post Patum Service	1	1		
Rape Attempt			1	1
Total	**1**	**1**	**3**	**3**

Last year no incidents of women violence was documented by INSEC however, this year 4 women were victims. This includes, 1 incident of attempted rape, 1 of domestic violence, 1 of witchcraft allegation and 1 woman was victim of lack of pre & post patum service.

WITCHCRAFT ALLEGATION

37 years old Radha Glan of Naukunda Rural Municipality-5 was beaten and misbehaved on allegation of being witch by her 52 years old brother-in-law Santa Bahadur Glan , his 20 years old son Santosh Glan and 17 years old Bishal Glan on the night of October 17. The victim lodged complaint at District Police Office on a same day and by the court order on November 10 he was remanded in custody. The victim underwent treatment at Green City Hospital in Basundhara, Kathmandu. The case remains pending.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Three motorbikes belonging to left alliance used for election campaigning was set fire by the cadres of Democratic alliance on November 18 during the provincial and parliamentarian election. UML claimed that bikes were set fire by Nepali congress cadres. On a same day the cadres of left alliance lodged an FIR at DPO however no one was arrested till the end of this year.

Issues of Landless and Squatters

The issues of landless and squatters of the district could not be address till the end of this year. The peasants were on their continuous agitation led by the District land rights forum demanding the ownership of land that they are using since long time along with the solving the issues of squatters in the district. Last year more than 258 peasants had registered application at District Commission to resolve squatters' issues.

By the advocacy through District Land Rights Forum, 132 "Guthi" victim families received land ownership certificate and 335 squatters' families made shelter based on ward discussion regarding not having land ownership certificates in their name.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 17 health posts and 1 primary health centers. There are 2 positions for doctors and all positions are occupied. In this district there are posts for 40 AHW and only 23 are occupied. Out of the posts for 40 ANM, 27 are working. The annual budget is Rs 18, 64, 00,000 and Rs 85, 00,000 is allocated for medical expenses. There are issues of shortage in medicine due to the lack of coordination with health service department according to District Public Health Office. Health posts have been established except in Haku and Langtang Rural Municipalities. Recently, pre-fab technology has been adopted by the District Hospital. After an earthquake, health posts building,except Haku and Langtang,has been built.

Tipotong Tamang, 27 of Parbatikunda Rural Municipality-5 died on August 15 in deprivation of maternity services on time. Her husband Nurputsiring Tamang along with other family members were living in cow shed. From Chilime, it takes 1 day by walk to reach health organization at Sangjen Kharka.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Trafficking	1	1
Rape	1	1
Sexual Abuse	1	1
Total	**3**	**3**

WOMEN RIGHTS

Type of Events	Incomplete	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence			1	1
For Practicing Witchcraft		1		1
Lack of Pre & Post Patum Service	1			1
Rape Attempt		1		1
Total	**1**	**2**	**1**	**4**

3.4 Dhading

Total Population
3,35,188

Women
1,80,456

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
62,621

No. of Migrant Workers
22,537

Population by Disability
7,827

Literacy above 5 yrs (%)
98

Dependent Population
1,48,771

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings				6	6
Child Rights			14		14
Injured			4	13	17
Killing				2	2
Threats				1	1
Torture	5	5			
Women Rights			21		21
Total	**5**	**5**	**39**	**22**	**61**

In 2016, 35 people were victims in incident of human rights violation and atrocities including 3 male by the state actor and 31 female by non-state actor whereas this year 5 male were victims by state and 61 including 39 female by non-state actor. During local level, provincial and parliamentarian elections 17 people including 4 women were injured in a clash. Five victims have lodged complaint at District Administration Office for torture this year.

This year, majority of the health organizations were in shortage of medicine due to the lack of coordination among local level officials and staffs during the purchasing process of free medicine.

THREAT/BEATING

Shiva Hari Baskota, 42 of Thakre Rural Muicipality-10, 32 years old Jeevan Tamang of the same Rural Municipality-11 and Kumar Bairagi,35 were attacked by a group of 60/70 cadres of Maoist led by 40 years old Yantra Bahadur Thapa during Rural Municipality meeting on August 20. The injured received treatment at Manamohan Hospital in Kathmandu.

Raju Thapamagar, 22 of Netrawati Rural Municipality-1 was attacked by the cadres of Democratic Alliance on November 25 on charge of not providing support. The Maoist center on next day released press statement and condemned the attack demanding the action against the accused. The victim received treatment at Marpak Health Post.

JAIL AND DETAINEES

The "B" graded district prison has a capacity to accommodate 150 inmates. However, there are 214 inmates, including 71 convicts and 143 detainees. There are 18 female inmates with 2 dependent child. The prison has 5 inmates above 65 years age. The prison is overcrowded. This building was built in 2016 and it is new. The building is made just for the male inmate however female inmates are also kept there creating the difficulty in management.

TORTURE

Nirmal Nepal, 23 of Benighat Rorang Rural Municipality-7, Surya Chepang, 33, Krishna Gurung, 45, Santosh Yadav, 17 and Ankit Tamang, 17 lodged complaint at District Administration Office on June 1 complaining of inflicting torture by the police of Jogimara after arresting them on May 31 . They were arrested by police on charge of beating a driver after not paying for food. Police team led by ASI Raju Paudel had arrested the youth and were tortured after taking them in the police post. The victims sustained bruises over their body. All the victims received treatment at District Hospital in Dhadingbesi and were released later after an interrogation. Post incident, ASI Paudel was summoned in District Administration Office for interrogation according to DSP Deependera Panjiyar.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Sujata Bhatta, ISU proportionate candidate of ANNFSU(R) and 20 years old Sushmita Rupakheti, proportionate candidate of NSU were injured in a clash at Rorang Rural Municipality-3, Makekhu on March 2. All injured received treatment in Kathmandu. The clash started over a dispute on padlocking of campus building according to campus Chief Dev Prasad Tripathi.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 179 civil and 284 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 450 elementary community schools and 127 secondary schools. There are 2,603 teachers however there are shortages of teachers. This year 38,441 boys and 42,542 girls were enrolled in schools. In this district there are 3 disabled friendly schools. The District Education Office provided scholarships to 12,398 dalit boys and 13,589 dalit girls. Similarly, 39 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Child Trafficking	1	1
Rape	9	9
Sexual Abuse	2	2
Total	**14**	**14**

In 2016, 7 children were victims of child rights violation whereas this year 14 children were victims. Last year 4 girls

were victims of rape, 1 of trafficking and 2 of sexual abuses. This year 9 girls were victims of rape, 2 of sexual abuse, 2 of child marriage and 1 of trafficking.

Rape, Sexual Abuse

The victim's family of 16 years old girl lodged complaint at District Police Office on April 30 against 55 years old Shyam Baniya of Gangajamuna-9 on charge of rape. The victim underwent health checkup at District Hospital on a same day. He was arrested by the police on a same day and by the court order on May 7, he was remanded in custody. The case remains pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 126 women lodged complaint of domestic violence at Women and Children Service Center. This includes 35 incidents of beatings and expulsion from house, 13 incidents of deprivation of food, 22 incidents of polygamy and other 56 incidents of minor dispute. Among these cases 78 were settled in an agreement and 2 cases were processed for legal action. The center said that in other cases, the investigation is going on.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	10	10
Polygamy	4	4
Rape	6	6
Rape Attempt	1	1
Total	**21**	**21**

Last year 18 women were victims of women violence whereas this year 21 women were victims. In 2016, 6 women were victims of rape, 1 each of attempted rape and polygamy, 2 of trafficking and 8 by domestic violence whereas this year 6 were victims of rape, 1 of attempted rape, 4 of polygamy and 10 of domestic violence.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 20 years old woman lodge complaint against 20 years old Subash Adhikari alias Ritthe at District Police Office on May 15 charge of rape on May 11. The victims underwent health checkup at District Hospital on May 15. Police arrested the accused on a same day and by the court order on September 11, he was sentenced for 5 years along with Rs 15,000 compensation to the victims.

Domestic Violence

Sita Gurung, 29 of Nalang Rura Municipality-6 was attacked with a sharp weapon by her husband Ram Kumar Pariyar, 28 on January 20 when she was in the house to acquire marriage registration and child birth certificate for divorce. The victim sustained head, hand and bruises over her body and received treatment in Bir Hospital Kathamndu. She was expelled from the house prior to the incident. He was arrested by the police on January 20 and complaint against him was lodged by the victim's party on January 21. By the court order on February 14, he was remanded in custody.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people set fire on a parked jeep with registration number Ba12Cha1276 on May 6 at Battar in Dhunibesi-5 . The vehicle was being used by Nepali Congress for election campaigning during local level election. The people behind the incident could not be identified till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 49 health posts and 2 primary health centers. There are 5 positions for

doctors and all positions are occupied. Out of the posts for 54 health assistant, 43 are working. There are posts for 106 AHW and only 82 are occupied. Similarly, out of the posts for 108 ANM, 94 are working. This year majority of the health organization faced shortage in free medicine due to the confusion and lack of coordination between local level officials according to District Health Office.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage	2				2
Child Trafficking			1		1
Rape		2	7		9
Sexual Abuse			1	1	2
Total	**2**	**2**	**9**	**1**	**14**

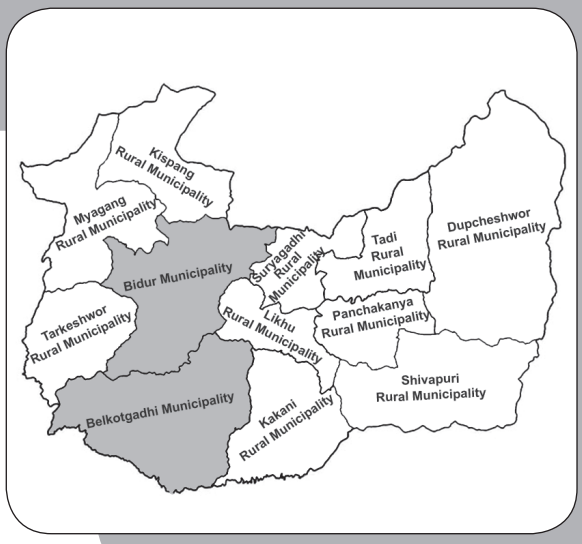
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence		3		4	3	10
Polygamy				4		4
Rape	1	1	1	3		6
Rape Attempt				1		1
Total	**1**	**4**	**1**	**12**	**3**	**21**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	1	2

3.5 Nuwakot



Total Population
2,73,267

Women
1,44,261

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
55,895

No. of Migrant Workers
14,311

Population by Disability
4,690

Literacy above 5 yrs (%)
98.19

Dependent Population
352006

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	2	2			
Beatings	1	1	1	3	4
Child Rights			9		9
Inhuman Behaviour				2	2
Injured	6	6		5	5
Killing			1	1	2
Women Rights			15		15
Total	**9**	**9**	**26**	**11**	**37**

This year 9 people were victims by state actor and 37 by non-state actor. In 2016, 28 people were victims by non-state actor whereas this year 2 victims of arrest, 1 of beating and 6 people were injured by state actor. This year 9 children and 15 women were victims by non-state actors. Similarly, 4 people including 1 woman was beaten and 1 was victim of inhuman behaviour.

Six people were injured in a police firing after police attempted to intervene the agitated locals who were protesting against delimitation of local level restructuring. An unidentified people detonated bomb targeting the vehicle of HoR candidate Dr Ram Sharan Mahat of Nepali Congress at Kakani Rural Municipality-5, Dandagaun where 5 people were injured.

INJURED IN A FIRING/EXPLOSION

An unidentified people detonated a bomb targeting the vehicle of HoR candidate from constituency number 1 ,Ram Sharan Mahat of Nepali Congress on November 17 at Kakani Rural Municipality-5, Dandagaun. In an explosion, 30 years old Upendra Mishra of Shivapuri Rural Municiplaity-7, Sabin lama, 25 of

Shivapuri Rural Municipality-7, Bhesh Kumar Tamang, 25, Lila Bahadur GM, 27 and driver Ramesh Rai were injured. They received treatment in Kathmandu. Ram Sharan Mahat however escaped the injury.

CLASH

At least 6 demonstrators were injured in a clash with a police at Likhu Rural Municipality-1 on January 26 over a dispute on delimitation of local level restructuring. Locals were agitating protesting against the delimitation of local level restructuring in Dhikure. Police opened 23 rounds of rubber bullet and 23 cells of tear gas to control the mob. The injured received treatment at local health organization. The general strike affected the locals of 20 Rural Municipalities for 11 days.

THREAT/BEATING

Principal Ram Krishna Shrestha, 48 of Indrayeni Primary School at Suryagadhi Rural Municipality-5 lodged a complaint at District Police Office on September 17 against Ananta Dhital of Dupcheshwor Rural Municipality-6 and his group on charge of misbehaving him by smearing black soot on to his face while returning home from the school on September 15. He said that the cadres of NCP smeared soot charging him of taking salary without going to school. He further demanded to manage security. No action was taken against the complaint.

INHUMANE BEHAVIOUR

Ram Krishna Shrestha, 48 of Dupcheshwor Rural Municipality-6 and a principal at Indrayeni primary school lodged complaint at District Police Office on September 17 accusing cadres of Nepal Communist Party misbehaving him by smearing black soot on to his face. He said that the cadres further threatened him for physical action. He demanded for security management in the police office. No action was taken against the accused till the end of this year.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 80 inmates. However, there are 149 inmates, including 111 convicts and 38 detainees. There are 16 female inmates with 8 months old dependent child. The prison building was built in 2009 and it is overcrowded. The physical infrastructure of the building is in good condition along with a good service of drinking water. The inmates and detainees are facing problem due to the lack of space. In the prison, inmates and detainees are given skilled training.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is1 District Court. The position of judge is occupied. There are 139 civil and 103 criminal cases pending. There are 8 civil and 5 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 476 child development centers, 266 primary, 72 lower secondary and 48 higher secondary schools. Out of 2,174 posts for teachers all are working. This year 30,101 boys and 36,349 girls were enrolled in schools. In this district there are 50 disabled friendly schools. The District Education Office provided scholarships to 2,658 dalit boys and 2,879 dalit girls.

Type of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	2	2
Rape	4	4
Sexual Abuse	3	3
Total	**9**	**9**

This year 9 children were victims of child rights violation. In 2016, 10 chil-

dren were victims whereas this year 2 victims of infant killing, 4 victims of rape, 3 victims of sexual abuses were documented. In 2016, 2 victims of child marriages, 6 of rape and 2 of sexual abuses were documented.

Rape, Attempted Rape and Sexual Abuses

The victim's mother of 7 years old girl lodged compliant at District Police Office on May 9 against Dhalak Bahadur Dangol, 60 and Ram Bahadur Khatiwada, 65 of Bidur Municipality-4, Battar on charge of rape. On a same day, the accused were arrested by the police. The victim underwent a health checkup at District Hospital on a same day. By the court order on August 8, they were sentenced for 5 years each along with Rs 50,000 penalty.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 56 women lodged complaint of domestic violence at Women and Children Service Center. This includes 21 incidents of mental torture 21 incidents of deprivation of food, 7 incident of beatings, 5 of polygamy and other 14 incidents of minor dispute. Among these cases 36 were settled in an agreement and 7 cases were processed for legal action. In 13 incidents victims were out of contact.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	1	1
Domestic Violence	6	6
Polygamy	7	7
Rape	1	1
Total	**15**	**15**

This year 15 women were victims of women violence of which 6 of domestic violence, 1 of trafficking, 7 of polygamy and 7 victims of rape were documented. In 2016, 1 victim of witchcraft allegation, 3 victims of rape, 5 victims of polygamy and 3 victims of domestic violence.

Killing by Family Members

The victim's family of 26 years old Urmila Tamang of Likhu Rural Municipality-4 lodged compliant at District Police Office on January 28 against her husband Man Bahadur Tamang, 26 on charge of beating her to death on January 27. She was killed by the accused in an inebriated state in a minor dispute over a lost house keys. The victim was five months pregnant. Police arrested the accused on January 28 and by the court order on February 9, he was remanded in custody. Postmortem of the body was done at District Hospital on January 28.

Child Trafficking

Police arrested 44 years old Man Bahadur Tamang of Dupcheshwor Rural Municipality-1 on July 23 on charge of trafficking 11 years old girl in India on 2008, April 24 luring her for work in Kathmandu. The victim lodged an FIR against the accused at police on June 30. Based on FIR he was arrested by the police on a same day and by the court order on August 6, he was remanded in custody. The girl is now 20 years old. When she was trafficked, she was just 11 years old. The case remains pending.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people vandalized and set fire on a vehicle with registration number Ba11Cha3499 used in an election campaign by Nepali congress ward chairman candidate Ram Krishna Thapa,62 of Shivapuri Rural Municipality on the night of May 5. The vehicle was damaged in the incident. Verbal Complaint against the vandalization was lodged at police however no one was charged for the incident.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 64 health posts and 3 primary

health centers, 5 community health center, 181 village health posts, 4 city health posts, 204 immunization center and 1 community eye center. There are 17 positions for doctors and 5 positions are occupied. For the posts of 3 doctors in primary health center all are working. In this district there are posts for 126 AHW and only 111 are occupied. Out of the positions for 132 ANM, 98 are working. The annual budget allocated for medical expenses is Rs 10,00,000.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Killing of Newborn Baby		2	2
Rape	1	3	4
Sexual Abuse		3	3
Total	**1**	**8**	**9**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Attempt to Trafficking			1	1
Domestic Violence		5	1	6
Polygamy	3		4	7
Rape			1	1
Total	**3**	**5**	**7**	**15**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	2	2

3.6 Kathmandu

Total Population
21,11,651

Women
10,13,941

No. of Constituency (HoR)
10

No. of Constituency (PA)
20

Below Poverty Level
1,28,973

No. of Migrant Workers
99,805

Population by Disability
17,122

Literacy above 5 yrs (%)
76.4

Dependent Population
6,03,121

Type of Events	By State				By Non-State		
	Female	Male	M/F N/A	Total	Female	Male	Total
Abduction						1	1
Beatings					1	1	2
Child Rights					65	1	66
Injured					2	9	11
Killing					6	2	8
Right to Assembly	5	5	32	42			
Threats						2	2
Women Rights					74		74
Total	**5**	**5**	**32**	**42**	**148**	**16**	**164**

Last year 73 people including 33 women were victims of human rights violation by state actor whereas this year 42 people including 5 women were victims by state actor. This year 164 people including 148 women were victims of human rights violation whereas last year the number was 274 including 272 women.

In New Baneshwor, Kathmandu, a group of people killed Sharad Gauchan, chairperson of Federation of Contractor's Association (FCAN)by opening fire on October 9.

An unidentified group of people detonated bomb at Budanilkantha Municipality-2, Chapali targeting the vehicle of Nepali Congress HoR candidate Gagan Thapa of constituency number 4.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

By Other

Police arrested major accused Samir Man Singh Basnet including Rajiv Syangtyang, 21 of Panchakanya Rural Muncipality-5, Shiva Ji Mahato, 35 Kalimai Rural Municipality-1, Kahesh Kumar Pandey, 24, Santosh Guring, 18 of Thori

Rural Municipality-5 and Prakash Budathoki, 22 of Nagarjun Municipality-4 of Kathmandu and made them public on December 3 on charge of killing 58 years old Sharad Kumar Gauchan chairperson of Nepal Federation of Contractor's Association (FCAN) on October 9. He was shot dead while he was on the way to his work in a vehicle with registration number Ba13Cha4948. SSP Rabindra Bahadur Dhanuk of Metropolitan Police Circle said that the incident is under investigation. Police also conformed that the master mind behind the shooting is Basnet and killing was motivated by financial dealings.

EXPLOSION

Nepali Congress leader and a HoR candidate for constituency number 4, Gagan Thapa of Kathmandu was attacked with a bomb by an unidentified group of people on December 4 at Budanilkantha Municipality-2 when he was in an election canvassing. He was injured in an attack and sustained ear and back injuries. Among them Raj Kaji Shrestha, 35, Renu Baduwal,32 and Shyam Krishna Shrestha, 47 were seriously injured. Other injured were Jaya Raj Lamichhane, 17,, Dhruba Khadka,40, Purna Bahadur Shrestha,47, Suman Khadka, 23, Rabindra Karki, 44, Kashi Lal Shrestha,47 and Pashuram Thapa,52.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Coordinator of Naya Shakti Party and former Prime Minister Dr Babu Ram Bhattari along with other cadres were arrested by the police from election commission premises when they were staging sit-in-protest on April 3. The party was in sit-in-protest demanding the electoral symbol. During the protest former Prime Minister Bhattarai along with Ganga Chaudhary, leader CP Gajurel, former minister Hisila Yami and Parshuram Tamang were arrested by the police, however, they were released on a same day. There is provision regarding the electoral symbol in section 26 of Local Level Election Act 2073. This provides rights to the commission on determining the electoral symbol to the political party and independent party candidate.

JAIL AND DETAINEES

The "A" graded Central prison has a capacity to accommodate 1500 inmates. However, there are 1560 inmates, including 824 convicts and 736 detainees. There are 28 inmates above the age of 65. The prison building was made in 1971 B.S. and it is in dilapidated condition.

The "A" graded Bhadra detention center has a capacity to accommodate 500 inmates however, there are 653 inmates of which 425 are convicts and 228 are detainees. The prison building was built in 1971 B.S and it is in a dilapidated condition.

The "C" graded Women prison has a capacity to accommodate 300 inmates however there are 336 inmates including 168 convicts and 168 detainees. There are 10 dependent child along with 3 inmates above the age of 65. This building was built in 1971 and is old and in dilapidated condition.

The "A" graded Dillibazar prison has capacity to accommodate 300 inmates and there are 596 inmates including 319 convicts and 266 detainees. One inmate is above 65 years of age. The building was built in 1978 and it is old and in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is one District Court and 1 Supreme Court. Out of 33 position of judges, 27 are occupied. There are 4,935 civil and 4,141 criminal cases pending. There are 203 civil and 153 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 318 child development, 8 community, 110 elementary, 162 secondary, 11 technical schools. Out of 4,352 posts for teachers, 21 remained vacant. This year 14,489 boys and girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 7,151 dalit boys and girls. Similarly, 37 children from martyr family and 207 children from conflict victim's family were provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Killing of Newborn Baby		1	1
Rape	50		50
Sexual Abuse	15		15
Total	**65**	**1**	**66**

In 2016, 54 children were victims of child rights violation whereas this year 66 children were victims. This year 50 children were victims of rape and 15 of sexual abuse whereas last year 40 were victims of rape and 14 of sexual abuses. INSEC documented 1 victim of infant killing.

Rape and Sexual Abuse

Police arrested 24 years old Subash Pokharel of Nagarjun Municipality Bandbhanjyang on September 1 on charge of raping 16 years old girl on August 31. The victims lodged complaint at Metropolitan Police Circle of Kalimati on September 1. On a same day victim underwent health checkup at maternity hospital in Thapathali. The accused was remanded in custody by the court order on September 20.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 1008 women lodged complaint of domestic violence at Women and Children Service Center. This includes 17 incidents of beatings and expulsion from house, 632 incidents of deprivation of food, 12 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 51 incidents of polygamy and other 260 incidents of minor dispute. Among these cases 1188 were settled in an agreement and 612 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	1	1
For Practicing Witchcraft	1	1
Polygamy	30	30
Rape	29	29
Rape Attempt	11	11
Sexual Abuse	1	1
Women Trafficking	1	1
Total	**74**	**74**

In 2016, 216 women were victims of women violence whereas this year 74 were victims. In 2016, 23 women were victims of rape, 3 of attempted rape, 16 of polygamy, 8 of trafficking and 166 of domestic violence. In 2017, 29 women were victims of rape, 11 of attempted rape, 1 of sexual abuse, 30 of polygamy, 1 of domestic violence and 1 of allegation of being witch.

Rape, Attempted Rape and Sexual Abuse

The Central Invesigation Bureau (CIB) arrested 46 years old religious teacher Rimpoche Chulthim Dorje Yonjan alias Tulku Lama,46 on November 21 on charge of sexually abusing 45 years old woman on November 20. He sexually abused women inside Gumba pretexting of treatment. The District Court ordered to remand him in custody.

Killing After Rape

The victim's family of Puja Tamang, 24 of Sunsari district living cur-

rently at Kapan lodged complaint at Metropolitan Police Circle in Gaushala against 22 years old Sagar Acharya alias Himal on June 18 on charge of killing her after rape on June 17. The victim died while undergoing treatment in Helping Hands Hospital in Chahabil due to the excessive bleeding. The accused was arrested by police on June 19 and by the court order, he was sentenced for 1 and half year on September 11.

WITCHCRAFT ALLEGATION

24 years old victim Upama Bhandary of Gokarneshwor Municipality-16 lodged complaint at metropolitan police circle of Boudha on March 9 against her family members on charge of expelling her from the house on an allegation of being witch. Police arrested her mother-in-law Radhika KC on a same day. The case remains pending.

HEALTH SERVICE STATUS

In this district, there are 13 central hospitals, 58 health posts and 8 primary health centers. There are 13 positions for doctors and 10 positions are occupied. In this district there are posts for 199 AHW and only 189 are occupied. The annual budget of District Public Health is Rs 25, 12,00,000 and Rs 14,64,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Killing of Newborn Baby		1	1
Rape		50	50
Sexual Abuse	1	14	15
Total	**1**	**65**	**66**

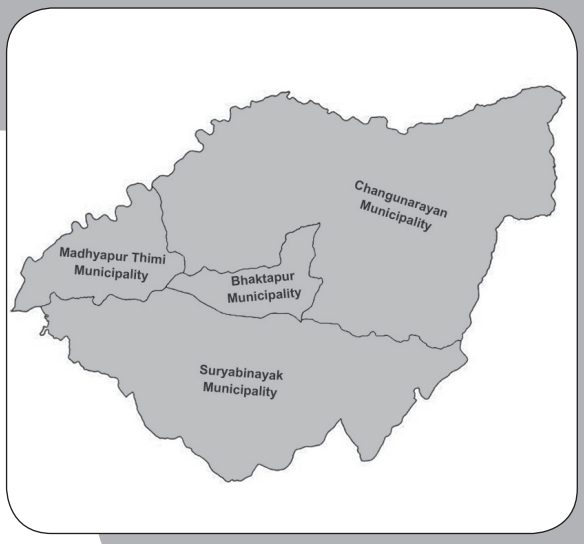
WOMEN RIGHTS

Type of Events	Legal Proceeding	Total
Domestic Violence	1	1
For Practicing Witchcraft	1	1
Polygamy	30	30
Rape	29	29
Rape Attempt	11	11
Sexual Abuse	1	1
Women Trafficking	1	1
Total	**74**	**74**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	8	8

3.7 Bhaktapur



Total Population
3,43,633

Women
1,69,037

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
36,999

No. of Migrant Workers
10,215

Population by Disability
3,204

Literacy above 5 yrs (%)
96.5

Dependent Population
1,04,688

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	8		8
Killing	1	4	5
Threats	1	3	4
Women Rights	10		10
Total	**20**	**7**	**27**

Last year 78 people were victims on incident of human rights violation and atrocities by the non-state actor whereas in 2017, 27 people including 20 women were victims by non-state actor. In 2017, no incidents on human rights violation by state actor was documented. This year in one incident, wife set fire on her husband by sprinkling petrol.

THREA/BEATING

By State Actor

Leela Shrestha, 29, a reporter from Kantipur daily, RSS photo journalist Ratna Krishna Shresth,42, RSS journalist Ramesh Giri,40 and media personnel Sudeep Kumar Paudel, 32 of Thimi were misbehaved by the locals while collecting the news at Madhyapur Thimi Municipality-3 and Suryabinayak Municipalty-3 regarding the issue of using excavator and dozer at Hanumante River on June 10. The locals attempted to vandalize their mobile and camera and threatened them not to write news. The victim did not lodge complaint till the end of this year.

CHILD REFORM CENTER

A child reform center is in operation in this district since 2001. The "C"

grade child reform center has a capacity to accommodate 150 children. There are 138 children including 100 convicts and 38 detainees among them 6 are girls.

RIGHT TO PROMPT AND FREE TRIAL

There are position for 5 judges however 3 are occupied. This year 1056 civil and 461 criminal cases pending. There are 17 civil and 6 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 55 primary, 35 lower secondary, 25 secondary and 17 higher secondary schools. Out of 1606 posts for teachers, 12 remained vacant. This year 20,573 boys and 24,175 girls were enrolled in schools. In this district there is 1 disabled friendly schools. The District Education Office provided scholarships to 698 dalit girls and 698 dalit boys. Similarly, 95 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	6	6
Sexual Abuse	2	2
Total	**8**	**8**

In 2016, 11 children were victims of child rights violation whereas in 2017, 8 were victims. Last year 7 girls were victims of rape and 4 of sexual abuses whereas this year 6 were victims of rape and 2 of sexual abuses.

Rape and Sexual Abuse

The victim's party of 5 years old girl lodged complaint at metropolitan police circle, Thimi on June 27 against Suman Lama, 22 on charge of rape. The victim underwent health checkup at Teaching Hospital in Kathmandu on June 28. The accused was arrested by police on June 27 and by the court order on July 20, the accused was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 124 women lodged complaint of domestic violence at Women and Children Service Center. This includes 29 incidents of beatings and expulsion from house, 37 incidents of deprivation of food, 23 incident of non-cooperation in marriage registration and acquiring citizenship certificate. Among these cases 70 were settled in an agreement and 12 cases were processed for legal action and in 42 cases, victims did not come into contact.

Type of Events	By Non-State	
	Female	Total
Polygamy	5	5
Rape	3	3
Rape Attempt	2	2
Total	**10**	**10**

Rape, Attempted Rape and Sexual Abuse

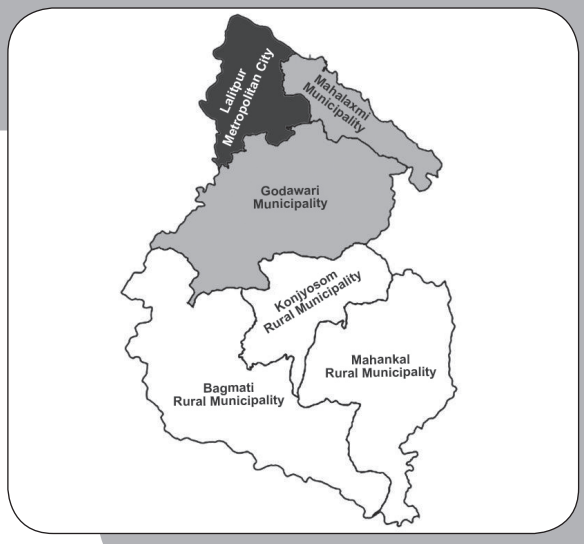
The victim's party of 43 years old woman lodged complaint at metropolitan circle of Jagriti on April 26 against Bhim Raj Gautam, 25 of Bhaktapur Suryabinayak-4 on charge of rape. The victim underwent health checkup at Teaching Hospital in Kathmandu on April 26. The accused was arrested by police on a same day and by the court order on May 16, he was remanded in custody. The case remains pending till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 2 health posts, 19 primary health centers and 6 urban health centers. There are 2 positions for doctors and all positions are occupied. Out of the position of 2 nurses all are occupied. In this district there are posts for 63 AHW all are occupied. All 44 positions of ANM are occupied. The annual budget is Rs 16, 51, 00,000 and Rs 43, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	6	6
Sexual Abuse	2	2
Total	**8**	**8**
WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Polygamy	5	5
Rape	3	3
Rape Attempt	2	2
Total	**10**	**10**
Number of Incidents		
Type of Event	**Legal Proceeding**	**Total**
Killing	5	5

3.8 Lalitpur



Total Population
5,33,410

Women
2,62,549

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
34,554

No. of Migrant Workers
24,386

Population by Disability
4,934

Literacy above 5 yrs (%)
98.4

Dependent Population
1,62,447

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Child Rights			9	1	10
Injured				2	2
Killing	1	1	1	3	4
Racial Discrimination			1		1
Women Rights			53		53
Total	**1**	**1**	**64**	**6**	**70**

In 2016, 32 people including 3 female were victims of human rights violation by state actor and 26 people were victims by non-state actor whereas in 2017, 1 was victim by state and 70 were victims by non-state actors.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFEs

KILLING

By State

Prabin Khatri, 32 of Lalitpur Metropolis, Kusunti was killed in a police encounter on August 7. He was killed in a police encounter after he opened fire on police while Metropolitan Police Crime Branch was in his house for investigation after getting information that he was involved in small arms and contraband drugs. Khatri opened fire with two pistols in hand after knowing that he was cordoned by the team of police according to spokesperson Prakash Jung Karki of metropolitan police branch. He was rushed to the hospital however he died while undergoing treatment. Metropolitan police branch of Lalitpur claimed that he committed suicide in a self-inflicting gun fire.

The victim's father Pramod Khatri said that he was killed by the police and demanded for the action against the guilt. He lodged complaint at Metropolitan police circle in Lalitpur on August 7 demanding the action. The case is still under investigation according to the police.

JAIL AND DETAINEES

The "A" graded district prison of Nakkhu has a capacity to accommodate 600 inmates. However, there are 800 inmates, including 475 convicts and 325 detainees. The devastating earthquake in 2015 has damaged two of its buildings creating difficulties for inmates to live. The building is under construction according to the prison administration.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there 1 high and a district court. The position of 6 judges are occupied. There are 901 civil and 517 criminal cases pending. There are no cases older than 2 years.

Similarly, there are 36 positions of judges in high court however 29 are working. There are 2,456 civil and 3,431 criminal cases pending in the court. Similarly, 227 civil and 267 criminal cases are older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 82 primary, 30 lower secondary school, 35 secondary and 39 higher secondary schools. Out of 1,663 posts for teachers, all are occupied. This year 18,496 boys and 17,426 girls were enrolled in schools. In this district there are no disabled friendly schools.

The victim's family of 12 years old girl lodged a complaint at metropolitan police circle Satdobato against Milan Shakya, 40 of Mahalaxmi Municipality-5, Tikathali on charge of rape on August 29. The accused was arrested by the police on a same day and the court ordered to remand him in custody on August 30. The case is pending till the end of the year.

Type of Events	By Non-State		
	Female	Male	Total
Killing of Newborn Baby	1		1
Rape	4		4
Sexual Abuse	4	1	5
Total	**9**	**1**	**10**

In 2016, 16 children were victims of child rights violation however in 2017, 10 children were victims. Last year, 12 girls were victims of rape and 4 children including 2 girls were victims of sexual abuses. This year 4 victims of rape and 5 of sexual abuses were documented.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 386 women lodged complaint of domestic violence at Women and Children Service Center. All domestic dispute related cases were settled in an agreement according to the center.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	47	47
Polygamy	1	1
Rape	5	5
Total	**53**	**53**

In 2016, 3 women were victims of violence whereas in 2017, 53 women were victims. Last year 3 women were victims of rape and this year 5 women were victims of rape, 1 of polygamy and 47 of domestic violence.

Rape, Attempted Rape and Sexual Abuses

The victim's party of 18 years old girl lodged a complaint at Metropolitan Police Circle Satdobato against 28 years old Anish Kumar B.K of Lalitpur Metropolis-5 on charge of rape on January

11. Based on a complaint lodged by the victim, the accused was arrested by the police on a same day and by the court order on January 24 he was remanded in custody. The victim underwent a health checkup at Patan hospital on a same day. The case remains pending till the end of this year.

ALL KINDS OF CASTE DISCRIMINATION

Matimaya Darji, 49 of Lalitpur Metropolis-25 lodged complaint at Metropolitan police circle against Sabitri Khatri, 29 of Lalitpur Metropolis-25 and Ganesh Kumar Khatri, 32 on charge of caste based discrimination on February June 1. The accused were arrested by the police on June 2 and were presented in court. By the court order on June 16, accused were released on bail amount of Rs 1500 each.

HEALTH SERVICE STATUS

In this district, there is 1 central hospital, 3 teaching hospitals, 28 health posts and 3 primary health centers. There are 6 positions for doctors and all positions are occupied. In this district there are posts for 133 AHW and only 102 are occupied. The annual budget is Rs 4, 10,00,000 and Rs 12,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Killing of Newborn Baby	1	1
Rape	4	4
Sexual Abuse	5	5
Total	**10**	**10**

Number of Incident with Status of Legal Proceeding in 2017

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	45	2		47
Polygamy			1	1
Rape			5	5
Total	**45**	**2**	**6**	**53**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	2	3	5

3.9 Kavre

Total Population
3,80,504

Women
1,99,919

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
52,018

No. of Migrant Workers
14,531

Population by Disability
6,670

Literacy above 5 yrs (%)
69.8

Dependent Population
1,47,285

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	14	14			
Beatings				1	1
Child Rights			22		22
Killing	1	1	3	6	9
Women Rights			32		32
Total	**15**	**15**	**57**	**7**	**64**

In 2016, 61 people were victim on incidents of human rights violation and atrocities by non-state actor whereas this year 64 people were victims of human rights violation by non-state actors and 15 people by state actor. Police arrested 14 people on charge of their involvement in anti-election activities.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

MURDER

By State Actor

Nama Raj Pathak, 26 of Namobuddha Municipality-4 was killed in a police firing on the night of May 12 while he was chatting with his neighbor in the street. The victim's family accused armed police force of shooting him. The victim was involved in an election campaigning of Naya Shakti Party vice-chairman candidate Kumar Dahal. The team of armed police rushed him to the police where he was pronounced dead. The victim's family was provided Rs 1,00,00,00 as a relief as per the demand from the family on July 5.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 61 inmates. However, there are 248 inmates, including 114 convicts and 134 detainees. There are no provision to keep female inmates and children. There are 10 inmates above 65 years old. The prison building is in dilapidated condition. The jail is overcrowded creating difficulties among inmates.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 3 judges occupied. There are 404 civil and 298 criminal cases pending. There are 2 civil and 2 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 343 primary, 99 lower secondary, 145 secondary and 61 higher secondary schools. This district also have 496 preliminary child development center. Out of 280 posts for teachers, 68 remained vacant. This year 34,287 boys and 35,808 girls were enrolled in community schools. In this district there are 164 disabled friendly schools. The District scholarships to dalit children were provided by local level. Similarly, 47 students from conflict victim's family, 2 from martyr family and 206 differently able students were provided with scholarships.

Type of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Rape	12	12
Sexual Abuse	9	9
Total	**22**	**22**

In 2016, 14 children were victims of child violence whereas this year 22 were victims. Last year 9 girls were victims of rape, 4 of sexual abuses and 1 infant was killed whereas this year 12 girls were victims of rape, 9 of sexual abuse and 1 infant was killed.

Rape, Sexual Abuse

The victim's family of 13 years old girl lodged a complaint at Area Police Office of Banepa on February 21 against Dhak Prasad Timilsina of Bethanchok Rural Municipality-1 on charge of rape on January 13. The victim underwent health checkup at maternity hospital in Kathmandu. The accused was arrested by the police on same day the complaint was lodged and by the court order on July 12, he was sentenced for 8 years along with Rs 1,00,000 compensation to the victim.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 190 women lodged complaint of domestic violence at Women and Children Service Center. This includes 87 incidents of beatings and expulsion from house, 51 incidents of deprivation of food, 3 incidents of polygamy, 10 incident of non-cooperation in marriage registration and acquiring citizenship certificate and other 10 incidents of normal dispute. Among these cases 67 were settled in an agreement and 114 cases were processed for legal action.

In 2016, 33 women were victims of violence whereas this year 32 were victims. Last year, 14 were victims of rape and attempted rape, 15 of polygamy, 2 of allegation of witchcraft, 1 of trafficking and 1 of domestic violence whereas this year 10 women were victims of rape,

Type of Events	By Non-State	
	Female	Total
For Practicing Witchcraft	2	2
Polygamy	20	20
Rape	4	4
Rape Attempt	5	5
Sexual Abuse	1	1
Total	**32**	**32**

sexual abuse and attempted rape, 20 of polygamy and 2 were victims of allegation of being witch. This year 1 woman was killed by a family member and 1 was killed after rape.

Killing by Family Member

A complaint against 28 years old husband Narayan Bahadur Rayamajhi was lodged at District Police Office on August 11 on charge of killing his 21 years old wife Januka Ray of Temal Rural Municipality-8 on the night of August 10. The complaint was lodged by the victim's father Bir Bahadur Thapa. The victim was killed and her body was disposed in the river however the accused claimed that she died after drowning in the river. The postmortem of the body was conducted at Shir memorial hospital on August 16. Police arrested the accused on August 11 and by the court order on September 6 he was remanded in custody. The case remains pending till the end of this year.

Killing After Rape

Police arrested 32 years old Gopal Pariyar of Bhumlu Rural Municipality-8, Sadhu Ram B.K, 30 of Dhilikhel Municipality-7, Mahesh Pariyar,27 of Namobuddha, Dil Bahadur Pradhan, 33 of Chaurideurali-2, Sita Ram Thapa,32 of Melamchi and Prakash Pariyar, 24 of Ramechhap, Doramba-6 on August 29 on charge of killing 57 years old Nanu Alemagar of Banepa Municipality-10 after rape. Her naked body was recovered near the corn field by the police. The case is registered in the court on October 6. By the court order on October 8, all accused were remanded in custody.

WITCHCRAFT ALLEGATION

Kanchi Maya Tamang, 61 of Panchkhal Municipality-11 was beaten by 34 years old Krishna Bahadur Tamang of the same place on November 18 on charge of being witch. The victim's party lodged complaint at District Police Office on December 29. On a same day the accused was arrested. The accused was arrested by the police on a same day and case is still under investigation.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

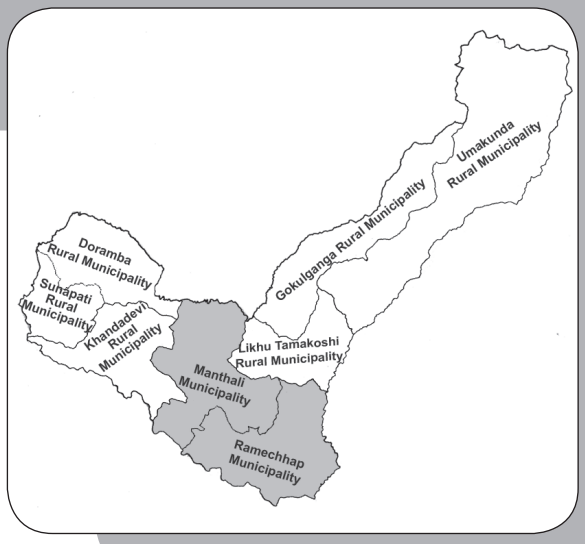
A motorbike with registration number Ba73Pa 2914 belonging to Yuv Raj Chaulagain of Chaurideurali-9, along with other two bikes were set on fire by an unidentified group of people on the night of December 3 in a parking place. Police arrested Nepali Congress cadre Harisharan Chaulagain, 22 and Dev Prasad Chaulagain from Kattike Deurali on a same day. The case remains pending till the end of this year.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 86 health posts. 3 sub-health posts and 4 primary health centers. There are 4 positions for doctors and 12 added doctors in a contract. There are posts for 190 AHW and only 70 are occupied. Out of the positions for 188 ANM, 54 remains vacant.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**	
Killing of Newborn Baby		1	1	
Rape	1	11	12	
Sexual Abuse	2	7	9	
Total	**3**	**19**	**22**	
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
For Practicing Witchcraft			2	2
Polygamy	7		13	20
Rape			4	4
Rape Attempt	1	1	3	5
Sexual Abuse		1		1
Total	**8**	**2**	**22**	**32**
Number of Incidents				
Type of Event	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	1	7	10

3.10 Ramechhap



Total Population
1,98,912

Women
1,08,355

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
51,467

No. of Migrant Workers
11,199

Population by Disability
4,418

Literacy above 5 yrs (%)
97

Dependent Population
88,861

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	13	13			
Beatings			1	13	14
Child Rights			1		1
Economic, Social and Cultural Rights				1	1
Injured				2	2
Killing			2	1	3
Racial Discrimination				1	1
Threats				3	3
Women Rights			6		6
Total	**13**	**13**	**10**	**21**	**31**

In 2016, 1 male was victim by state-actor and 17 people including 13 female were victims by non-state actor. This year 13 male were victims by state actor and 31 people including 10 women were victims by non-state actor.

The beneficiaries from former eight VDCs were affected and deprived of services after the Area Administration Office of Priti Lapchane was abrupt from December 2016 till the third week of July 2017. They were deprived from acquiring services like citizenship certificates, passports, relationship certificate including many other services after the government failed to appoint officer level staff in the office. This office was established in 2016 and its services has been severely affected by its multiple closure.

THREAT/BESTING

Maoist center cadres Deependra Giri, 27 of Manthali Municippality-9, Kapli Raj Giri, 30, Mahendra Giri, 19 and others were attacked and injured after the cadre Dobe Magar of Nepali Congress including others pelted stones on them at Panchghare of Puranagaun on November 25. The injured received treat-

ment at community hospital in District Headquarter. The victim's party lodged complaint at District Police Office on November 27 however no action was taken against them till the end of this year.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 200 inmates. However, there are 271 inmates, including 245 convicts and 26 detainees. There are 6 female inmates with no dependent child. The jail is overcrowded and having issues of clean drinking water and sleeping space.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court with the position of 1 judge which is occupied. There are 61 civil and 57 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 252 primary, 76 lower secondary, 45 secondary and 46 higher secondary schools. Out of 1,910 posts for teachers, all are occupied. This year 23,544 boys and 25,484 girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 2,698 dalit girls and 2,546 dalit boys. Similarly, 24 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	1	1
Total	**1**	**1**

In 2016, 7 children were victims of child rights violation whereas this year INSEC documented 1 victim of rape. Last year 4 girls were victims of rape, 1 of child marriage and 2 of corporal punishment in school. This year 1 incident of killing of girl is documented.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 163 women lodged complaint of domestic violence at Women and Children Service Center. This includes 65 incidents of beatings and expulsion from house, 20 incident of non-cooperation in marriage registration and acquiring citizenship certificate and 78 other incidents of minor dispute. Among these cases 131 were settled in an agreement and in 32 cases victims were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Rape	1	1
Total	**6**	**6**

In 2016, 7 women were victims of women rights violation and this year 6 were victims. Last year, 1 was victim of sexual abuse and 6 of domestic violence whereas this year 1 was a victim of rape and 5 of domestic violence.

Rape, Attempted Rape and Sexual Abuses

The victim's party of 47 years old intellectually disabled women lodged a complaint against Manoj Tamang, 22 of Ramechhap Municipality-8 at police office on November 5. The victim underwent a health checkup at District Hospital of Ramechhap on November 26. The accused was arrested by the police on November 6 and by the court order on November 24, the accused was remanded in custody by the court order on November 24. The case remains pending till the end of this year.

ALL KINDS OF CASTE DISCRIMINATION

Krishna Kumar B.K, 40 of Golkulganga Rural Munciiaplity-4 was caste discriminated by the temple priests Chatra Bahadur Budathoki, 40 , Bhim Bahadur Bidathoki, 50, Gunja Bahadur Karki,56 and Makar Nath Jogi,50 by penalizing

him of Rs 5,000 on charge of entering into the local Sherakali Temple on February 5. The victim lodged complaint at police post of Betali on February 6. All four accused were arrested by the police on February 7 based on a complaint lodged by the victim and case was registered against them under caste discrimination act. By the court order on December 31, they were released after compensating victim with Rs 25,000.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

The vehicle of UML senior leader Madhav Kumar Nepal was vandalized on the night of July 22 at Ramechhap Bazar in Ramechhap Municipality-8. Leader Nepal was participating the program in Ramechhap organized by Pushpa Lal Memorial Academy. The vehicle with registration number Ba5Pa2750 was vandalized in a place where it was parked. Police arrested Nepali Congress cadre Sagar Kumar Shrestha, 25 of Ramechhap-8 on July 23 on charge of his involvement in vandalization. However, he was released later on a same day.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 51 health posts and 3 primary health centers. Similarly, there are 6 urban health centers and 12 community health units. There are no positions for gynecologists. Out of the posts for 57 Health Assistant, 41 are working. Similarly, out of the 115 posts for AHW, 75 are occupied and out of 114 ANM, only 94 are at work. The annual budget of District Public Health Office is Rs 8, 00,000,00 and Rs 10,00,000 is allocated for medical expenses. Locals could not get free medicine in the district due to the delay in purchasing process by the local level.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Compromise	Total
Rape	1	1
Total	**1**	**1**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence	1	1	3	5
Rape			1	1
Total	**1**	**1**	**4**	**6**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	2	3

3.11 Sindhuli

Total Population
3,03,114

Women
1,59,838

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,12,302

No. of Migrant Workers
15,287

Population by Disability
6,466

Literacy above 5 yrs (%)
75

Dependent Population
1,41,870

In 2016, 2 people were victims by state actor and 96 by non-state actor whereas this year there are no incidents of violation by state actor however 80 people were victims by non-state actor.

This year, 3 people were victims of beating, 6 of child rights violation, 68 of women rights and 3 victims of killing were documented. In 2016, 10 victims of child rights violation, 81 of women rights, 1 of caste based discrimination and 4 of killing were documented.

Type of Events	By Non-State		
	Female	Male	Total
Beatings		3	3
Child Rights	6		6
Killing	2	1	3
Women Rights	68		68
Total	**76**	**4**	**80**

THREAT/BEATING

Rabindra Bhattarai, 21 of online Dushauli News, was beaten by the cadres of YCL on May 15 on charge of taking video in poll counting center. He sustained neck injury in an incident and received treatment at Helath Center in Dudhauli. Complaint was lodged at police post however police did not initiate the process.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 35 inmates. However, there are 101 inmates, including 72 convicts and 23 detainees. There are 6 female inmates. The jail is over-

crowded and inmates are facing difficulties of sleeping and gong to toilets. Prison building was made in 1972 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied. There are 99 civil and 92 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 383 primary, 86 lower secondary, 53 secondary and 61 higher secondary schools. Out of 2353 posts for teachers, 71 remained vacant. This year 41,690 boys and 45,442 girls were enrolled in schools. In this district there are 6 disabled friendly schools. The District Education Office provided scholarships to 5,392 dalit girls and 5,932 dalit girls.

Type of Events	By Non-State	
	Female	Total
Rape	5	5
Sexual Abuse	1	1
Total	**6**	**6**

In 2017, 6 children were victims of child rights violation whereas in 2016, 10 children were victims. The majority of incident documented this year are related to rape and sexual abuses. This year 5 girls were victims of rape and 1 of sexual abuse. Last year 9 girls were victims of rape and 1 of sexual abuse.

Killing After Rape

Police arrested 17 years old Niroj Majhi of Kamalamai Municiplaity-13, Padam Bahadur Kami,17, Padam Bahadur Kami alias Ranje,18, Ramji Khatri,18 and Shanker Dev Pariyar,17 on February 2 on charge of killing Bipana Majhi,17 of Kamalamai Municipality-13 after gang rape. The victim's party had lodged complaint at District Police Office on a same day and a postmortem of the body was conducted at District Hospital of Sindhuli. By the court order on March 3 all accused were remanded in custody and the case remains pending till the end of this year.

Rape, Attempted Rape and Sexual Abuse

Police arrested Rudra nahadur Magar, 17 of Kamalamai Municipality-9 on March 1 on charge of raping 11 years old girl on February 27. The victim's family had lodged complaint at District Police Office on March 1. By the court order on June 13, the accused was sentenced for 8 years after finding him guilty.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 62 women lodged complaint of domestic violence at Women and Children Service Center. This includes 24 incidents of beatings and expulsion from house, 17 incidents of deprivation of food, 6 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 15 incidents of threatening for life. Among these cases 39 were settled in an agreement and 12 cases were processed for legal action. In other 15 incidents, victims did not come in contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	58	58
Polygamy	4	4
Rape	4	4
Rape Attempt	2	2
Total	**68**	**68**

In 2017, 68 women were victims of women rights violation. Last year, 81 people were victims. Among the documented incidents, 58 were of domestic violence, 4 of polygamy. 4 of rape and 2 of attempted rape. In 2016, 3 women were victims of

rape, 3 of polygamy and 75 were of domestic violence.

Rape, Attempted Rape and Sexual Abuse

Police arrested 16 years old boy of Sunkoshi Rural Municipality-3 on May 15 on charge of raping 18 years old girl on May 14. The victim underwent health checkup at District Hospital of Sindhuli on a same day. According to police, the case is under investigation.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 51 health posts and 4 primary health centers. There are 4 positions for doctors and all positions are occupied. In this district there are posts for 114 AHW and only 85 are occupied. The annual budget is Rs 2,54,45,000 and Rs 10,00,000 is allocated for medical expenses according to District Health Office of Sindhuli.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events	**Closed Case**		**Legal Proceeding**		**Total**	
Rape	2		3		5	
Sexual Abuse			1		1	
Total	**2**		**4**		**6**	
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	1	34		20	3	58
Polygamy			1	3		4
Rape			1	3		4
Rape Attempt				2		2
Total	**1**	**34**	**2**	**28**	**3**	**68**
Number of Incidents						
Type of Event	**Closed Case**		**Legal Proceeding**		**Total**	
Killing	1		2		3	

3.12 Makawanpur

Total Population
4,32,292

Women
2,22,512

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,15,473

No. of Migrant Workers
16,547

Population by Disability
8,467

Literacy above 5 yrs (%)
98

Dependent Population
1,75,737

Type of Events	By Non-State		
	Female	Male	Total
Abduction		1	1
Child Rights	13		13
Injured		1	1
Killing		1	1
Women Rights	9		9
Total	**22**	**3**	**25**

In this district, 28 people were victims of human rights violation by non-state actor in 2016 whereas in 2017, 25 were victims. According to the documentation, 13 children and 14 women were victims in 2016, whereas this year 13 girls and 9 women were victims.

INJURED IN AN FIRING/EXPLOSION

Shyam Dahal, 34 of Hetauda sub-metropolis-16 was injured in an explosion of cylinder bomb on May 11. The bomb was detonated by the cadres of NCP. The bomb was kept in the street by setting fire on it. He received treatment in Kathmandu. Nepal Communist Party on May 12 released press statement and took responsibility of the incident. The victim is an officer at attorney general office in Kathmandu. No one was charged for the incident.

ABDUCTION

38 years old Maoist center ward chair candidate Ram Kumar Uprety of Manhari Rural Minicpality-1 was abducted by the cadres of Nepal Communist Party on May 13. He was however released on May 15. The victim did not

lodge complaint regarding the incident and the party did not put any comment regarding the incident.

JAIL AND DETAINEES

The "B" graded district prison of has a capacity to accommodate 1200 inmates at a time. There are 815 inmates, including 511 convicts and 304 detainees. There are no female inmates. Male inmates from east Makwanpur prison with "D" grade are shifted to women ward under regional prison of Bhimphedi due to the dilapidated condition of the building.

There are 815 male inmates in regional prison. The female inmates are transferred to Birgunj. In prison building there are facilities of TV and telephones.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are two courts including 1 high court. The position of 3 judges are occupied. There are 183 civil and 180 criminal cases pending. There are no cases older than 2 years.

Similarly, there are 7 positions for judges in high court and all are working. There are 110 civil and 277 criminal cases pending. In high court, there are 7 civil and 8 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 373 primary, 97 lower secondary, 86 secondary and 36 higher secondary schools. Out of 2225 posts for teachers and 205 remained vacant. This year 2,133 boys and 2,477girls were enrolled in schools. In this district there are 375 disabled friendly schools. The District Education Office provided scholarships to 1,833 dalit girls and 1755 dalit boys.

This year 13 children were victims of child rights violation. In 2016 the number was same. In 2016, 1 girl was victim of child trafficking, 10 of rape, 1 of infant killing and 1 of sexual violence whereas this year 12 victims of rape and 1 of sexual abuse was documented.

Type of Events	By Non-State	
	Female	Total
Rape	12	12
Sexual Abuse	1	1
Total	**13**	**13**

Rape and Sexual Abuse

Police arrested 66 years old Ram Bahadur Thing of Kailash Rural Municipality-4 on 2016, January 5 on charge of raping 15 years old girl on January 4. The victim underwent health checkup at primary health center on January 6. By the court order on January 4, 2017, the accused was sentenced for 7 years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 318 women lodged complaint of domestic violence at women cell under District Police Office. This includes 102 incidents of beatings and expulsion from house, 79 incidents of deprivation of food, 15 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 55 incidents of polygamy and other 67 incidents of minor dispute. Among these cases 271 were settled in an agreement and 23 cases were processed for legal action. In 24 complaints, victims did not make any contact.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	1	1
Polygamy	4	4
Rape	4	4
Total	**9**	**9**

This year 9 women were victims by non-state actors. In 2016, 14 women were victims. This year 1 woman was victim of trafficking, 4 of polygamy, 4 of rape. In 2016, 4 incidents of rape, 8 of polygamy and 2 of trafficking were documented by INSEC.

Rape, Attempted Rape and Sexual Abuse

Police arrested 40 years old Pradeep Pokhrel of Hetauda sub-metropolis on August 28 on charge of raping 18 years old woman having psycho-social disability. The victim lodged complaint at police post in Hatiya on August 27. She underwent health checkup at Hetauda Hospital on August 28. By the court order on November 23, he was sentenced for 11 years along with Rs 1, 00,000 compensation to the victim.

HEALTH SERVICE STATUS

In this district, there are 4 hospitals, 40 health posts and 4 primary health centers. There are 11 positions for doctors along with 29 contracted doctors and all positions are occupied. Out of 1 position of gynecologist, it is occupied. There are posts for 95 AHW and only 94 are occupied. The annual budget is Rs 6, 57,19,000 and Rs 8,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Rape	5	3	4	12
Sexual Abuse	1			1
Total	**6**	**3**	**4**	**13**

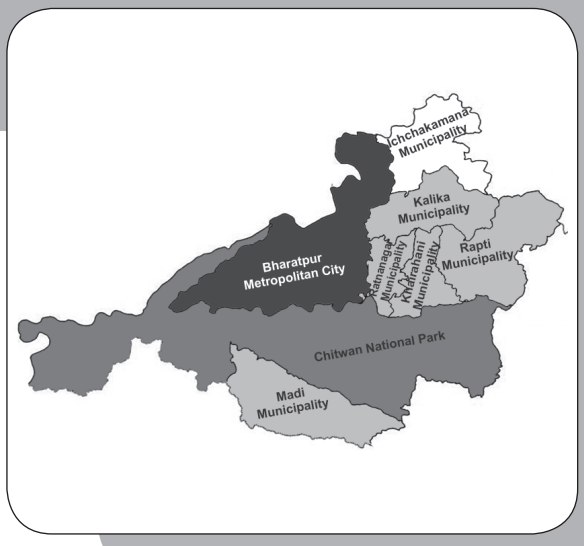
WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Attempt to Trafficking			1	1
Polygamy	1		3	4
Rape	2	2		4
Total	**3**	**2**	**4**	**9**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	1	1

3.13 Chitwan



Total Population
6,29,978

Women
3,31,064

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
50,494

No. of Migrant Workers
50,421

Population by Disability
12,937

Literacy above 5 yrs (%)
97.5

Dependent Population
2,30,373

Type of Events	By State		By Non-State			
	Male	Total	Female	Male	M/F N/A	Total
Beatings	4	4		2		2
Child Rights			33	2		35
Economic, Social and Cultural Rights				1	1	2
Inhuman Behaviour				2		2
Injured	1	1				
Killing			7	2		9
Right to Assembly	1	1				
Women Rights			25			25
Total	**6**	**6**	**65**	**9**	**1**	**75**

In 2016, 48 people were victims in an incident of human rights violation and attrocities whereas this year 75 people including 65 women were victim by non-state actor. This year 6 people were victims by state actor.

THREAT/BEATING

By State-Actor

Pushkar Tamang, 14 of Bharatpur Metropolis-11, Amit Thapa Magar, 17 of the same place , Danu Hamal,17 and 17 years old Bimal B.K were controlled by armed police force from border security force of Aaptari on March 18 and were beaten on charge of setting fire in the jungle. The victim sustained eyes, back, hands and knees injuries. SP Shyam Koirala of armed police force however denied the allegation. The victims informed about the incident to journalists and human rights campaigners on March 21. All victims were released on March 24.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 255 inmates. However, there are 597 inmates, including 309 convicts and 288 detainees. There

are 56 female inmates with 5 dependent child. Of the inmates, 18 were above 65 year old. The jail is two times overcrowded and there is management issues. This prison building was built in April 22 and in dilapidated condition. The new building was built in 2011.

INHUMANE BEHAVIOUR

Engineer Prakash Chandra Dhungana, 52 of Ratna Nagar Municipality was misbehaved by the cadres of Nepal Communist Party on September 18 by pouring mobile on him in his work place. A group of 4 cadres misbehaved him on charge of corruption according to the party. The people involved in the incidents are being searched however no one were arrested yet. Engineer Dhungana said that he was misbehaved on charge of denying the donation that they asked from him.

RIGHT TO ASSEMBLY ABD FREEDOM OF SPEECH

A clash was reported on after the police intervened the program organized by Nepal Communist Party on April 20. Police had intervened when temporary committee member Dharmendra Bastola was addressing the program. Krishna Prasad Paudel of Bharatpur Metropolis was injured in a police baton charge. The cadres hurled stones after the police obstructed the program.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court with the position of 6 judges and all are occupied. There are 724 civil and 665 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 238 primary, 98 lower secondary,143 secondary and 65 higher secondary schools. Out of 2,611 posts for teachers, 17 posts remained vacant. This year 91,112 students were enrolled in community and 82,914 in private schools. In this district there are 57 disabled friendly schools. The District Education Office provided scholarships to 10,000 dalit boys and girls. Similarly, 49 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Rape	22		22
Sexual Abuse	11	2	13
Total	**33**	**2**	**35**

In 2016, 25 children were victims of child rights violation whereas in 2017, 35 children were victims of child rights violation. Last year 17 children were victims of rape, 7 of sexual violence and 1 victim of child marriage. This year 22 girls were victims of rape 13 children including 2 boys were victims of sexual abuse.

Rape, Attempted Rape snd Sexual Abuses

The victim's party of 13 years old girl lodged complaint at District police office on April 28 against 38 years old Milan Pariyar of Debdaha Municipality-11 on charge of rape on April 26. The victim underwent a health checkup at Bharatpur hospital and by the court order on June 29, he was sentenced for 11 years after finding him guilty.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 120 women lodged complaint of domestic violence at Women and Children Service Center. This includes 40 incidents of beatings and expulsion from house, 25 incidents of deprivation of food, 5 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 17 incidents of polygamy and other 23 incidents of minor dispute. Among these cases 105 were settled in an agreement and 15 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	1	1
For Practicing Witchcraft	2	2
Polygamy	6	6
Rape	6	6
Rape Attempt	2	2
Sexual Abuse	5	5
Women Trafficking	3	3
Total	**25**	**25**

Last year, 15 women were victims of women violence whereas this year 25 were victims. In 2016, 7 women were victims of rape and attempted rape, 1 in polygamy and 7 in trafficking however this year, 6 women were victims of rape, 2 of witchcraft allegation, 5 of sexual abuses and 6 of polygamy.

Killing by Family Members

Sabina Darai, 39 of Bharatpur Municipality-15 was beaten to death by her 17 years old son Ashish Darai on August 31. The victim died on the way to the hospital on September 1. The victim's elder son Bikram Darai, 25 lodged complaint at DPO against the accused on September 2 and he was arrested on a same day. The postmortem of the body was conducted at Bharatpur hospital. By the court order on December 31, the accused was given life imprisonment.

WITCHCRAFT ALLEGATION

Sunderi B.K, 48 of Bharatpur Metropolis-11 , Rana Bahadur Saru,69 and 48 years old Kali Gurun lodged a complaint at District Police Office on June 13 against Sita Rai, 28, lal Maya Rai.25 and Kancha Rai, 23 on charge of misbehaving them alleging of being witch. After the complaint, all three accused were arrested by police and by the order from District Administration Office on June 10, all accused were released on bail amount of Rs 5,000. The case remains pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The cadres of Nepal Communist Party put flag and captured the land belonging to Bijaya Shah of Bhartpur Metropolis-13 and left party's pamphlets on July 11. The District Police Office said that the search for the person putting the flag is going on however no one were arrested till the end of this year.

HEALTH SERVICE STATUS

In this district, there are 4 district hospitals, 36 health posts and 3 primary health centers. Similarly, there are 15 city health centers and 3 community health units. There are 66 positions for doctors and 43 positions are occupied. In this district there are posts for 124 AHW and only 109 are occupied. The annual budget is Rs 3,84,00,000 and Rs 14,75,000s allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape	5	1	15	21
Sexual Abuse	4		7	11
Total	**9**	**1**	**22**	**32**

WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking		1	1
For Practicing Witchcraft		1	1
Polygamy		6	6
Rape	1	5	6
Rape Attempt		2	2
Sexual Abuse		2	2
Women Trafficking		2	2
Total	**1**	**19**	**20**

Number of Incidents			
Type of Event	**Closed Case**	**Legal Proceeding**	**Total**
Killing	2	6	8

Province 4

- Area: 21,828 sq.km.
- Poulation: 24,13,908
- Literacy Rate: 73.33
- District: 11
- Electoral Constituency (Parliamentary): 18
- Electoral Constituency (Provincial): 36
- Metropolitan City: 1
- Municipality: 26
- Rural Municipality: 58
- Total Ward No.: 759

Introduction of Province 4

This province consist of 11 districts including Gorkha, Lamjung, Syangja, Kaski, Manang, Mustang, Myagdi, Parbat, Baglung and Tanahu. The total population of this province is 24, 13,908 with an area covering 21,828 square kilometers which is 14.83% of the total area of the country. This province has 18 electoral constituencies for HoR and 36 for provincial.

Out of the total population of this province, 70.68% speaks Nepali, 8.55% speaks Magar, 8.55% speaks Gurung, 4.49% Bhojpuri, 1.64% Newar and remaining speaks other languages. The per capita income of this province is 1169 US dollars and people have average life expectancy of 68.80 years.

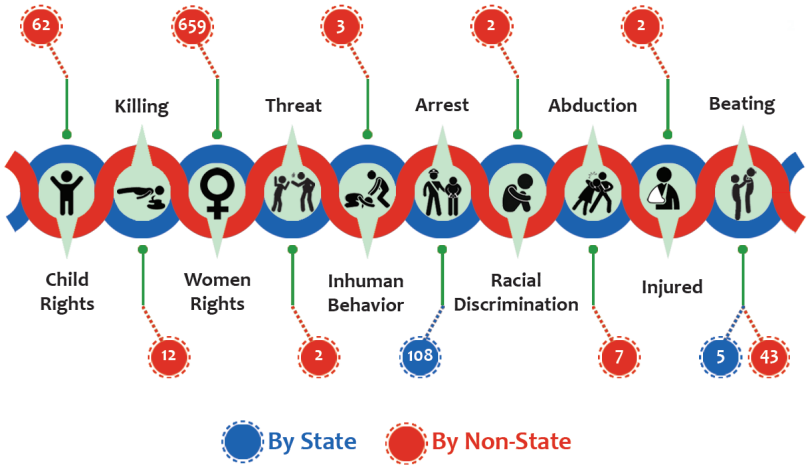
The province consists of tourist area, religious and cultural places. If these sectors are developed, it will not take long time for this province to move towards the economic prosperity having positive effect on overall economic development of the nation.

Pokhara is determined as a temporary capital of this province. The majority of provincial assembly will determine the permanent capital of this province as per constitutional provision.

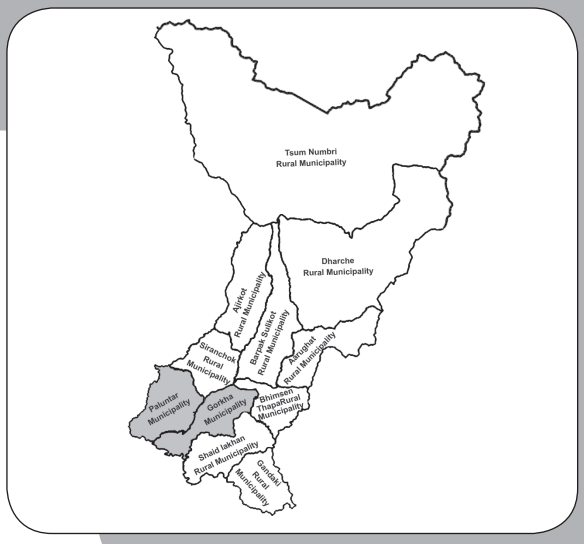
HUMAN RIGHTS SITUATION IN 2017

In this province 5 people were victims by state actor and 45 by non-state actor in an incident of beatings and threat. Similarly, 2 were victims of caste discrimination, 659 were victims in women rights violation and 62 in child rights violation.

No. of Victims in 2017 (By Incident)



4.1 Gorkha



Total Population
2,64,637

Women
1,48,562

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
54,875

No. of Migrant Workers
28,104

Population by Disability
12,937

Literacy above 5 yrs (%)
66.03

Dependent Population
1,19,334

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				5	5
Arrest	13	13			
Beatings	4	4		3	3
Child Rights			12		12
Injured				1	1
Killing			1		1
Women Rights			14		14
Total	**17**	**17**	**27**	**9**	**36**

In 2016, 27 people were victims in an incident of human rights violation and atrocities which includes 15 male by state actor and 3 by non-state actors. This year, 36 people including 17 male were victims by state actor and 9 by non-state actors were documented. This year more incidents of election related violence were documented. In 2017, 5 people from Dharche Rural Municipality-4, Laprak were taken into hostile on charge of collecting Yracha Gumba against the rule.

CLASH/BEATING

Arjun Shrestha, 36 of Naya Shakti Party was injured during the in a clash with the cadres of Maoist center on May 10 at Lakhan Rural Muniipality-9, Namjung Guthedhara during dissemination of local level election. The victim underwent treatment on a same day at local health post. Ward chairman candidate Ram Kumar Shrestha of Naya Shakti Party Nepal, accused the cadres of Maoist center of attacking them during the election campaign however Maoist center claimed Naya Shakti party's cadres of attacking them in first instance. The District Police Office however did not show its concern on this incident.

21 years old Sabin Baniya of Bhimsen Rural Municipality-1 was injured after he was attacked with Khukuri at Baguwa of the same municipality. The Rural Municipality chief Ishwor Pandey said that the victim was attacked with Khukuri over a dispute of whether to make Baguwa as a center of Rural Municipality or Ghyampeshal on November 4. The victim sustained head and hand injury. He was further referred to Kathmandu after a primary treatment in local medical. Police said that the accused has not been identified yet. No one has been arrested till the end of this year and the investigation is still undergoing.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

By State Actor

Police arrested 37 year old teacher Binod Pandey of Gorkha Municipality-10, Chebetaar on May 12 on charge of his involvement in Nepal Communist Party. Pandey is a science teacher at Tara Secondary School in Chebetar. SP Janak Raj Pandey said that he was arrested on charge of his possible involvement in anti-election activities. He was released on May 15 after the end of Local Level Election.

Police arrested FNJ branch member and representative of Janta Telision of Gorkha, Bikash Bhattari, 24 of Palungtaar Municipality-1 on May 15 on charge of his affiliation to the party and his involvement in anti-election activities. After the exertion of pressure from FNJ along with Human Rights organizations, he was released by police on May 24. He was taken into custody for nine days after charging him under public offence act.

JAIL AND DETAINEES

The "E "graded district prison of Gorkha has a capacity to accommodate 55 inmates at a time. However, there are 100 inmates, including 69 convicts and 31 detainees. There are 13 male above the age of 60. The prison is overcrowded and there is a problem of management. There is capacity to accommodate 12 female inmates and there are 8 female. Inmates are facing difficulties on sleeping due to the lack of space.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 1 judge is occupied. There are 74 civil and 87 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 444 community schools and 46 institutionalize schools. Similarly, there are 393 Child Development Center, 269 secondary, 64 lower secondary, 54 secondary ad 57 higher secondary schools. In this district, there are 2625 post for teachers and all are occupied. The district has 12 source classes for disabled students. In Gorkha 61,430 students have enrolled for this academic session. The rate of admission on this year is 99.6 % in primary, 96.4 in lower secondary and 41.9 in secondary level. The District Education office has provided scholarships to 34 children from conflict victim's family. The devastating earthquake in 2015, April 25 has completely damaged 3052 class rooms and 1185 class rooms sustained partial damage. The school buildings are in re construction process. The new building will be disabled friendly according to district education office.

In 2016, 14 children were victims of child rights violation whereas the num-

Type of Events	By Non-State	
	Female	Total
Rape	6	6
Sexual Abuse	6	6
Total	**12**	**12**

ber of violation was 12 in 2017. This year, 6 girls were victim of rape and 6 of sexual abuses.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 5 years old girl lodged complaint at District Police Office against 13 years old boy on February 5 charging him of rape on February 3. The police arrested the accused February 6 based on a complaint lodged by the victim's family. The victim underwent health checkup at District Hospital on February 5. By the court order on March 20, the accused was sentenced for 2 months along with the compensation of Rs 25,000.

Police arrested 28 years old Shiva Shanker Chaudhary of Gorkha Municipality-9 on March 26 on charge of molesting 7 years old girl. The victim's acquaintances had lodged verbal complaint at police office and based on the complaint he was arrested by the police according to DSP Birendra Thapa. The written complaint was lodged by the victim's family on March 27 and victim underwent health checkup at District Hospital on a same day. By the court order on April 18, the accused was remanded in custody and on June 29, the court sentenced him for 3 years after finding him guilty.

ALL KIND OF DISCRIMINATION AGAINST WOMEN

This year 87 women lodged complaint of domestic violence at Women and Children Service Center. This includes 39 incidents of beatings and expulsion from house, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 9 incidents of polygamy and other 38 incidents of minor dispute. Among these cases 44 were settled in an agreement and 19 cases were processed for legal action.

This year, 14 women were victims of violence. In 2016, 10 women were victims of women violence. Among them, 3

Type of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
Polygamy	6	6
Rape	2	2
Rape Attempt	2	2
Sexual Abuse	1	1
Total	**14**	**14**

were victims of domestic violence, 6 of polygamy, 2 of rape, 2 of attempted rape and 1 of sexual abuse.

Rape, Attempted Rape and Sexual Abuse

Police arrested Bhishma Bisural, 20 of Dhading Benighat-7, Charaudi and Rabin Lamichhane, 21 of Ghyalchok-5 on February 20 on charge of raping 29 year old intellectually disabled woman on February 17.

The victim underwent health checkup at District Hospital on February 20 and by the court order on March 8, both of them were remanded in custody. On July 19, duo accused were sentenced for 9 years by the court order.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A bomb was detonated on October 30 at Gorkha Municipality-11, Chebetaar, Sirdikhola by an unidentified group of people targeting the vehicle of left alliance representatives and candidate of HoR for the constituency number 2, and Narayan Kaji Shrestha. The vehicle with registration number Ba2Cha9463 sustained minor damage in an explosion. The candidate along with his team was in a meeting nearby, when the bomb exploded. No one is charged till the end of this year and the incident is under investigation.

Uti Lal Gurung, 33 of Dharche Rural Municipality-4, Laprak, Rabi lal Gurung, 40 , Subash Gurung, 22, Udi Raj Gurung,33 of Dharche-5, Gumda and 27 years old Dhana Bahadur Gurung were

taken into control by the villagers when they were on the way to collect Yarcha Gumba on May 25. They were released after penalizing Rs 1,00,000 each by the villagers. Ward Chairperson Bir Bahadur Lama of Chumnubri Rura Municipality-1 said that they were controlled as they came from different place to collect the medicinal herb. The villagers have their own law to collect Yarcha Gumba in this area.

HEALTH SERVICE STATUS

In district, there are 2 district hospitals, 66 health posts and 3 primary health centers. There are 4 positions for doctors and all positions are occupied. There are no gynecologist in the district. Out of the posts for 142 AHW, 106 are occupied. Out of 143 positions of ANM, 125 are working, out of 70 posts for HA, 58 are working. The patients of this district are compelled to go to the nearby district as there are no gynecologist experts.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	2	3	5
Sexual Abuse	2	4	6
Total	**4**	**7**	**11**

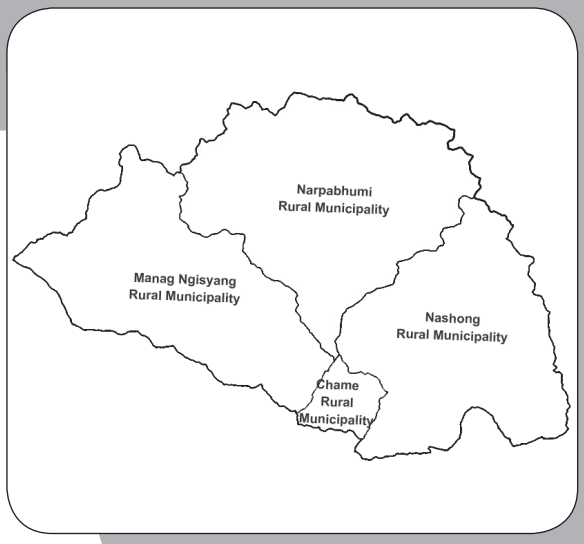
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence		3				3
Polygamy	1			1	4	6
Rape	2					2
Rape Attempt			1		1	2
Sexual Abuse					1	1
Total	**3**	**3**	**1**	**1**	**6**	**14**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	1	1

4.2 Manang



Total Population
5,618

Women
2,394

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
2,150

No. of Migrant Workers
279

Population by Disability
204

Literacy above 5 yrs (%)
74.8

Dependent Population
1,747

JAIL AND DETAINEES

This is the only district which do not have a jail category. In the prison of Manang, there are 9 male inmates. The District prison do not have its own building and it is hard to provide services to the inmates. There are shortages in sports materials to the inmates. The inmates complained of not getting facilities to get warm in winter season.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. In this district only 1 case relating to polygamy was registered according to District Court. The complaint for justice registered in court is very minimum as this district has a "Mukhiya" practice.

CHILD RIGHTS

Education Status

A remote district of Manang has 28 schools including 27 community and 1 private schools. There are total of 676 students according to the District Education Office. The office said that none of the students are deprived from education rights. However, in district headquarter and other places hotel entrepreneurs are found to be using children as a laborer.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

There are no severe problem of discrimination against women. In this district, no complaints against women discrimination, sexual abuses, trafficking, divorce were registered in either women or children office nor in police administration. In this point of view, the overall human rights situation of this district seems to be satisfactory.

HEALTH SERVICE STATUS

The district of Manang having geographical proximity has a population of only 6,538. It is very hard to meet the necessity of health situation and emergency treatment apart from normal health issues. The district hospital is doing its best to purchase medicine and providing health services to people. It is necessary to initiate the concerned authority for the operation services in the district.

4.3 Mustang

Total Population
12,890

Women
6,190

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
4,632

No. of Migrant Workers
1,425

Population by Disability
204

Literacy above 5 yrs (%)
66.2

Dependent Population
4,342

In Mustang district, the Mukhiya practice still prevails. There are no fluctuation of human rights situation in this district as there is a practice to settle the dispute, incidents and problems by village Mukhiya. Very nominal amount of cases are registered in the district court as most of the dispute are solved by Mukhiyas and elderly people. Jhuma and Mukhiya custom is a traditional practices in the district.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. There are 7 detainees in the prison. The prison building is actually made for administrative purpose and it is not suitable for prisoners. The security of the building is very weak as there is no walls.

BEATING

By Non-State Actor

The victim's party of 46 years old Dhiki Gurung of Barhagaun Muktichetra Rural Municipality accused ward chairman Tenjing Gurung, 34 of same Rural Municipality of beating her on August 27 in office room. She further went to lodge

Type of Events	By Non-State	
	Female	Total
Beatings	1	1
Total	**1**	**1**

complaint at Area Police Office where she was again beaten by the Norbu Gurung, 67, a district acting chairperson of Nepal Congress and father of an accused, in front of police. Both accused were arrested by the police. On August 30, the case was settled in apologies.

RIGHT TO PROMPT AND FAIR TRIAL

There is 1 post for judge and it is occupied. This year, 13 cases were registered in the district court. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

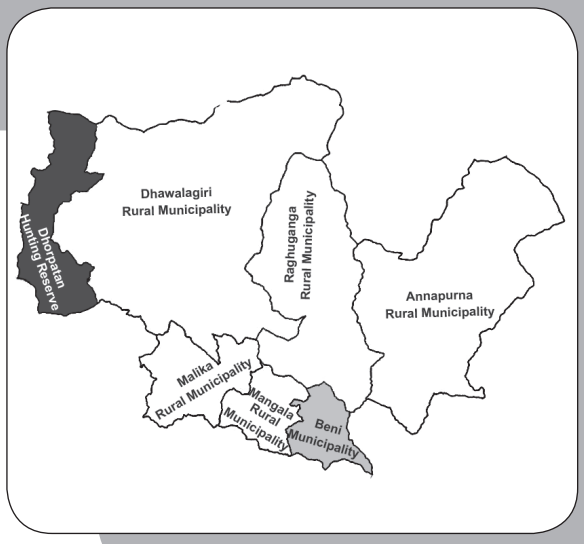
In this district there are 49 elementary, 7 secondary, 3 institutionalize, 1 secondary, 11 gumba, 3 higher secondary schools. There is also 1 campus according to District Education Office. Out of 327 posts for teachers, all are working. There are 3,159 students. This year 355 dalit boys and 357 dalit girls were provided scholarships. In the district, 90 students are provided Rs 4,000 monthly as a Himali Scholarship according to District Education Office. The annual budget of the district education office is 22,92,27,000.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year only 3 women registered complaint at Women and Children Center for justice. All incidents were settled in an agreement according to women cell.

In Mustang, there is 1 district hospital, 1 primary health center and 16 health posts. There are 3 positions for doctors and 2 are working. The District Hospital has 15 beds. Critically ill patients are sent to Pokhara and Kathmandu for treatment.

4.4 Myagdi



Total Population
1,13,340

Women
62,641

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
31,323

No. of Migrant Workers
14,314

Population by Disability
6,122

Literacy above 5 yrs (%)
71.9

Dependent Population
52,157

Type of Events	By Non-State		
	Female	Male	Total
Abduction		1	1
Beatings		1	1
Child Rights	1		1
Women Rights	37		37
Total	**38**	**2**	**40**

In 2016, 2 girls and 19 women were victims of human rights violation and atrocities whereas this year 40 people including 38 women and 2 men were victims. This year majority of incidents of beatings were documented during election campaigning. One person was victim of beating during election canvassing.

ABDUCTION

By Non-State Actor

The victim's party of 50 years old Jas Bahadur Pun of Beni Municipality-3 and a ward chairman candidate from Nepali Congress lodged complaint at police office against the abduction by Nepal Communist Party cadres on May 1 led by 40 years old Gam Bahadur Shris of Mangala Rural Municipality-3. The victim was released after the search operated by Nepali police and army according to District Police Office.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 32 inmates. However, there are 82 inmates, including 61 convicts and 21 detainees. There

are 4 female inmates with no dependent child. The jail is overcrowded. There are 2 inmates above the age of 65. The prison has an issue of managing the inmates and detainee due to the overcrowd. The prison building is built in 2015 and has 1 building.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied. There are 56 civil and 68 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 138 primary, 36 lower secondary, 40 secondary and 19 higher secondary schools. Out of 1280 posts for teachers, all are occupied. This year 1190 boys and 1118 girls were enrolled in schools. In this district there are 3 disabled friendly schools. In this academic session, the District Education Office provided scholarships to 7,251 dalit boys and girls.

Type of Events	By Non-State	
	Female	Total
Rape	1	1
Total	**1**	**1**

This year 1 girl was a victim of rape whereas last year 2 girls were victims of rape.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 42 women lodged complaint of domestic violence at Women and Children Service Center. This includes incidents of beatings and expulsion from house, incidents of deprivation of food, polygamy and other minor dispute. Among these cases 40 were settled in an agreement and 2 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	36	36
Sexual Abuse	1	1
Total	**37**	**37**

This year 37 women were victims of violence and of which 36 women were victims of domestic violence and 1 of sexual abuse. In 2016, 19 women were victims of domestic violence, polygamy, rape, attempted rape and sexual abuses.

Rape, Attempted Rape and Sexual Abuse

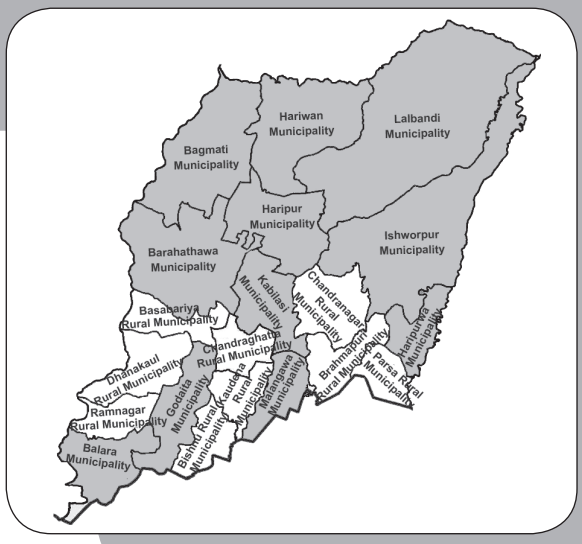
Police arrested 57 years old Karna Bahadur Kisan of Baglung Municipality-6 on July 7 on charge of conducting sexual violence on 38 years old women. The victim lodged complaint at District Police Office on July 6 accusing him of performing sexual violence during a process of treating her as a witch doctor. She underwent health checkup at District Hospital on July 6. He was remanded in custody by the court order on July 31. The cases is pending till the end of this year.

HEALTH SERVICE STATUS

In district, there is 1 district hospital, 40 health posts and 1 primary health centers. There are 18 positions for doctors and all positions and 4 are occupied. In this district there are posts for gynecologist however it is vacant. The annual budget of District Education Office is Rs 3,32,00,000 and Rs 4,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events		**Closed Case**	**Total**
Rape		1	1
Total		**1**	**1**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	36		36
Sexual Abuse		1	1
Total	**36**	**1**	**37**

4.5 Kaski



Total Population
5,45,424

Women
2,84,686

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
19,330

No. of Migrant Workers
57,305

Population by Disability
9,219

Literacy above 5 yrs (%)
82.04

Dependent Population
352006

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	2	56	58			
Beatings					1	1
Child Rights				13	2	15
Threats				1		1
Women Rights				214		214
Total	**2**	**56**	**58**	**228**	**3**	**231**

In 2016, 47 victims including 37 women by non-state actor were documented in the district and this year 58 people including 2 women were victims by state actor and 231 by non-state actor.

JAIL AND DETAINEES

The "E" graded district prison of Kaski has a capacity to accommodate 100 inmates. However, there are 681 inmates, including 519 convicts and 162 detainees. There are 54 female inmates with 4 years old child. In this district there are 5 inmates above 65 years. The prison is overcrowded by 6 times than its capacity creating difficulties on management of inmates and detainees. The prison building was built in 1965 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 high and 1 District Court. The position for 6 judges are occupied. There are 935 civil and 115 criminal cases are pending. There are 4 civil and 3 criminal cases older than 2 years.

Similarly, there are 8 positions for judges in high court of which all are oc-

cupied. There are 173 civil and 239 criminal cases pending till the end of this year. There are no cases older than 2 years pending in the court.

CHILD RIGHTS

Education Status

In this district there are 222 primary, 55 lower secondary, 115 secondary and 61 higher secondary schools. Out of 2,458 posts for teachers, 943 remained vacant. This year 81,633 boys and 70,634 girls were enrolled in schools. In this district there are 175 disabled friendly schools. The District Education Office provided scholarships to 13053 dalit boys and 15728 dalit girls. Similarly, 334 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Child Trafficking	2		2
Rape	10		10
Sexual Abuse	1	2	3
Total	**13**	**2**	**15**

In 2016, 19 children were victims in a child rights violation whereas this year 15 children were victims. In 2017, 2 victims of child trafficking, 10 victims of rape and 3 victims including 2 boys of sexual abuse was documented.

Rape And Sexual Abuse

Police arrested 28 years old Ashok Paudel of Pokhara-Lekhnath Metropolis-1 on May 30 on charge of rape on 7 years old girl. He was arrested after the victim's family lodged complaint at police office on a same day. The District court on June 23 ordered to remand him in custody. The victim underwent health checkup at western regional hospital on May 30.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 197 women lodged complaint of domestic violence at Women and Children Service Center. This includes 9 incidents of beatings and expulsion from house, 90 incidents of deprivation of food, 10 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 3 incidents of polygamy and other 85 incidents of minor dispute. Among these cases 93 were settled in an agreement and 52 cases were processed for legal action. In other 52 cases, the victim were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	204	204
Polygamy	3	3
Rape	4	4
Rape Attempt	1	1
Sexual Abuse	1	1
Women Trafficking	1	1
Total	**214**	**214**

In 2016, 13 women were victims of violence and this year the number has sky rocketed to 214. This year 204 women were victims of domestic violence. Similarly, 3 were victims of polygamy, 4 of rape, 1 of attempted rape, 1 of sexual abuse and 1 of women trafficking.

Rape, Attempted Rape and Sexual Abuse

Police arrested 48 years old Ramji Singh Thakuri of Pokhara-Lekhnath Metropolis on July 20 on charge of raping 18 years old woman on July 19. The victim's party lodged complaint at police demanding the action against the accused on July 20. The victim underwent a health checkup at western regional hospital. By the court order on August 16, he was remanded in custody. The case remains pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people have attacked a pickup van with registration number Ga1Ja2911 on May 11 with a petrol bomb. The van was used for election campaigning by UML. It was parked after ending the election campaigning for a day. In an attack, the van sustained minor damage however there was no human loss. No one was arrested in the incident according to District Police Office.

An unidentified group of people attacked petrol bomb on a vehicle with registration number Ba3Kha1483 at Pokhara-Lekhnath Metropolitan-14 used by Nepali Congress for election dissemination. A group of people with 4 to 5 in numbers attacked the vehicle with petrol bomb which was heading for election dissemination. There was no physical or human loss on an attack.

HEALTH SERVICE STATUS

In Kaski district, there is 1 regional hospital, 43 health posts and 4 primary health centers. There are 3 positions for doctors and all positions are occupied. Out of the posts for 96 AHW only 91 are occupied. The annual budget of District Public Health Office is Rs 50, 610, 6000 and Rs 10, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2016

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Trafficking	1	1
Rape	10	10
Sexual Abuse	3	3
Total	**14**	**14**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	93	48	63	204
Polygamy		3		3
Rape		4		4
Rape Attempt		1		1
Sexual Abuse			1	1
Women Trafficking		1		1
Total	**93**	**57**	**64**	**214**

4.6 Lamjung

Total Population
1,64,157

Women
91,049

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
27,895

No. of Migrant Workers
21,161

Population by Disability
4,745

Literacy above 5 yrs (%)
71.1

Dependent Population
71,899

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	5	5			
Beatings			1	7	8
Child Rights			2		2
Women Rights			27		27
Total	**5**	**5**	**30**	**7**	**37**

In 2016, only the incidents of human rights violation of women and children were documented however this year 5 men were victims by state actor and 37 victims including 30 women and 7 men by non-state actor. Last year 25 people were victims in the incidents of human rights violation and atrocities.

CLASH/BEATING

By Non-State Actor

A clash was reported at Agriculture Campus at Sunder Municipality-7 on January 31 between the cadres of Nepal Student Union (NSU) and ANIFSU. In a clash ANIFSU vice-chairperson Mahendra Singh Dhami,22 was seriously injured and property worth Rs 15,00,000 was damaged according to the campus administration. The clash was over the dispuite of upcoming NSU election. The injured Dhami received treatment at Karmada Hospital. The cadre of ANIFSU were suddenly attacked by a group of 50 people in the night while sleeping. Police arrested NSU Campus Unit members Anshik B.K, Lok Raj Bhatta, Jagdish Chaudhary, Niraj Dahal, Deepak Papani, Anish Lamichhane, Sajan Chettri and Bipin Parajuli

on February 1. All the arrested were released by police on agreement of paying compensation.

The cadres of NSU were injured in a clash with ANIFSU in Agriculture Campus at Sunderbazar Municipality-7 on March 2. The injured were NSU cadres Deependra Regmi of Kapilbastu and Akriti Khanal, 23 of Gorkha. The injured received treatment on March 4. Police arrested 12 students on March 2 on charge of their involvement in beatings. The arrested were Bipin Parajuli, 24 of Gulmi, Amit Chaudhary, 23 of Udayapur, Nabin Khadka, 24 of Bajhang, Arjun Chapagain, 22 of Syangja, Suraj Gautam, 22 of Kathmandu, Shalik Ram Ghimire, 23 of Rupendehi, Bibek Acharya, 22 of Rolpa, Sandeep Adhikari, 23 of Kaski, Pradeep Ghimire, 21 of Morang, Dipesh Chaudhary, 21 of Kailali, Nabin Karki, 20 of Ramechhap and Anjana Thapaliya, 20 of Dhading. The incident was settled in an agreement of providing treatment cost to the victims and arrested were released on March 22 according to DPO Lamjung.

The ANNFSU cadres of Agriculture Campus at Sunder Bazar Municipality-7 were attacked by the cadres of NSU on March 27. ANNFSU cadres Prayas Adhikari, Sujan Subedi, 22 and Suraj Gautam, 23 were attacked by NSU cadres Aamir Singh, 24 and Awash Neupane, 23 by hiding. The attack was a retaliation of previous clash according to NSU. The campus chief on Lal Prasad Amgain a same day informed police about the incident.. The injured received treatment at Karmada Hospital in Sunder Bazar on March 8. The incident was settled in a condition of bearing treatment cost of the victims on April 2 in an initiation of Campus administration, police, local administration and students.

Campus Chief Lal Prasad Amgain, 45 and accountant Ramji Khadka, 42 of the same place were beaten by Uttam Gurung, a former chairman of Tarun Dal, on February 28 in his office room. The victims lodged complaint at police on a same day. The victim was charged for taking one side while performing work by the accused. The incident was settled in an agreement after a discussion with local politicians and intelectuals.

JAIL AND DETAINEES

The "E" graded district prison of Lamjung has a capacity to accommodate 25 inmates. However, there are 75 inmates, including 6 female. The prison is overcrowded crating the problem in management. The building was built in 1972 and it is old and in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 1 judge is occupied. There are 89 civil and 233 criminal cases pending. There are no cases older than 2 years. There are 69 civil and 161 criminal cases pending this year.

CHILD RIGHTS

Education Status

In this district there are 249 primary, 38 lower secondary, 56 secondary and 44 higher secondary schools. Out of 251 posts for teachers, all are working. This year 13,913 boys and 14,479 girls were enrolled in schools. In this district there are 37 disabled friendly schools. The District Education Office provided scholarships to 8345 dalit girls. Similarly, 26 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Total	**2**	**2**

In 2016, 5 children were victims of child rights violation and this year 2 girls were victims of rape.

Rape and Sexual Abuses

Police arrested 29 years old Resham Tamang of Besishahar Municipality-8 on July 3 on charge of raping 12 years old intellectually and physically disabled girl. The victim underwent a health checkup at Community hospital on July 5. By the court order on August 27, the accused was remanded in custody. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 65 women lodged complaint of domestic violence at Women and Children Service Center. This includes 17 incidents of beatings and expulsion from house, 23 incidents of deprivation of food, 7 incidents of non-cooperation in marriage registration and acquiring citizenship certificate, 3 incidents of polygamy and other 15 incidents of minor dispute. Among these cases 58 were settled in an agreement and 8 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	24	24
Polygamy	3	3
Total	**27**	**27**

In 2016, 20 women were victims of violence whereas this year 27 women were victims of which 24 are of domestic violence and 3 of polygamy.

HEALTH SERVICE STATUS

In this district, there is 1 governmental hospital, 2 primary health centers and 57 health posts. There are 2 positions for doctors and all positions are occupied. In this district there are posts for 110 AHW and only 67 are occupied. Similarly, for the post of 112 ANM 85 are working. The annual budget is Rs 5, 17, 00,000 and Rs 8, 75,000 is allocated for medical expenses. The District Health Office said that there is a shortage in essential medicine.

Number of Incident with Status of Legal Proceeding in 2017

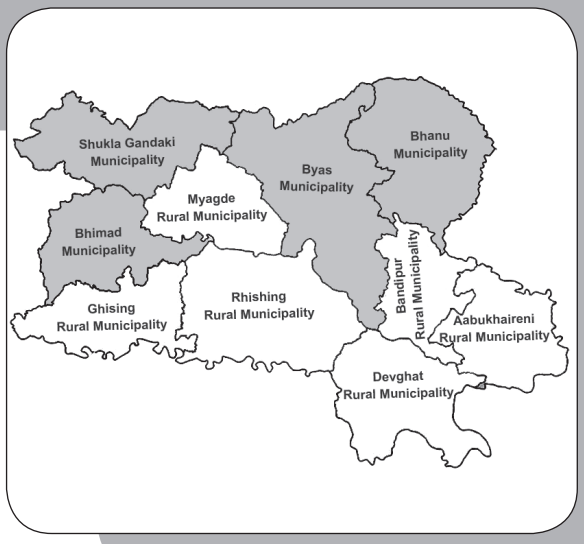
CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	2	2
Total	**2**	**2**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	24		24
Polygamy	1	2	3
Total	**25**	**2**	**27**

4.7 Tanahun



Total Population
3,26,749

Women
1,84,664

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
47,535

No. of Migrant Workers
46,387

Population by Disability
6,668

Literacy above 5 yrs (%)
74.08

Dependent Population
1,41,300

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	2	5	7			
Beatings					11	11
Child Rights				4		4
Inhuman Behaviour					1	1
Killing				1	1	2
Racial Discrimination				1		1
Women Rights				197		197
Total	**2**	**5**	**7**	**203**	**13**	**216**

In 2016, 31 people including 12 male were victims on incidents of human rights violation and atrocities whereas in 2017, 216 people were victims by non-state actor. This year more incidents of human rights violation were documented. This year more incidents of vandalization, arson attack, explosion and anti-election activities by Nepal Communist Party cadres were documented.

BEATING/CLASH

The cadres of Nepali Congress attacked the house of Saraswoti Sigdel, a vice-chairperson of Ghiring Rural Municipality-1 on the night of November 25. In the attack, 24 years old son Bidur Kumar Sigdel and 21 years old Saphal Sigdel were injured and received treatment at Manipal Hospital in Pokhara on a same day. CPN UML party accused that the cadres in command of Padam Thapa entered into their house and started to attack them with rod, Khukuri including homemade weapons. Police controlled the motorbike used by the cadres of Nepali Congress during the attack. The complaint against them was lodged at District Police Office demanding the action against the cadres

on November 27 however, no action was taken till the end of this year.

The CPN UML accused Nepali Congress of beating and injuring their cadres Tul Bahadur Thapa, 40 of Bhimad Municipality-5, babu Ram Gaire,40, Arjun Gaire, 45, Rajendra Gaire, 44 and Shyam Krishna Gaire, 45 on the night of December 7. The victims received treatment at Manipal Hospital Pokhara on December 8. The cadres of Nepali Congress attacked the cadres of UML while they were returning home after HoR and Provincial election. The complaint against them were lodged at District Administration Office demanding the action against them, however no action was taken till the end of this year.

MISBEHAVOUR

Deep Bahadur Khatri,48, a teacher at Bhanu Secondary School at Bandiur Rural Municiplaity-1 was misbehaved by the cadres affiliated to Nepal Communist Party by smearing soot on his face on September 20. AKHIL revolutionary said that he was misbehaved on charge of anomalies during the construction of school building and transfer of teachers. No complaint against was lodged against the incident according to the police.

EXPLOSION

An unidentified group of people detonated cooker bomb on November 18 targeting the vehicle of Nepali Congress senior leader and candidate of HoR from the constituency number 1, Ram Chandra Paudel at Bhanu Municipality-6, Nepal Danda. He was on the way to address the election assembly in Besisahar. On an explosion, the vehicle with registration number Ba13Pa3746 sustained minor damage.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 25 inmates. However, there are 108 inmates, including 68 convicts and 40 detainees. There are no female inmates and dependent child. The jail is overcrowded creating the issue of management. The building was built in 1968 and it is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. There are 2 position of judge and it is occupied. There are 210 civil and 185 criminal cases pending. There are 2 cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 308 Primary, 73 Lower Secondary and 108 Secondary schools. This year 30,413 boys and 34,252 girls were enrolled in schools. In this district there are no data of disabled friendly schools. The District Education Office provided scholarships to 6,545 dalit boys and 7,351 dalit girls.

Type of Events	By Non-State	
	Female	Total
Rape	4	4
Total	**4**	**4**

In 2016, 11 children were victims of child rights violations whereas this year 4 children were victims. In 2017, 4 girls were victims of rape.

Rape and Sexual Abuse

The victim's family of 8 years old girl lodged a complaint at police office against 60 years old Bhim Bahadur Sarki of Tanahu Byas Municipality-12 on March 27 on charge of sexual abuse. Based on a complaint lodged by the victim's family, the accused was arrested by the police on March 28. The victim underwent a health checkup at Damauli Hospital. The district court on July 18 ordered to sentence him for 13 years.

Police arrested 61 years old Than Bahadur Malla of Bhimad Municipality-8 on April 15 on charge of rape on 9 years old girl. The victim's party had lodged complaint against the accused at Area Police Office of Belchautara on April 15. The victim underwent health checkup at Damauli hospital on a same day. By the court order on August 15, the convict was sentenced for 13years.

ALLL KINDS OF DISCRIMINATION AGANST WOMEN

This year 182 women lodged complaint of domestic violence at Women and Children Service Center. This includes 113 incidents of beatings and expulsion from house, 41 incidents of deprivation of food, 26 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 2 incidents of polygamy. Among these cases 149 were settled in an agreement and 21 cases were processed for legal action whereas 12 incidents are still to be discussed.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	192	192
Polygamy	2	2
Rape	3	3
Total	**197**	**197**

Last year 8 women were victims of violence whereas this year 197 were victims. Similarly, this year 3 women were victims of rape and 2 of polygamy.

Killing by Family Member

Buddhi Maya Rai, 35 of Shuklagandaki Municipality-7 was killed by her 29 years old husband Kumar Rai on July 26 by attacking her with hammer. The victim died on the spot. She was attacked by the accused on a minor domestic dispute. He was arrested by the police on a same day. The postmortem of the body was done at Damauli hospital on a same day.

Rape, Attempted Rape and Sexual Abuses

30 years old woman lodged a complaint at District Police Office on June 6 against Som Bahadur Nepali, 25 of Myagde Rural Municipality-3 accusing him of attempting to rape her on June 5. The victim underwent health checkup at Damauli Hospital on June 7. The accused is at large till the end of this year.

The victim's party of 28 years old woman lodged a complaint at District Police Office on December 4 agaist Bikram Thapa, 39 of Myagde Rural Municipality-5, Dinesh Thapa, 25, Pravin Thapa, 25, Bhanubhakta Kumal, 24 and Naresh Kumal, 25 at police office on charge of gang raping her on December 3. Based on a complaint lodged by the victim's family, all accused were arrested by the police on December4. The victim underwent health checkup at Damauli hospital. On December 20, the accused were remanded in custody by the court order according to the police office.

ECONMIC, SOCIAL AND CULTURAL RIGHTS

An unidentified group of people set fire on a parked jeep at Ghiring Rural Municipality on May 7. The jeep with registration number Ba15Cha 6604 sustained minor damage. The search for the person behind the incident is under investigation till the end of this year.

HEALTH SERVICE STATUS

In this district, there are 2 district hospitals, 3 primary health centers and 46 health posts. There are 7 positions for doctors and all positions are occupied. In this district there are posts for 102 AHW and only 83 are occupied. The annual budget is Rs 4,15,40,000 and Rs 11,35,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events	**Closed Case**		**Investigation**		**Legal Proceeding**	**Total**
Rape	2		1		1	4
Total	**2**		**1**		**1**	**4**
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Incomplete**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	3	160	15	1	13	192
Polygamy					2	2
Rape				1	2	3
Total	**3**	**160**	**15**	**2**	**17**	**197**
Number of Incidents						
Type of Event	**Investigation**		**Legal Proceeding**		**Total**	
Killing	1		1		2	

4.8 Nawalparasi East

Total Population
3,21,755

Women
1,69,917

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
Not Available

No. of Migrant Workers
Not Available

Population by Disability
Not Available

Literacy above 5 yrs (%)
70.76

Dependent Population
Not Available

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Abduction				1	1
Arrest	10	10			
Beatings				8	8
Child Rights			15	1	16
Inhuman Behaviour				1	1
Injured			1		1
Killing			4	2	6
Racial Discrimination			1		1
Women Rights			12		12
Total	**10**	**10**	**33**	**13**	**46**

This district is divided from former Nawalparasi and falls under province number 4 and in this district there are 4 municipalities and 4 Rural Municipalities. The district has 1 district level police office and 1 district court. The other offices falls under western Nawalparasi. This year 10 male were victims by state actor and by non-state actor 33 female and 13 male are victims. The majority of incidents were documented are regarding the incidents of arrest on charge of anti-election activities. The highlighted incidents includes smearing of black soot, clashes, including incidents of women and child rights violations.

ARREST

Police arrested 42 years old Mahesh Acharya, a chairperson of Nepal Revolutionary Industrial Labor Union and staff at CG company at Dibyapur on May 12 on charge of his possible involvement in anti-election activities affecting the election. The District Administration Office ordered to release him on bail amount of Rs 1,000 on May 22. The case remains pending till the end of this year.

INHUMANE ABEHAVIOUR

55 years old Khagendra Ghimire of Syangja district, and chief at land and revenue office in Kawasoti complained that he was misbehaved and smeared with a black soot on to his face on September 14 by the cadres of Nepal Communist Party accusing him of not working on time and showing bad behavior to the benifeciers. Police arrested District Secretary Chittal Singh of Nepal Communist Party on September 15, The District Administration Office ordered to release him on bail amount of Rs 500 on September 25. The case remains pending till the end of this year.

RIGHT TO PROMPT AND FAIR TRIAL

In the District Court of east Bardaghat Susta, there are position for 4 judges and 2 positions are occupied. In the district court there are 559 cases forwarded from western Bardaghat Susta along with 122 added cases. From this court, 24 cases were decided. There are no cases older than 2 years.

CHILD RIGHTS

In this district 15 boys and 1 girl was victims of child rights violation. Among them, 1 victim of infant killing, 11 victims of rape, 4 incidents of sexual abuses were documented by INSEC.

Child Rights	By Non-State		
	Female	Male	Total
Killing of Newborn Baby	1		1
Rape	11		11
Sexual Abuse	3	1	4
Total	**15**	**1**	**16**

Rape and Sexual Abuses

The victim's family of 10 years old girl lodged a complaint at Area Police Office of Kawasoti on June 1 against 42 year old Man Bahadur B.K of Hupsekot Rural Municipality-1 on charge of rape. Police arrested the accused on a same day after the complaint was lodged against him. The district court on November 5 ordered to sentence him for 16 years. The victim underwent a health checkup at District Hospital on November 5.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 86 women lodged complaint of domestic violence at Women and Children Service Center. Among these cases 55 cases were settled in an agreement and 31 cases were processed for legal action. The cases registered includes 3 incidents of polygamy and other were of beatings and abuses.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
Polygamy	4	4
Rape Attempt	1	1
Sexual Abuse	4	4
Total	**12**	**12**

This year 12 women were victims of women rights violation of which 3 were victims of domestic violence, 4 of polygamy, 1 of attempted rape and 4 of sexual abuses. In 2017, 1 woman was killed by family members.

Killing By Family Member

The victim's family of 47 years old Uma Kumari Sarki of Hupsekot Rural municipality -2 lodhed a complaint at police against her 53 years old husband Dhana Bahadur Sarki on charge of killing her by beating in a minor domestic dispute on August 10. The accused was arrested by the police on a same day and presented to the court. By the court order on August 11, he was remanded in custody. The postmortem of the body was conducted at primary health center on August 11. The case remains pending till the end of this year.

ALL KINDS OF CAST BASED DISCRIMINATION

Victim Bishnu Kumar B.K, 20 of Binayatriveni Rural Municipality-3 lodged a complaint at police office on against the family for not accepting her as she is from lower caste even after giving birth to a baby after a love affair with Nabin Shrethha, 22 of the same place. The victim gave a birth to a baby before their marriage. On a same day the police summoned the accused for discussion in police office. The case was settled after the agreement of giving protection to the victim in a family. The victim said that she has not registered yet for marriage till the end of this year. The victims is living in her parental home at present.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people set fire on parked vehicle with registration number Ba13Cha7150 at Kawasoti Municipality-8 on May 9. The vehicle was damaged by the fire. After the incident, the victim lodge complaint for compensation against the damage at Area Police Office of Kawasoti. The case remained pending till the end of this year according to police.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Killing of Newborn Baby		1	1
Rape	1	9	10
Sexual Abuse		4	4
Total	**1**	**14**	**15**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	2	1	3
Polygamy		4	4
Rape Attempt		1	1
Sexual Abuse		3	3
Total	**2**	**9**	**11**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	5	6

4.9 Syangja

Total Population
2,78,688

Women
1,59,337

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
33,909

No. of Migrant Workers
50,476

Population by Disability
4,451

Literacy above 5 yrs (%)
76.6

Dependent Population
1,21,823

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	6	6			
Beatings	1	1		7	7
Child Rights			3		3
Inhuman Behaviour				1	1
Killing			1	2	3
Threats			1		1
Women Rights			23		23
Total	**7**	**7**	**28**	**10**	**38**

In 2016, 20 people were victims of human rights violation and atrocities whereas this year 45 victim along with 7 by state-actor and 38 by non-state actor were documented.

CLASH/INJURED

By Non-State Actor

Padma Aryal, 49 of Waling Municipality-1, Triyasi organized a press meet on December 9 and informed that she was misbehaved by Nepali Congress cadres at Ram Mandir Secondary School polling center at Chapakot-4 during the HoR and provincial election. She demanded the action against the guilt. Aryal was also a candidate for HoR from constituency number 2. She was in Ram Mandir polling center after getting the news of booth capturing by Nepali congress cadres. The cadres snatched the mobile of Aryal and misbehaved her.

JAIL AND DETAINEES

The" E" graded district prison of Syangja has a capacity to accommodate 50 inmates. However, there are 106 inmates, including 65 convicts and 41 detainees. There are 6 female inmates with

no dependent child. There are 4 inmates above the age of 65 .The jail is overcrowded and having issues of clean drinking water along with lack of space for sleeping, eating and going toilet.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 2 judges are occupied. There are total of 279 cases decided out of 475. The court said that there are still 196 cases left to be decided. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 359 primary, 69 lower secondary, 83 secondary and 89 higher secondary schools. Out of 2,599 posts for teachers. This year 26,689 boys and 26,498 girls were enrolled in schools. The District Education Office provided scholarships to 6,100 dalit girls and 5,995 dalit boys. Similarly, 11 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	3	3
Total	**3**	**3**

In 2016, 13 children were victims of child rights violation whereas this year 3 girls were victims of rape.

Killing by Family Members

Police arrested 35 years old Arjun Nepali and 20 years old Pabitra Nepali of Bihadi Rural Municipality-1 on July 22on charge of killing 1 year old daughter. The District Police Office of Syangja said that the couple killed their daughter on July 21 in the rented room. Pabitra was married to Arjun, 2 weeks ago after leaving her first husband Raju Nepali. SP Dev Bahadur Bogati said that she was killed after the dispute between the couple over the issue of daughter. The postmortem of the body was done at District Hospital on a same day. Police arrested the couple and by the court order on August 10, they were remanded in custody. The case is pending till the end of the year.

Rape and Sexual Abuses

Police arrested 28 years old Bom Bahadur B.K of Harinas Rural Municipality-4 on August 26 on charge of raping 13 years old girl. The victim underwent health checkup at District Hospital of Syangja on September 26. By the court order on October 17, he was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 57 women lodged complaint of domestic violence at Women and Children Service Center. This includes 17 incidents of beatings and expulsion from house, 18 incidents of deprivation of food, 10 incidents of mental torture. Among these cases 23 were settled in an agreement and 10 cases were processed for legal action and in 24 cases, the victim were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	23	23
Total	**23**	**23**

In 2016, 7 women were victims of women violence whereas this year 23 women are victims. Last year INSEC documented 2 victims of domestic violence, 4 incidents of rape and 1 incident of sexual abuse whereas this year 23 victims of domestic violence is documented.

HEALTH SERVICE STATUS

In this district, there are 2 hospitals and 3 primary health centers. Similarly, there are 63 health posts and 1 sub-health post. There are 6 positions

for doctors and all positions are occupied. The posts for 136 AHW and only 133 are occupied. Similarly, for the position for 138 ANM, 2 remains vacant. There are no shortage in medicine as compared to the last year. The annual budget is Rs 2,20,35,000 and Rs 5,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events		**Legal Proceeding**	**Total**
Rape		3	3
Total		**3**	**3**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	19	4	23
Total	**19**	**4**	**23**
Number of Incidents			
Type of Event		**Legal Proceeding**	**Total**
Killing		3	3

4.10 Parvat

Total Population
1,42,374

Women
79,894

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
18,426

No. of Migrant Workers
21,735

Population by Disability
3,653

Literacy above 5 yrs (%)
73.8

Dependent Population
62,488

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	8	8			
Beatings			1	2	3
Child Rights			5		5
Women Rights			65		65
Total	**8**	**8**	**71**	**2**	**73**

In 2016, 62 women were victims whereas in 2017, 81 people were victims in the incidents of human rights violation and atrocities. This year 8 were victims by state actor. Last year only the incidents regarding women and child rights violation was documented by INSEC.

In 2017, more women and children were victims by the state actor. This year 61 women were victims of domestic violence, 3 of rape and 1 of polygamy.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 60 inmates. However, there are 78 inmates, including 54 convicts and 24 detainees. There are 1 female inmates and 3 detainees. The jail is overcrowded. Two buildings of prisons are in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court with the position of 1 judge. The position of judge is occupied. There are 82 civil and 60 criminal cases pending. There are no cases older than 2 years.

Nepal Communist Party supporter 49 years old local teacher Narayan Baha-

dur G.C was arrested by police on December 10 from his house. He was released by District Police Office on bail amount of Rs 1,000 on a same day according to the police office.

CHILD RIGHTS

Education Status

In this district there are 216 primary, 45 lower secondary, 53 secondary and 39 higher secondary schools. Out of 251 posts for teachers, all are working. This year 17,278 boys and 18,371 girls were enrolled in schools. In this district there are 3 disabled friendly schools. The District Education Office provided scholarships to 3,755 dalit girls and 3,725 dalit boys. Similarly, 4 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	4	4
Total	**5**	**5**

This year 4 girls were victims of rape whereas last year 1 girl was victim. Similarly 1 girl was victim of child marriage this year.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 9 years old girl lodged complaint at District Police Office on May 11 against 49 years old Aaita Bahadur Sarki, alias Aiite of Kushma Municipality-7 on charge of rape. The victim underwent a health checkup at District Hospital of Parbat on May 11. The accused was arrested by the police and by the court order on August 22 he was sentence for 14 years along with Rs 1,00,000 compensation.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 85 women lodged complaint of domestic violence at Women and Children Service Center. This includes 31 incidents of beatings and expulsion from house, 23 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 5 incidents of polygamy and 25 incidents of minor dispute. Among these cases 57 were settled in an agreement and 10 cases were processed for legal action. In 13 cases victims were out of contact.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	61	61
Polygamy	1	1
Rape	3	3
Total	**65**	**65**

Rape, Attepted Rape and Sexual Abuse

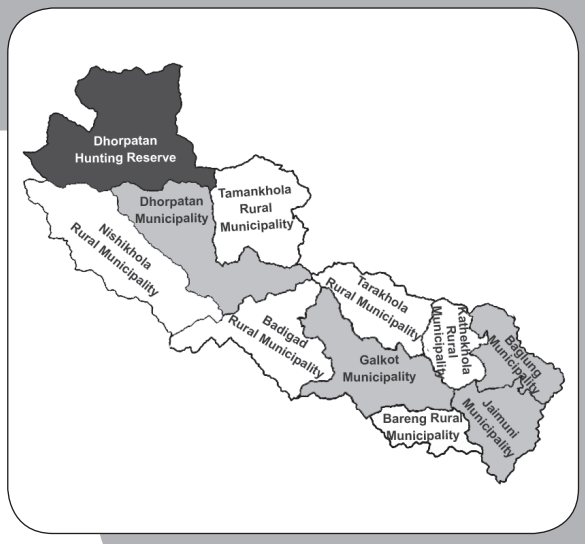
The victim's party of 21 years old woman lodged a complaint at District police office of Parbat on April 18 against 30 years old Govinda Paudel on charge of rape. The victim underwent health checkup on a same day at District Hospital. The accused was arrested by the police and by the court order on June 14, the accuse was sentenced for 8 years along with the compensation of Rs 1,50,000.

HEALTH SERVICE STATUS

In Parbat district, there is 1 district hospital, 52 health posts and 2 primary health centers. There are 4 positions for doctors and all positions are occupied. There are no posts for gynecologists. In this district there are posts for 112 AHW and only 94 are occupied. Similarly out of the posts for 108 ANM all are working. The annual budget is Rs 27, 00,000.00 and Rs 35, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events	**Closed Case**		**Legal Proceeding**		**Total**	
Child Marriage			1		1	
Rape	2		2		4	
Total	**2**		**3**		**5**	
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	3	48	1	7	2	61
Polygamy		1				1
Rape	2			1		3
Total	**5**	**49**	**1**	**8**	**2**	**65**

4.11 Baglung



Total Population
2,68,605

Women
1,52,751

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
61,163

No. of Migrant Workers
42,623

Population by Disability
6,179

Literacy above 5 yrs (%)
71.9

Dependent Population
1,21,935

In 2016, 59 were victims of human rights violation and atrocities in this district whereas this year 75 were victims which includes 1 victim by state-actor.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. However, there are 82 inmates, including 70 convicts and 12 detainees. There are 12 female inmates with 2 children. The jail is overcrowded and the prison administration is facing difficulties on managing inmates and detainees. The inmates and detainees of the prison complained about lack of space leading them a hard life. They are facing respiratory and other skin diseases. There is no exact data of when the building was built however it is in very dilapidated condition. The devastating earthquake in 2015 has made the structure weaker. The inmates and detainees are also facing problem of clean drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 courts including 1 high court. The position of judge is occupied. There are 78 civil and

Type of Events	By State		By Non-State	
	Male	Total	Female	Total
Arrest	1	1		
Child Rights			4	4
Women Rights			70	70
Total	**1**	**1**	**74**	**74**

101 criminal cases pending. There are no cases older than 2 years.

Similarly, there are 3 positions of judges in high court in which 4 are working. There are 18 civil and 60 criminal cases pending this year in high court. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 360 primary schools which includes community and institutionalize schools. This year 57,605 boys and 11,608 girls were enrolled in schools. There are 3 disabled friendly schools and 10 religious schools. Out of the positions for 2,643 teachers, all are occupied. The District Education Office has provided scholarships to 9,669 dalit girls and 9,052 dalit boys up to secondary level. Similarly, 23 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	4	4
Total	**4**	**4**

In 2016, 11 children were victims of child rights violation whereas this year 4 victims of rape were documented.

Rape, Sexual Abuse

The victim's party of 13 years old girl lodged a complaint at District Police Office on April 11 against Sanju Charmakar, 33 of Kathekhola Rural Municipality-7 on charge of rape. The victim underwent a health checkup at Dhaulagiri Hospital on April 11. The accused was arrested by police on April 10 and by the court order on April 25, the accused was remanded in custody. The case is still pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 90 women lodged complaint of domestic violence at Women and Children Service Center. This includes 69 incidents of beatings, expulsion from house, and deprivation of food,. 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate. Among these cases 80 were settled in an agreement and 10 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	63	63
Polygamy	1	1
Rape	2	2
Rape Attempt	4	4
Total	**70**	**70**

In 2016, 46 women were victims of violence whereas this year 70 women were victims. In 2016, 2 victims of rape, 1 of attempted rape and 43 incidents of domestic violence was documented. In 2017, 63 women were victims of domestic violence, 1 of polygamy, 2 of rape and 4 of attempted rape were documented.

Rape, Attempted Rape And Sexual Abuse

The victim's party of 35 years old woman lodged a complaint at District Police Office on February 14 against Bal Bahadur B.K, 22 of Galkot Municipality-1 on charge of rape on February 10. The victim underwent a health checkup at Dhaulagiri Zonal Hospital on February 10. By the court order on July 2, the convict was sentenced for 2 years and six months.

43 years old woman was attempted to rape by 41 years old Bhim Bajadur Jolmi, of Kathekhola Rural Municipality-4 on March 30. The victim's party lodged a complaint at District Police Office on February 14. On a same day, she underwent health checkup at Dhaulagiri Zonal Hospital. The accused is at large till the end of this year according to police.

HEALTH SERVICE STATUS

In this district, there is 1 zonal hospital, 58 health posts and 3 primary

health centers. There are 3 positions for doctors and all positions are occupied. In this district there are posts for 125 AHW and only 105 are occupied. The annual budget is Rs 4,89,88,000 and Rs 5,00,000 Is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events			**Legal Proceeding**			**Total**
Rape			4			4
Total			**4**			**4**
WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence		52		8	3	63
Polygamy				1		1
Rape				2		2
Rape Attempt	1		1	2		4
Total	**1**	**52**	**1**	**13**	**3**	**70**

Province 5

- Area: 19,737 sq.km.
- Poulation: 44,88,955
- Literacy Rate: 67.67
- District: 12
- Electoral Constituency (Parliamentary): 26
- Electoral Constituency (Provincial): 52
- Sub-Metropolitan City: 4
- Municipality: 32
- Rural Municipality: 73
- Total Ward No.: 983

Introduction of Province 5

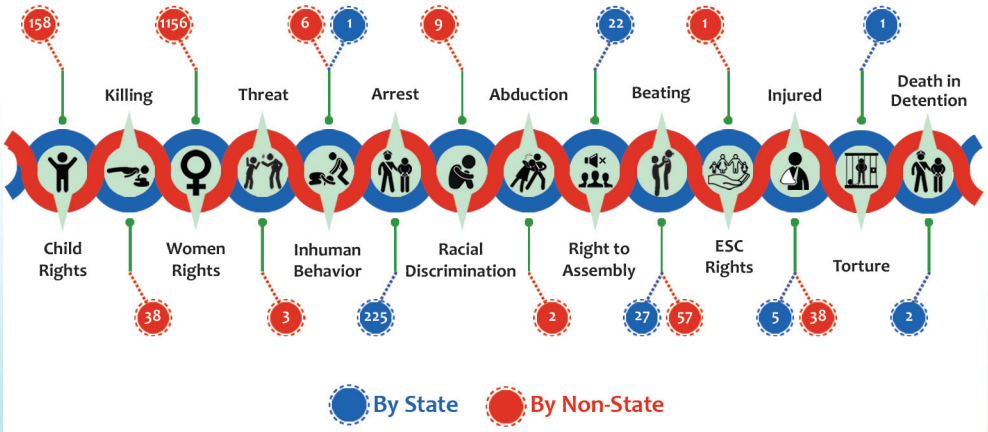
There are 12 districts in this province of which Nawalparasi and Rukum are divided into east Nawalparasi and east Rukum. Under this province includes Bardiya, Banke, Dang, Kapilbastu, Rupendehi, Nawalparasi west, Palpa, Arghakhanchi, Gulmi, Pyuthan, Rolpa and Rukum west. This province has a total population of 44, 88,955 with an area of 19,737 square kilometer which is 13.41% of the total population of the nation. There are 25 electoral constituencies for HoR and 50 for provincial assemblies. Rupendehi has a highest of 5 constituencies followed by Kapilbastu, Dang and Banke with 2 each constituencies. In Gulmi, Palpa and Nawalparasi East, 2 each constituencies are determined and in remaining districts 1 each constituencies are determined. Out of total population, 53.05% speaks Nepali, 13.26% Tharu, 11.13% Awadhi, 8.96% Bhojpuri, 5.11% Urdu, 4.95% Magar, 1.09% Maithali and remaining others have different mother languages.

This province has Lumbini, birth place of Gautam Buddha, with a historical importance. There are many tourist and religious places having adequate possibility of tourism. The province is rich in hydroelectricity, medicinal herbs and many other natural resources. If these resources could be properly utilized, it will not take long time for the economic prosperity of this province. The average life expectancy of people is 67.55% and per capita income is 947 US dollars. The province has hydropower project in operation in Tinau River, Ridi River, Upper Hungdi, Jhimruk River, Rukumgadh, Small Jumdi River.

HUMAN RIGHTS SITUATION IN 2017

In 2017, 38 people were killed including 29 women by non-state actor. In incidents of beatings and threat, 87 people were victims including 27 were victims by state actor and 60 by non-state actor. During this period INSEC documented 9 victims of caste based discrimination, 22 victims on deprivation of right to assembly and freedom of speech, 1,156 victims of women right violation, 2 victims of abduction, 1 victim of ESC rights violation, 158 victims of child rights violation, 2 incidents of death in custody, 7 victims of inhumane behavior, 43 victims of injuries and 1 incident of torture.

No. of Victims in 2017 (By Incident)



5.1 Rukum East

Total Population
53,018

Women
27,812

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
Not Available

No. of Migrant Workers
Not Available

Population by Disability
Not Available

Literacy above 5 yrs (%)
62.09

Dependent Population
Not Available

Type of Events	By Non-State		
	Female	Male	Total
Beatings		4	4
Child Rights	1		1
Killing	2		2
Women Rights	2		2
Total	**5**	**4**	**9**

THREAT/BEATING

By Non-State

Three cadres of Tarun Dal affiliated to Nepali congress were injured in a clash with Maoist center cadres at Sisne Rural Municipality-5 on June 26. The injured were 30 years old Resham Budathoki and Maoist center cadre Shre Kumar Budathoki, 25. Resham sustained fractured hand and received treatment in Nepalgunj. Shre Kumar sustained head injury and received treatment at local medical. The locals said that the Maoist cadres attacked them with rod, beer bottles and Lathis. None of the victims lodged complaint till the end of this year.

A clash was reported between Maoist and UML cadres at Sisne Rural Municipality-7 on June 24 during election campaign. In a clash ward candidate of UML, Kali Gharti, 46, Pritth Bahadur Rawat, 51 and 50 years old Deepak Rawat were injured. UML cadres accused Maoist cadres of obstructing election campaign. In a clash Maoist center cadres Bhushan Rawal, Bishnu Budha, Prem Bahadur Buda, Ganesh Buda including 6 others were injured. Maoist center said that the clash started after UML cadres obstruct-

ed their way while they were coming in a motorbike. None of the party lodged complaint regarding the incident.

Tufan Paudel, 23 , teacher at Chipradi High School of Sisne Rural Municipality-6 was beaten by the team led by YCL cadre Rupendra Malla on April 27 while he was on the way to hose from school. He sustained health and chest injury and received treatment at District Hospital of Salle. The victim had lodged complaint at DPO however no one was arrested till the end of this year.

CHILD RIGHTS

Rape, Attempted Rape and Sexual Abuses

The victim's party of 3 years old lodged a complaint at District Police Office on April 13 against 12 years old boy on charge of rape. The victim underwent health checkup at District Hospital of Salle. He was arrested by the police on a same day the complaint was lodged and by the court order, the accused was handed over to his father on April 23. The case is not decided till the end of this year.

Type of Events	By Non-State	
	Female	Total
Rape	1	1
Total	**1**	**1**

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

By Family Members

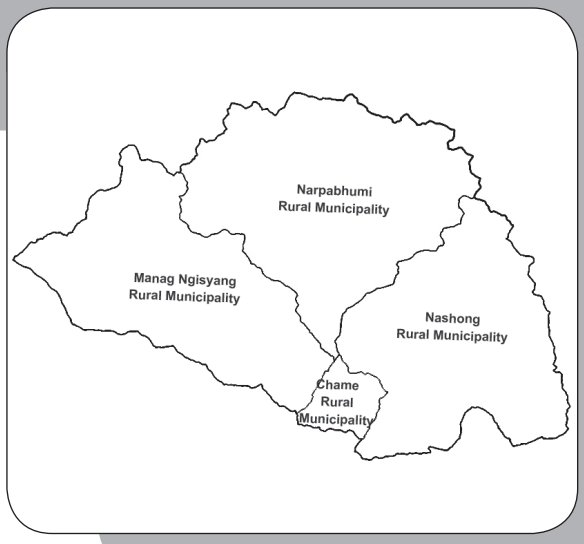
Bayansari Kami, 28 of Puthuttarganga Rural Municipality-7 was killed by her husband Tek Bahadur Kami ,38 on July 10 by using a sharp weapon. The accused was arrested by the police on a same day. The deceased Kami was elected as a ward member from Nepali Congress in second phase of Local Level election. The postmortem of the body was done at District Hospital of Salle. By the court order on August 25, he was remanded in custody and the case is still pending till the end of this year.

Type of Events	By Non-State	
	Female	Total
Polygamy	2	2
Total	**2**	**2**

40 years old Layana Buda of Bhume Rural Municipality-6 was killed by her 45 years old husband on August 7 by using a sharp weapon. She was killed in a domestic dispute. The accused is at large till the end of this year. After the incident, the victim's party lodged complaint at DPO on August 8. The postmortem of the body was done at Salle hospital on a same day.

Number of Incident with Status of Legal Proceeding in 2017		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	1	1
Total	**1**	**1**
WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Polygamy	2	2
Total	**2**	**2**
Number of Incidents		
Type of Event	**Legal Proceeding**	**Total**
Killing	2	2

5.2 Rolpa



Total Population
2,30,739

Women
1,27,030

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
57,504

No. of Migrant Workers
23,597

Population by Disability
7,458

Literacy above 5 yrs (%)
98.3

Dependent Population
1,13,903

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					1	1
Arrest	6	18	24			
Beatings				4	15	19
Child Rights				4		4
Inhuman Behaviour					1	1
Injured					1	1
Killing				3	1	4
Women Rights				16		16
Total	**6**	**18**	**24**	**27**	**19**	**46**

In 2016, 37 victims of human rights violation and atrocities were documented whereas this year the number is 70 which includes 24 incidents of violation by state actor.

THREAT/BEATING

By Non-State Actor

Bishnu KC, 23 of Subarnawati Rural Municipality-6, Gajul and member of Nepal Student Association (NSU) was attacked by the cadres of Maoist center with weapons in his house on November 28 on charge of not letting them to capture booth on Election Day. The victim was seriously injured and sustained head injury according to the family source. He received treatment at Medical College. Nepali congress former minister of NSU and proportionate candidate for province assembly from Rolpa, Manoj Mani Acharya, said that he was attacked just because he was a representative from Nepali Congress. The press statement was released on a same day drawing the attention of local administration demanding the action against the guilty. The accused were not arrested till the end of the year.

ABDUCTION

The cadres of Nepal Communist Party abducted Rural Municipality chairperson Bir Bahadur Gharti,42 of Thawang Rural Municipality-2, Uwa on September 13. He was abducted while on the way to Koijawang in Thawang Rural Municipality-2. Police, armed police and investigation team were mobilized for his search. The communist party released press statement and claimed that he was abducted in protest of organizing and preparing "Village Assembly" scheduled to address by Maoist center chairman Pushpa Kamal Dahal "Prachanda". Chairman Gharti was released on September 15 from Dhabang in cooperation by Kashiram Dangi of Kantipur Daily and Khem Buda of Nagari Daily.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

On June 27, in Bhanbhane polling center of Rolpa -10, a voter poured acid inside the ballot box during the process of casting vote in second phase of Local Level Election. The acid destroyed 8 ballot papers according to the office of the chief election office. Police arrested 33 years old Bir Bahadur Oli on July 1 on charge of the incident. He was later released on July 5 by the order from CDO in bail amount of Rs 20,000. The polling process was halted for 4 hours after the incident.

INSEC documented incidents of explosion in various places during the process of HoR and provincial election on November 25. On November 11, an unidentified group of people detonated bomb and fired bullet targeting the vehicle of Maoist center leader and HoR candidate Barsha Man Pun at Kewari Khola in Duikholi Rural Municipality-3. The vehicle sustained minor damage in an explosion.

INHUMANE BEHAVIOUR

District Education Officer Chiranjibi Paudel,43 was misbehaved by ANNFSU (Revolutionary) cadres affiliated to Nepal Communist party on August 27. He was smeared with black soot into his face by the cadres while he was in the office. District Secretary Dal Bahadur Khatri of the party said that he was smeared with black soot on charge of taking bribe during the construction of school buildings. About 10/12 youths reached the education office to put black soot on him. The accused fled the scene after the incident according to police.

JAIL AND DETAINEES

The "D"graded district prison of Rolpa district has a capacity to accommodate 50 inmates. However, there are 70 inmates, including 55 convicts and 15 detainees. There is 1 dependent child. The jail is overcrowded. The prison building was built in 1972 and it is in dilapidated condition. Because of the overcrowded inmates, the prison is facing difficulties in management.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 1 judge is occupied. There are 70 civil and 51 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 274 primary, 86 lower secondary and 77 secondary schools. Out of 1358 posts for teachers, 7 remained vacant. This year 37,997 boys and 43,505 girls were enrolled in schools. In this district there are 148 disabled friendly schools. The District Education Office provided scholarships to 12,671 dalit boys and girls. Similarly, 314

Type of Events	By Non-State	
	Female	Total
Rape	4	4
Total	**4**	**4**

children from conflict victim's family provided with scholarship.

In 2016, 4 children were victims of child rights violation in 2017, 4 children were victims as well. Last year 2 girls were victim of child marriage and 1 of sexual abuse. In 2017, 4 girls were victims of rape.

Rape, Sexual Abuse

The victim's party lodged complaint at District police office on January 27 against 32 years old father on charge of raping 9 years old daughter. The victim underwent health checkup at District Hospital of Reugha on February 20 and by the court order on May 10, the convict was sentenced for 22 years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 65 women lodged complaint of domestic violence at Women and Children Service Center. This includes 35 incidents of beatings and expulsion from house, 7 incidents of deprivation of food and other 9 incidents of minor dispute. Among these cases 37 were settled in an agreement and 14 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	13	13
Rape	2	2
Rape Attempt	1	1
Total	**16**	**16**

In 2016, 28 women were victims of violence against women whereas this year 16 women were victims. 2 victims of rape. Similarly, this year 13 women were victims of domestic violence and 1 of attempted rape.

Killing by Family Members

Laxmi Shah, 65 of Subarnawati Rural Municipality-1 was seriously injured after her husband attacked her with sharp weapon on June 10 over a minor domestic dispute. The victim succumbed to injury. She died while undergoing treatment at Bhairahawa. The postmortem of the body was done at District Hospital, Reugha on June 11. The police post of Khungri arrested the accused on June 12 and registered the case in District court on a same day. The case is still pending in court.

Pababati KC, 25 of Rolpa Municipality-7, 2 years old daughter Diya KC and 1 year old daughter Miya KC was killed by Pabati's father Lil Bahadur Pun Magar, 40 by attacking them with an axe on the night of November 9. Police arrested the accused on November 10. The District Police Office said that the accused was suffering from mental illness. The bodies underwent postmortem at District Hospital of Reugha on November 10. Police registered the case at court on November 10 and it is pending till the end of this year.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 18 years old girl lodged a complaint at District Police Office on May 18 against 22 years old Sun Kumar Gharti of Sunchari Rural Municipality-1 on charge of rape on May 12. He was arrested by the police on a same day the complaint was lodged. The court ordered to remand him in custody on June 3.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 49 health posts and 2 primary health centers. There are 4 positions for doctors and all positions are occupied. In this district there are posts for 24 HA and only 17 are occupied. For the posts of 105 AHW, 75 are working. The annual budget is Rs 12, 000, 00, 00 and Rs 6, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**	
Rape	3	1	4	
Total	**3**	**1**	**4**	
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	3	10		13
Rape			2	2
Rape Attempt			1	1
Total	**3**	**10**	**3**	**16**
Number of Incidents				
Type of Event		**Legal Proceeding**		**Total**
Killing		2		2

5.3 Pyuthan

Total Population
2,34,824

Women
1,34,098

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
72,791

No. of Migrant Workers
36,858

Population by Disability
5,930

Literacy above 5 yrs (%)
97.77

Dependent Population
1,19,361

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	20	20			
Beatings				1	1
Child Rights			6		6
Death in Detention	1	1			
Killing			1		1
Women Rights			26		26
Total	**21**	**21**	**33**	**1**	**34**

This year 55 people were victims including 21 by state actor and 34 by non-state actor. In 2016, 19 people were victims by non-state actor.

JAIL AND DETAINEES

The "D" graded district prison of Pyuthan has a capacity to accommodate 25 inmates. However, there are 77 inmates, including 43 convicts and 34 detainees. There are 10 female inmates with 2 dependent child. The jail is overcrowded by thrice than its capacity creating the difficulties on managing inmates. The building used to be a stable for horse during Rana regime and it is in a dilapidated condition.

Bupendra Giri, 29 of Swargadwari Municipality-5 committed suicide inside the custody of Area Police Office on May 11 according to police. The family member of Giri and locals demonstrated against the incident and demanded for fair investigation and relief to the victim's family. The case was settled in an agreement after local administration agreed to initiate concerned body for the relief to the victim's family on May 12. The postmortem of the body was done at District Hospital

in Bijuwar. The agreement is not implemented till the end of this year.

RIGT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court with the position of 1 judge which is occupied. There are 71 civil and 89 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 260 primary, 63 lower secondary, 53 secondary and 21 higher secondary schools. Out of 1537posts for teachers, 8 remained vacant. This year 30,801 boys and 32,371 girls were enrolled in schools. In this district there are 270 disabled friendly schools. The District Education Office provided scholarships to 7,359 dalit boys and 7,815. Similarly, 35 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	4	4
Total	**6**	**6**

In 2016, 7 children were victims of child rights violation whereas in 2017, 6 victims were documented. This year 2 incidents of rape and 4 incidents of attempted rape were documented. Last year, 2 children were victims of child marriage, 1 of rape, 1 of corporal punishment and 3 of sexual abuses.

Rape, Attempted Rape and Sexual Abuse

The acquaintances of 11 years old girl lodged a complaint at District Police Office on August 28 against 53 years old Man Bahadur Rayamajhi of Airabat Rural Municipality on charge of rape. The victim underwent a health checkup at District Hospital of Bijuwar on a same day the complaint was lodged. The accused was arrested by the police from his house on August 29 and by the court order on September 20, the accused was remanded in custody. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 63 women lodged complaint of domestic violence at Women and Children Service Center. This includes 12 incidents of beatings and expulsion from house, 7 incidents of deprivation of food, 2 incidents of polygamy and other 42 incidents of minor dispute. Among these cases 47 were settled in an agreement and 11 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	12	12
Polygamy	2	2
Rape	8	8
Rape Attempt	3	3
Women Trafficking	1	1
Total	**26**	**26**

As compared to the last year, the incidents on women violence has plummeted this year. In 2016, 6 victims of domestic violence were documented whereas this year 12 victims were documented. Similarly, last year 1 woman was victim of rape and this year the number is 8. In incidents of polygamy, 2 women were victims, 3 in attempted rape and 1 in women trafficking.

Killing by Family Members

33 years old Gangisara Reshmimagar was beaten to death by her husband Nim Bahadur Reshmimagar, 38 of Sarumarani Rural Municipality-4 on the night of January 19. The victim's family lodged a complaint at District Police Office against the accused on January 20 and on a same day he was arrested by the police. By the court order on February 9,

he was remanded in custody. The post-mortem of the body was done at District hospital of Bijuwar on January 19. The case is pending till the end of this year.

Women Trfficking

22 years old woman lodged a complaint at District Police Office on February 11 against 24 years old Mohan Giri of Pyuthan Municipality-8 accusing him of attempting to traffick her on February 5 by luring her. The victim became suspicious after she was taken to Daunne and did not know where she was being taken. She was rescued with the support from police after she informed the incident to her paternal house. The case remains pending till the end of this year.

Rape, Attempted Rape and Sexual Abuse

24 years old woman lodged a complaint at District Police Office on May 18 against Man Bahadur Pun, 30 of Mandabi Rural Municipality-4 accusing him of attempting to rape her on May 17. He was arrested by the police from his house on May 18. By the court order on November 14, he was sentenced for 2 years and six months. The victim underwent health checkup at District Hospital of Bijuwar on May 18.

The victim's family of 23 years old woman lodged a complaint at District Police Office on August 19 against 38 years old Jote Kami,38 on charge of rape on August 18. The accused was arrested by the police from his house on August 19 and by the court order on November 7, he was sentenced for 5 years along with Rs 50,000 compensation to the victim. The victim underwent a health checkup at District Hospital of Bijuwar on August 19.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The vehicle with registration number Ba9Cha6514 belonging to Balaju Shrestha, parked in front of his house at Pyuthan Municipality-4, Bijuwar was vandalized by the Maoist cadres on the night of June 26. The vehicle was used by UML during local level election campaign. In the incident, the vehicle sustained damage in its front part. The District in charge Prakash Adhikari of Maoist however denied the incident. The victim did not lodge complaint till the end of this year.

HEALTH SERVICE STATUS

In Pyuthan district there is 1 district hospital, 46 health posts and 2 primary health centers. There are 10 positions for doctors and 5 positions are occupied. Out of 1 post for gynecologist, 1 remained vacant. In this district there are posts for 99 AHW and only 74 are occupied. The annual budget is Rs 4,63,59,400 and Rs 12,35,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	2	2
Sexual Abuse	4	4
Total	**6**	**6**

CHILD RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Incomplete**	**Legal Proceeding**	**Total**
Domestic Violence		12			12
Polygamy			1	1	2
Rape	1			7	8
Rape Attempt	1		1	1	3
Women Trafficking				1	1
Total	**2**	**12**	**2**	**10**	**26**

Number of Incidents		
Type of Event	**Legal Proceeding**	**Total**
Killing	1	1

5.4 Gulmi

Total Population
2,73,935

Women
1,57,702

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
71,369

No. of Migrant Workers
58,561

Population by Disability
7,671

Literacy above 5 yrs (%)
72.6

Dependent Population
1,29,224

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	1	1			
Beatings				1	1
Child Rights			8		8
Inhuman Behaviour				1	1
Killing			1		1
Racial Discrimination				2	2
Women Rights			43		43
Total	**1**	**1**	**52**	**4**	**56**

In 2016, 50 People were victims by state actor and 23 by non-state actor whereas in 2017, 1 was victim by state and 56 were victims by non-state actor. Accountant Prem lal Bhandari of District Coordination Committee was misbehaved by smeared with black soot on to his face by the cadres of Nepal Communist party on charge of financial anomalies.

JAIL AND DETAINEES

The "C" graded district prison has a capacity to accommodate 25 inmates. However, there are 59 inmates, including 52 convicts and 7 detainees. There are 7 female inmates with 1 dependent child. The jail is overcrowded. There is 1 inmate above 65 years.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of 1 judge is occupied. There are 64 civil and 82 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 350 pri-

mary, 68 lower secondary, 120 secondary schools. Out of 2605 posts for teachers, all are occupied. This year 64,118 boys and girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 16,188 dalit children.

Type of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Rape	5	5
Sexual Abuse	1	1
Total	**8**	**8**

In 2016, 4 children were victims of child rights violation and this year the number is 8. This includes 5 rape, 1 sexual abuses and 2 child marriage. Last year 2 girls were victims of rape, 1 each on corporal punishment and sexual abuses.

Rape, Sexual Abuse

The victim's family of two 13 years old girls lodged complaint against 18 year old Ramesh Tangnami and 14 years old Suraj Kunwar on February 22 on charge of rape. Both victims underwent health checkup at District Hospital on February 22. Police arrested both accused on a same day and by the court order on March 17, the accused were remanded in custody. The case is still pending till the end of this year. The victim's party of 6 years old girl lodged a complaint at DPO against 35 years old father on May 25 on charge of attempting to rape on May 22. The victim underwent a health checkup at District Hospital and the accused was arrested by the police on May 25. By the court order on June 19, he was remanded in custody and the case has not been decided yet.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 135 women lodged complaint of domestic violence at Women and Children Service Center. This includes 20 incidents of beatings and expulsion from house, 50 incidents of deprivation of food, 3 incidents of polygamy and other 32 incidents of minor dispute. Among these cases 15 were settled in an agreement and 10 cases were processed for legal action.

In 2016, 7 women were victims of women violence whereas this year 43 were victims. In 2016, 5 incidents of domestic violence and 2 incidents of polygamy were documented however this year 39 incidents of domestic violence, 1 of allegation of being witch, 2 of polygamy and 1 of rape were documented by INSEC. Last years 1 woman was killed by the family members and this year also 1 woman is killed by family members.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	39	39
For Practicing Witchcraft	1	1
Polygamy	2	2
Rape	1	1
Total	**43**	**43**

Killing by Family Members

Kamala Aryal 45 of Isma Rural Municipality-5 was attacked and killed by her husband Yam Bahadur Aryal on March 1 by using a sharp weapon. The accused was arrested by the police on a same day. The postmortem of the body was conducted at District Hospital on March 2. The court ordered to sentence him for life along with confiscation of property on July 9.

ALL KINDS OF CAST BASED DISCRIMINATION

Karna Bahadur Sarki, 42 of Musikot Municipality-4 was beaten by Shobha Karki,40 and her 25 years old son Krishna Karki on July 8 on charge of not washing dishes. The victim lodged complaint at District Police Office against the

accused. Both accused were arrested by the police on July 9. By the court order on July 23, the accused were released on bail amount of Rs 50,000 each. The case remains pending till the end of this year.

HEALTH SERVICE STATUS

In district, there is 1 district hospital, 46 health posts and 4 primary health centers. There are 19 positions for doctors and only 13 positions are vacant. In this district there are posts for 164 AHW and only 130 are occupied. The District hospital has 50 beds. The annual budget is Rs 3, 49, 79,000 and Rs 35, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Child Marriage	1	1		2
Rape			4	4
Sexual Abuse			1	1
Total	**1**	**1**	**5**	**7**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	32	1	6	39
For Practicing Witchcraft	1			1
Polygamy		2		2
Rape		1		1
Total	**33**	**4**	**6**	**43**

Number of Incidents

Type of Event	Closed Case	Total
Killing	1	1

5.5 Arghakhanchi

Total Population
1,93,631

Women
1,11,097

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
56,739

No. of Migrant Workers
39,929

Population by Disability
5,165

Literacy above 5 yrs (%)
72.6

Dependent Population
352006

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	13	13			
Beatings	1	1		3	3
Child Rights			3		3
Inhuman Behaviour				1	1
Killing			2	2	4
Women Rights			88		88
Total	**14**	**14**	**93**	**6**	**99**

In 2016, 91 people including 86 women were victims in incidents of human rights violation and atrocities by non-state actor. In 2017, 99 women including 113 people were victims. This year 14 people were victims in the incidents of human rights violation by state. In 2016, no incident of violation by state-actor was documented.

THREAT/BEATING

By Non-State Actor

The victim's party of 30 years old Maoist center cadre Narayan Khanal lodged a complaint against UML cadres Shubash Chauhan, 24, Bhanu Khanal, 28, Sagar KC, 25, Arjun Khanal, 21 , Pradeep Khanal,32 Bhim Bahadur KC, 26, Bir Bahadur KC, 45, Shiva Bahadur KC,24, Prakash KC,24 and Deepak B.K on June 29 on charge of beating him over a dispute on voter's ID card. The victim was referred to Kathmandu after he could not be treated in District. Police arrested Subhas Chauhan on June 29 and was released on bail amount of Rs 35,000 according to District Administration office.

JAIL AND DETAINEES

The "E" graded district prison has

a capacity to accommodate 25 inmates. However, there are 33 inmates, including 22 convicts and 33 detainees. There is 1 female inmate with no dependent child. The prison building is in dilapidated condition and inmates are in fear as the devastating earthquake has further weakened it.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court with 1 judge. There are 50 civil and 43 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 316 elementary community and 71 secondary schools. Out of 2040 posts for teachers, 51 remained vacant. This year 23,778 boys and 24,524 girls were enrolled in schools. In this district there are 100 disabled friendly schools. The District Education Office said that the scholarships will be provided through local levels.

Type of Events	By Non-State	
	Female	Total
Rape	3	3
Total	**3**	**3**

This year 3 girls were victims of child rights violation. Last year INSEC documented one incident of killing of 3 years old girl by her mother. Last year 2 girls were victims of rape and this year 3 were victims.

Killing by Family Member

Police said that Suntali Nepali, 32 of Malarani Rural Municipality-8 stoned her 3 years old son to death near the jungle on February 5. The locals started to search for the boy near the jungle after he went missing since February 5. His body was recovered by locals on February 8 and informed police. After the killing, the mother committed suicide on February 8 according to police. The postmortem of the body was conducted at District Hospital on February8.

Rape and Sexual Abuse

The victim's family of 8 years old girl lodged complaint at District Police Office on October 29 against 15 years old boy on charge of rape. On a same day , the accused was arrested by the police and victim underwent health checkup at District Hospital of Sandhikharka on a same day. By the court order on October 29, he was remanded in custody. The case remains pending.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 84 women lodged complaint of domestic violence at Women and Children Service Center. This includes 72 incidents of beatings, 6 incidents of deprivation of food, 2 incidents of non-cooperation in marriage registration and acquiring citizenship certificate and 4 other incidents of minor domestic dispute. Among these cases 62 were settled in an agreement.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	84	84
Polygamy	1	1
Rape	1	1
Rape Attempt	2	2
Total	**88**	**88**

This year 88 victims of women rights violations was documented by INSEC of which 1 was of rape, 2 of attempted rape, 1 polygamy and 84 victims of domestic violence. This year 1 woman was killed after rape.

Killing After Rape

21 years old Sumitra Nepali of Chatra Dev Rural Municipality-1 was raped and injured by 22 years old Ramesh

Badi of Sandhikharka Municipality-2 on June 14. The accused was arrested by the police on June 15 from Devisthan Rural Municipality. The victim was rushed to the hospital however she died on a same day. The postmortem of the body was conducted at District Hospital on same day. By the court order on July 9, the accused was remanded in custody.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 42 health posts and 2 primary health centers. There are 4 positions for doctors and 3 positions are occupied. There are no positions for gynecologist. The annual budget of District Hospital is Rs 2,83, 00,000 and Rs 4,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	3	3
Total	**3**	**3**

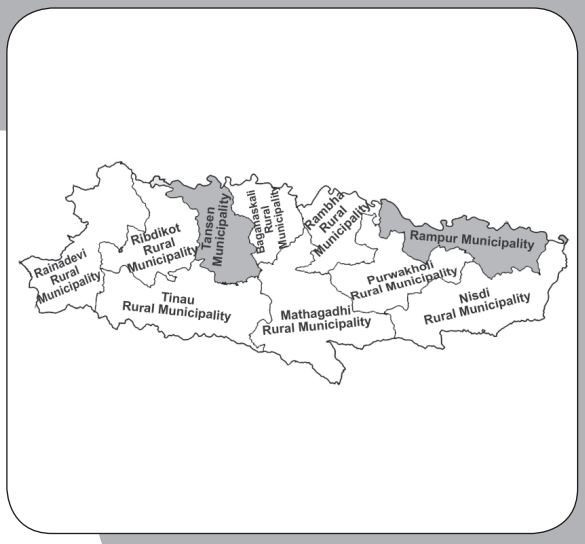
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	72		1	10	84
Polygamy			1			1
Rape				1		1
Rape Attempt	1			1		2
Total	**2**	**72**	**1**	**3**	**10**	**88**

WOMEN RIGHTS

Type of Event	Closed Case	Legal Proceeding	No Legal Proceeding	Total
Killing	1	2	1	4

5.6 Palpa



Total Population
2,58,429

Women
1,46,087

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
55,910

No. of Migrant Workers
38,504

Population by Disability
6,537

Literacy above 5 yrs (%)
76.2

Dependent Population
1,10,597

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	2	2			
Beatings			1	2	3
Child Rights			8		8
Killing			1		1
Women Rights			41		41
Total	**2**	**2**	**51**	**2**	**53**

This year 55 people were victims of human rights violation including 2 by state actor and 53 by non-state actor. In 2016, 2 were victims by state actor and 17 by non-state actor.

THREAT/ BEATING
By Non-State Actor

Police constable, Bikram B.K, 33, policeman Krishna Malla, 29 and Amrita Koiri, 29 were injured in a clash with locals on September 3, in front of Area Police Office. They were injured after the locals pelted stones during demonstration demanding the action against the killing of Om Bahadur Khand, 29 of Rampur Municipality-4. All the injured received treatment at Rampur Hospital. The agitated locals set fire in a police office. The Rampur Bazar was closed for a day. Police used two cells of tear gas to control the mob.

The victim Om Bahadur was killed by using a sharp weapon on September 2. Police had arrested Krishna Malla Chadhary, 29 of Rampur-4, Gangi Thapa, 22 and Gun Keshari Darlami, 23 on September 3. The postmortem of the body was done at Ramputr Hospital and

by the court order on September 3, he was remanded in custody. The case is still pending.

JAIL AND DETAINEES

The "C" graded district prison of Palpa has a capacity to accommodate 300 inmates. There are 267 inmates. Similarly, there are 3 boys and 4 dependent girls. Women inmates were transferred to newly built prison building whereas male inmates are compelled to live in dilapidated prion in risky condition due to the delay in construction of new building. Lower secondary level education is being provided to male and female inmates however there is no attraction among the inmates due to the lack of practical education. There is no managed class rooms and proper black board.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 70 civil and 107 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 266 primary, 98 elementary community and 131 secondary schools. Out of 2,797 posts for teachers, all are occupied. This year 2,896 boys and 2,944 girls were enrolled in schools. Only 325 newly built school buildings are disabled friendly.

Type of Events	By Non-State	
	Female	Total
Corporal Punishment	1	1
Rape	4	4
Sexual Abuse	3	3
Total	**8**	**8**

In 2016, 7 children were victims of child rights violation and in 2017, 8 girls were victims of which 4 are rape, 3 are sexual abuse and 1 is corporal punishment.

Rape and Sexual Abuse

The victim's family of 4 years old girl lodged a complaint at District Police Office on May 19 against Shiva Kumar Tiwari of Gaidahawa Rural Municipality-4 on charge of molesting her on May 18. The victim underwent a health checkup at District Hospital on a same day. The court on July 10 ordered to sentence him for 10 years with penalty of Rs 50,000.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 59 women lodged complaint of domestic violence at Women and Children Service Center. This includes majority of incident of domestic issues. Among these incidents 54 were settled by the police and 5 were processed for legal remedy. The Women and Children Office provided financial support to the victim having poor economic conditions along with the initiation of justice.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	39	39
Polygamy	2	2
Total	**41**	**41**

Last year 6 women were victims of women violence and this year 41 were victims. In 2016, 2 women were victims of rape, 3 of polygamy and 1 of attempted rape. This year 39 women were victims of domestic violence and 2 of polygamy. This year 1 woman was killed by the family member.

Killing by Family Member

40 years old Suk Maya Pariyar of Purbakhola Rural Municipality-5 was killed by her 45 years old husband on August 4. On a same day he was arrested by the police. The postmortem of the

body was conducted at District Hospital of Palpa and b the court order on October 29, the accused was remanded in custody. The case is pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction Of Property

The students of Palpa engineering college on December 17, staged demonstration demanding the management of practical materials in the campus. The agitated students vandalized their own college. The campus building sustained damage after the students smashed windows and break computers, tables and chairs. NSU leader Pramod Adhikari said that they were compelled for agitation due to the anomalies seen in the college. The students raised issues such as management of practical materials, management of observation tour, ending of indiscipline behavior of campus staffs, regular classes and management of updated books in the library. Police arrested NSU leader Pramod Adhikari on December 17 on charge of his involvement in vandalization. He was released next day after the discussion with students and campus management.

HEALTH SERVICE STATUS

In this district, there is 1 quality Ayurveda Health Center, 2 governmental hospitals and 62 health posts. There are 16 positions for doctors and all positions are occupied. Out of 12 staff nurses, 8 are working. Similarly for the positions for 204 AHW, HA, AHW 179 are working. There are 133 posts for ANM and 5 remains vacant. The annual budget of District Public Health office is 17, 81, 18,000 and Rs 40, 00,000 is a medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Corporal Punishment		1		1
Rape	1		3	4
Sexual Abuse	1	1	1	3
Total	**2**	**2**	**4**	**8**

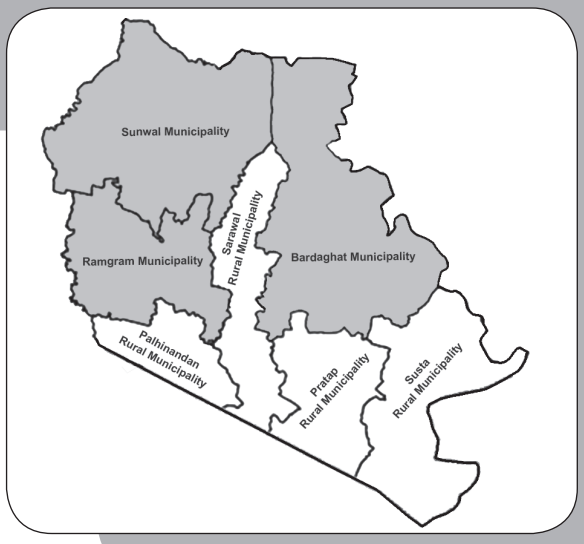
WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	35	4	39
Polygamy		2	2
Total	**35**	**6**	**41**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	1	1

5.7 Nawalparasi West



Total Population
6,79,293

Women
3,64,813

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,08,794

No. of Migrant Workers
65,335

Population by Disability
10,873

Literacy above 5 yrs (%)
70.08

Dependent Population
2,74,282

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	2	48	50			
Beatings					1	1
Child Rights				11	2	13
Injured		5	5	4	2	6
Killing				6	3	9
Racial Discrimination					2	2
Right to Assembly		4	4			
Threats					2	2
Women Rights				51		51
Total	**2**	**57**	**59**	**72**	**12**	**84**

In 2016, 23 people were victims by state actor and 61 by non-state actors. This year 59 were victims by state-actor and 85 by non-state actors. In a bomb explosion by Nepal Communist Party cadres in East-West Mahendra Highway, 6 people were injured along with 14 years old boy when they were in a Maoist center rally.

INJURED IN AN FIRING/EXPLOSION
By Non-State Actor

Meena Chaudhary, 44 of Sunwal Municipality-3, Bela Kumari Kathariya Tharu, 41, Shekant Kewat,14, Lekh Nath Subedi,42, Phul Kumari Kathariya Tharu,46 and Pun Kumari Chaudary, 42 were injured after a bomb was exploded by the cadres of Nepal Communist Party in the rally organized by Maoist Center on June 25. The bus with registration number Lu1Kha 6773 was carrying the participants when the bomb was exploded at Som Nath Bridge. All injured underwent treatment at Lumbini Zonal Hospital in Rupendehi and seriously injured Lekh Nath Subedi was further referred to Bharatpur Medical College. Police arrested Prem Prasad Dhakal, 59 of Sunwal

Municipality-13, Purna Bahadur Shahi of the same municipality-6 on June 26 on charge of their involvement in an attack and charged them under public offence act. They were released on bail amount of Rs 2,000 each on July 2. The case is pending till the end of this year.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 130 inmates. However, there are 379 inmates, including 179 convicts and 200 detainees. There are 4 dependent child along with 9 senior citizens and 20 foreign national inmates and detainees. The jail is overcrowded and having management issues.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Nanda Lal Teli Gupta, 59 of Sarawal Rural Municipality-6 and a ward candidate from Nepali Congress was stopped by a group of 5-7 people while he was returning back after registering the candidacy and threatened him to withdraw his candidacy. The victim lodged a complaint at District Police Office on June 21 however no one was arrested by the police.

ARREST

Police arrested District Committee member Ramesh Basyal, 23 of Nepal Communist Party of Bardaghat Municipality-4 and Suman Khatri, 30 of Chahara Rural Municipality-4 on May 9 on charge of operating anti-election activities. By the order from District Administration Office, they were released on a bail amount of Rs 1,000 each on June 1. The case remains pending.

Similarly, police arrested RJP central member Govinda Chaudhary of Ramgram Municipality-8, RJP coordinator Puran Chaudhary,50 RJP District spokesperson 44 years old Radhe Raman Pandey and other three cadres on June 22 while they were on the way to canvass voters. By the order from District Administration Office , they were released on bail amount of Rs 200 each on June 25.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of 5 judges are occupied. There are 645 civil and 300 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 160 primary, 64 lower secondary, 73 secondary and 35 higher secondary schools of which 205 are community and 127 are institutionalized. There are no disabled friendly schools. The District Education Office provided scholarships to 19,509 dalit boys and girls. Similarly 58 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Attempt to Kill	1		1
Child Marriage	1		1
Rape	9		9
Sexual Abuse		2	2
Total	**11**	**2**	**13**

In 2016, 20 children were victims of child rights violation whereas this year 13 children were victims. This includes 9 victims of rape, 2 of sexual abuse, 1 of attempted killing and 1 of child marriage. This year 14 years old girl was beaten to death by her father and mother.

Killing by Family Member

14 years old girl Urmila Yadav of Palhinandan Rural Municipality-2 was killed and set fire by her 40 years old father Shiva Nath Aire and 35 years old mother Amalawati Aire Yadav on March 21. On a same day, the locals lodged com-

plaint against them at District Police Office. Prior to the incident, Urmila eloped with one local youth leaving her house. Locals said that she was returned back by her parents and was beaten to death. On March 26, police arrested both of them and presented to the court. By the court order on April 21, they were remanded in custody and the case remains pending.

Rape, Sexual Abuse

The victim's party of 6 years old girl lodged a complaint at District Police Office on May 3 against Suraj B.K, 20 on charge of rape. The victim underwent a health checkup at District Hospital on May 3. On May 4, the accused was arrested by the police and by the court order on May 22, the accused was remanded in custody. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 162 women lodged complaint of domestic violence at Women and Children Service Center. This includes incidents of beatings and expulsion from house, incidents of deprivation of food, incident of non-cooperation in marriage registration and acquiring citizenship certificate. Among these cases 144 were settled in an agreement and 12 cases were processed for legal action and in 6 cases the victims did not come in to contact.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	6	6
Domestic Violence	33	33
For Practicing Witchcraft	3	3
Polygamy	2	2
Rape	5	5
Rape Attempt	1	1
Women Trafficking	1	1
Total	**51**	**51**

In 2016, 15 women were victims of women violence whereas this year 51 were victims of women violence were documented. In 2016, 7 women were victims of domestic violence, 3 of rape, 3 of polygamy, 1 of attempted rape and 1 of women trafficking. This year 33 women were victims of domestic violence, 1 of women trafficking, 6 of attempted trafficking, 3 of allegation of being witch, 2 of polygamy, 5 of rape and 1 of attempted rape. This year 1 woman was killed by the family member.

Killing by Family Members

The victim's party of 20 years old Puja Teli of Susta Rual Municpality-5 lodged a complaint at District Police Office on August 5 against her 19 years old husband Bharat Teli on charge of beating her to death August 3. Police arrested the accused on September 3 and by the court order on September 3, he was remanded in custody. The postmortem of the body was done at Teaching Hospital in Kathmandu on August 5. The case remains pending till the end of this year.

Jadawati Musahar, 28 of Susta Rural Municipality-3 was set on fire by her husband Minnu Musahar,32 by sprinkling kerosene on February 18 over a minor family dispute. The victim died while undergoing treatment at Lumbini Zonal hospital on February 20. The victim's family lodged complaint at Area Police Office on February 20 and he was arrested on a same day by the police. By court order on March 17, he was remanded in custody and the case is pending till the end of the year.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 48 years old woman lodged complaint at Area Police Office of Kawasoti against 29 years old Phasra Bahadur Chaudhary on charge of rape on January 1. The victim underwent a health checkup at District Hospi-

tal on January 1. After the complaint, the accused was arrested by the police on a same day and by the court order on June 11, he was sentenced for 5 years along with penalty of Rs 1, 50,000.

Women Trafficking

Police rescued 20 years old woman and 19 years old girl from Nepal-India border, Bhaisalotan on November 22 while they were attempted to be trafficked in India. Police also arrested 41 years old Hari Bahadur B.K of Bardaghat Municipality-1 and 43 years old Raj Kumari B.K of the same Municipality-4 on charge of trafficking. According to the police, they were being trafficked in India by pretexting them of good job. Police handed over the rescued woman and girl to their family and by the court order on December 19, they were remanded in custody by the police. The case remained pending till the end of this year.

ALLEGATION OF WITCHCRAFT

Bhrama Devi Kurmi, 40 of Sunwal Municipality-2 lodged a complaint at Area Police Office of Sunwal on September 30 against Phaguni Kurmi, 46 of Sunwal Municipality-2, 23 years old Sita Devi Kurmi, Bidhya Devi Kurmi,25 on September 29 on charge of witchcraft allegation. The victim's family lodged second complaint at District Police Office on October 2 after her complaint was neglected by the Area Police Office. The cases was settled in an agreement on October 31 after the accused party agreed to bear the treatment cost of the victim.

ALL KINDS OF DISCRIMINATION

29 years old Ram Karan Harijan of Palhinandan Rural Municipality-2 lodged a complaint at District Police Office on January 13 against Junglee Ahir, 48, Nanda Lal Kumal and Jagar Nath Yadav,42 accusing them of using discriminatory language and beating him while he was in the ward office to register the birth of his daughter. He was misbehaved and beaten in the office premises. Police arrested Junglee on February 8 and presented to the court. The court on February 8 ordered to release him in bail amount of Rs 15,000. The case remains pending and other accused are at large till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

The cadres of Madhesi Morcha vandalized the jeep with registration number Ba15Cha4751 belonging to executive officer Sashi Paudel of Palhinandan Rural Municipality on April 19. The victim's party lodged complaint at police against 42 years old Surendra Patel. The accused is at large till the end of the year.

HEALTH SERVICE STATUS

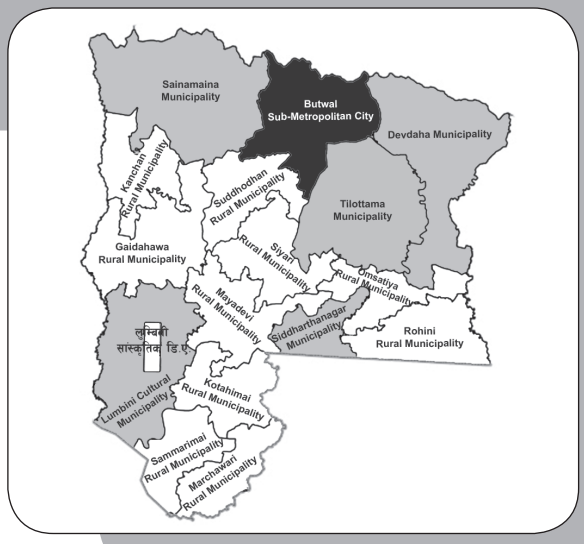
In this district, there are 2 district hospitals, 64 health posts and 6 primary health centers. There are 10 positions for doctors and all positions are occupied. In this district there are posts for 80 HA and only 7 are occupied. Out of 198 posts for AHW, 2 remains vacant. The annual budget is Rs 4, 96, 45,000.

Number of Incident with Status of Legal Proceeding in 2017		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Attempt to Kill	1	1
Child Marriage	1	1
Rape	9	9
Sexual Abuse	1	1
Total	**12**	**12**

WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Attempt to Trafficking				3		3
Domestic Violence		24	3	3	2	32
For Practicing Witchcraft		1				1
Polygamy		1		1		2
Rape	1		1	2	1	5
Rape Attempt				1		1
Women Trafficking					1	1
Total	**1**	**26**	**4**	**10**	**4**	**45**

Number of Incidents			
Type of Event	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	7	8

5.8 Rupandehi



Total Population
9,60,411

Women
4,95,836

No. of Constituency (HoR)
5

No. of Constituency (PA)
10

Below Poverty Level
1,51,171

No. of Migrant Workers
62,904

Population by Disability
9,890

Literacy above 5 yrs (%)
69.8

Dependent Population
3,84,643

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	10	11			
Beatings	4	6	10	2	4	6
Child Rights				38	5	43
Killing				2		2
Racial Discrimination					1	1
Women Rights				492		492
Total	**5**	**16**	**21**	**534**	**10**	**544**

In 2016, 1 person was victim by state actor and 148 by non-state actor whereas this year 21 were victims of by state and 544 by non-state actor. Last year, there were significant number of women and child rights violation was documented same as in this year. This year majority of incidents of violation related to women and children were documented. This year 1 woman lost her life during an acid attack.

JAIL AND DETAINEES

The "B" graded district prison of Rupendehi has a capacity to accommodate 100 inmates. However, there are 434 inmates, including 104 convicts and 330 detainees. This includes 6 foreign nationals inmates. There are no female inmates. The jail is extremely overcrowded and inmates are facing various issues such as going to toilet, eating, sleeping and even drinking water. The prison building is in dilapidated condition and everywhere there is cracks. Out of the position of 18 staffs, 15 are occupied.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District

Court and 1 high court of Tulsipur bench. There are 7 positions for judges and 6 are occupied. Out of 4,340 cases, 2389 were decided and 1951 remains pending.

Similarly, in high court of Tulsipur bench, there are 12 judges and all are occupied. This year, 405 civil and 333 criminal cases remains pending.

CHILD RIGHTS

Education Status

In this district there are 3 types of schools including community, institutionalize and religious. Under community schools, there are 128 primary, 94 lower secondary, 92 secondary and 50 higher secondary schools. Similarly under institutionalized schools, there are 123 primary, 30 lower secondary, 128 secondary and 31 higher secondary schools. There are 116 primary level, 4 lower primary level and 2 secondary level schools under religious schools. The District Education Office said that there are 7,632 students out of the schools in the district.

Type of Events	By Non-State		
	Female	Male	Total
Child Marriage	2		2
Child Trafficking	4	4	8
Rape	25		25
Sexual Abuse	7	1	8
Total	**38**	**5**	**43**

This year, 43 children including 38 girls and 5 boys were victims of child rights violation which includes the incidents of rape, child marriage, attempted rape and trafficking. In 2016, INSEC documented 28 children victims.

Rape, Attempted Rape and Sexual Abuse

Police arrested 31 years old Rabi Khatri of Tilottama Municipality-3 on July 25 on charge of raping 8 years old girl on July 24. He was arrested based on a complaint lodged by the victim's family on July 25. After the incident, the victim underwent health checkup at Lumbini Zonal Hospital on July 25. By the court order on December 10, the convict was sentenced for 10 years along with Rs 50,000 compensation.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 228 women lodged complaint of domestic violence at Women and Children Service Center. This includes incidents of beatings and expulsion from house, deprivation of food, and polygamy. Among these cases 185 were settled in an agreement and remaining cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	43	43
Domestic Violence	423	423
For Practicing Witchcraft	2	2
Polygamy	10	10
Rape	7	7
Rape Attempt	1	1
Sexual Abuse	5	5
Women Trafficking	1	1
Total	**492**	**492**

This year 492 women were victims of women violence. Last year 107 women were victims in a similar incidents. This year 423 women were victims of domestic violence, 1 of trafficking, 2 of witchcraft allegation, 10 of polygamy, 7 of rape, 1 of attempted rape, 5 of sexual abuses and 43 of attempted trafficking. This is a significant increase on women violence as compared to the last year's data

Rape, Attempted Rape and Sexual Abuse

Police arrested 27 years old Suraj Chaudhary of Butwal Sub-metropolis-12 on January 5 on charge of attempting to rape 42 years old physically disabled woman. The complaint against him was lodged on a same day at police office. On a same day, the victim underwent a health

checkup at Lumbini Zonal Hospital. On May 21, the court ordered to sentence him for 5 years after finding him guilty.

WITCHCRAFT ALLEGATION

Malati Kewat, 58 and her 35 years old daughter Arati Kewat of Gaidhawa Rural Municipality-4, Suryapura, lodged a complaint at police office on March 7 against 50 years old Ram Nayan Lodh and 35 years old Binod Lodh accusing them of beating on charge of being witch. In a beating, both the victims were injured and received treatment at Bhim Hospital in Bhairahawa. After the complaint, police arrested both accused on March 8 and victims complained of releasing them within 1 hour. The victim's party publicized the incident through local newspapers, On March 8, another complaint was lodged at District Police Office. By the court order on June 6, the accused were released on bail amount of Rs 10,000. The case is pending till the end of the year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

The victim's party of 21 years old Saurav Gurung of Siddharthanagar-9, Annapurna Tole said that the cadres of Madhesi Morcha set fire on his scooter with registration number Lu15Pa7558 by sprinkling petrol on it at Maya Devi Rural Municipality-4, Ramawapur Chok on March 13 on charge of defying strike called on by the Morcha. The fire completely destroyed his scooter. The victim complained that he was seriously beaten by the cadres after setting fire on his scooter. He sustained injuries and received treatment at Bhim Hospital in Bhairahawa on a same day. Police arrested Basiuddin Khan, 33 of Maya Devi-5, Raj Kumar Yadav,22, Najamuddin Musalman,40 and Jamaluddin Musalman,44 on March 13. The accused were released after paying Rs 1,75,000 compensation to the victim on March 26.

HEALTH SERVICE STATUS

In this district, there is 1 zonal Ayurvedic Hospital, 1 zonal and 1 District hospital. Similarly, there are 2 medical college and 8 private hospitals along with 1 women and children hospital. In the district there are 64 health posts, 5 primary health posts, 1 urban health centers,11 city health centers, 2 community health unit centers. According to the data, out of 5 posts for doctors, 4 are occupied. The annual budget of the district is Rs 4,72,00,000 and Rs 60,00,000 is a medicine costs. Similarly, in Lumbini zonal hospital, there are 504 positions for staffs. Out of 98 posts for doctors, 75 are working in this hospital..

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage			2	2
Child Trafficking			3	3
Rape	4	2	19	25
Sexual Abuse		1	7	8
Total	**4**	**3**	**31**	**38**

WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Attempt to Trafficking			2	17		19
Domestic Violence	13	397	3	1	9	423
For Practicing Witchcraft	1					1
Polygamy	1	3		5	1	10
Rape			1	6		7
Rape Attempt				1		1
Sexual Abuse	1			4		5
Women Trafficking			1			1
Total	**16**	**400**	**7**	**34**	**10**	**467**

Number of Incidents			
Type of Event	**Closed Case**	**Legal Proceeding**	**Total**
Killing	1	1	2

5.9 Kapilbastu

Total Population
6,22,955

Women
3,10,361

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
2,01,722

No. of Migrant Workers
29,792

Population by Disability
7,333

Literacy above 5 yrs (%)
54.9

Dependent Population
2,77,834

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	3	35	38			
Beatings				1		1
Child Rights				14	1	15
Injured				3	7	10
Killing				4	1	5
Racial Discrimination				2	1	3
Right to Assembly	1	15	16			
Women Rights				198		198
Total	**4**	**50**	**54**	**222**	**10**	**232**

In 2016, 27 people were victims in an incident of human rights violation and atrocities by the non-state actor whereas this year 54 victim by state actor and 232 victims by non-state actor. 10 people including seven months old boy were injured after a bomb was exploded at Badganga Municipality-4, Gajedaha while joint panel of Nepali Congress and Maoist center were going for registration of candidacy nomination for local level election.

INJURED IN FIRING/ EXPLOSION

By Non-State Actors

At least 10 people including seven months old boy were injured after a bomb was exploded at Badganga Municipality-4, Gajedaha while joint panel of Nepali Congress and Maoist center were going for registration of candidacy nomination on local level election on June 18. In an incident, 38 years old Lal Bahadur Tharu of Bandganga -7, Shesh Raj Gupta, 45, Bijaya Tharu, 22, Kamlesh Prasad Loniya, 24, Bijaya Tharu,50, Sushia Gurung,22 and her 7 months old baby, Rup Lal Gurung, 24Sabudin manihar,28 and Chamkala Paudel of same municipality-4 were injured. All victims underwent treatment

at zonal hospital Butwal. No one is arrested by the police till the end of this year.

JAIL AND DETAINEES

The "D' graded district prison has a capacity to accommodate 300 inmates. However, there are 316 inmates, including 225 convicts and 91 detainees. There is 1 female inmate with no dependent child. There are 13 male inmates above 65 year. The inmates and detainees are transferred to the new prison.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. Positions for 3 judges are occupied. There are 836 civil and 379 criminal cases pending. There are 7 civil and 4 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 276 primary, 78 lower secondary and 77 secondary schools. Out of 1985 posts for teachers, 39 remained vacant. This year 69, 325 boys and 66 102 girls were enrolled in schools. In this district there are 335 disabled friendly schools. The District Education Office provided scholarships to 10,823 dalit boys and 10,065 dalit girls. Similarly, 70 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Child Trafficking	1		1
Killing of Newborn Baby	1		1
Rape	10		10
Sexual Abuse	2	1	3
Total	**14**	**1**	**15**

INSEC documented 5 victims of child rights violation in 2016 whereas this year 14 girls and 1 boy was victim of child rights violation. Out of which, 10 are of rape, 3 sexual abuse, 1 incident of killing infant and 1 of child trafficking. This year, six years old girl was killed after rape and the court gave its verdict on the case.

Killing After Rape

A six years old girl was killed after rape on February 15 by Bhim Bahadur Kunwar of Shiva Raj Municipality-10 and the complaint against the accused was lodged at District Police office on a same day. Police said that the accused abducted the girl on the evening of February 14 from her house and was killed after rape five hundred meters away from the house. He was arrested by the police on a same day and registered the case in court. By the court order on April 23, he was given life imprisonment along with the confiscation of his property. The court also ordered the compensation of Rs 1, 00,000 to the victim's family through Women and Children Office however the family has not received the amount till the end of this year. The postmortem of the body was done at District Hospital of Taulihawa on February 15.

Rape And Sexual Abuse

11 years old girl was raped by Saddam Pathan,20 of Maharajgunj Municipality-10 on February 24 and complaint against him was lodged by the victim's family at District Police Office on a same day. The victim underwent a health checkup at District Hospital of Taulihawa on February 24. The agitated acquaintances of the victim and locals set fire in the house of the accused on February 24. Police had to use teargas to control the mob according to District Administration Office of Kapilbastu. On February 24, the accused was arrested by the police and by the court order on March 22, he was remanded in custody.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 211 women lodged complaint of domestic violence at Women and Children Service Center. This includes 15

incidents of beatings and expulsion from house, 91 incidents of deprivation of food, 17 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 3 incidents of polygamy and other 45 incidents of minor dispute. Among these cases 156 were settled in an agreement and 45 cases were processed for legal action. In 10 cases, the victim did not come into contact.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	3	3
Domestic Violence	183	183
Polygamy	2	2
Rape	5	5
Rape Attempt	4	4
Women Trafficking	1	1
Total	**198**	**198**

In 2016, 7 women were victim of violence and this year 198 were victims. Among the documented incidents in 2016, 2 women were victim of rape, 1 of domestic violence and 4 of trafficking whereas this year 183 women were victims of domestic violence, 1 of women trafficking, 3 of attempting to traffick, 2 of polygamy, 5 of rape and 4 of attempted rape.

Rape, Attempted Rape and Sexual Abuse

22 years old woman was attempted to rape by Rup Narayan Tharu, 50 of Badganga-9 in a public place on February 25. The victim lodged complaint at Area Police Office on February 27. On a same day the accused was arrested by the police and was remanded in custody on March 23. By the court order on May 7, he was sentenced for 2 and half months after finding him guilty.

Killing by Family Members

Punita Pasi, 23 of Kapilbastu Municipality-10 was killed by her 25 years old husband Ram Shanker Pasi on the night of January 6 in a minor family dispute. The accused was arrested by the police on January 8 after the complaint was lodged by the victim's family on January 6. The postmortem of the body was conducted at District Hospital of Taulihawa on January 6. The district court on April 20 ordered for life imprisonment along with confiscation of property.

Domestic Violence

Majardi Murau, 35 of Kapilbastu Municipality-6 was severely beaten and injured by her 40 years old husband Ram lal Murau. She was beaten on false allegation by her husband who was in foreign employment for the last 5 years. The victim's party lodged complaint at police on a same day and on October 25 he was arrested by the police. The victim received treatment at District Hospital of Taulihawa. On October 31, the case was settled in an agreement after the accused showed his commitment on not to repeat such incident in future.

Women Trafficking

Police have rescued 21 and 22 years old women from Nepal- India border, Krishnanagar on January 15 while they were being trafficked to India from Supa Deurali in a bus. Police arrested Nabin Shrestha, 30 of Sindhupalchok on charge of assisting them to take Delhi. The victims were handed over to their family. The accused is remanded in custody by the court order on April 16. The case is still pending.

The Area Police Office of Krishnanagar arrested 40 years old Badi Kami of Jhenam VDC-3 Salyan March 21on charge of attempting to traffick 22 years old woman luring her of good job in Kuwait. The police rescued the girl on a same day from the border. The victim was handed over to the family and by the court order on April 15, he was remanded in custody and the case is still pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

The cadres of United Democratic Madhesi Morcha hurled stones on a jeep with registration number Lu1Kha 3998 and Lu1Kha5630 heading towards Chandrayta from Krishna Nagar on March 7. The jeep were damaged in an incident. On a same day, there was an assembly of United Madhesi Morcha at Bahadurgunj. No one were arrested till the end of the year.

ALL KINDS OF CAST BASED DISCRIMINATION

Santa Bahadur Sunar, 51 of Buddhabhumi Municipality-5, his daughter-in-law Sushma Sunar, 25 and daughter Anjana Sunar, 16 were beaten and abused by Chuman Singh GC, 33 of same place on February 10 on charge of selling boiled eggs. The victim lodged complaint at Area Police Office on February 19. The accused was arrested by the police on February 18 and registered case under cast based discrimination. By the court order on March 12, he was released on date.

HEALTH SERVICE STATUS

In this district, there are 3 district hospitals, 73 health posts and 2 primary health centers. There are 11 positions for doctors and all positions are occupied. In this district there are posts for 219 AHW and only all are occupied. The annual budget is Rs 25, 50,000 and Rs 90, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Killing of Newborn Baby		1		1
Rape	1	4	5	10
Sexual Abuse	1		2	3
Total	**2**	**5**	**8**	**15**

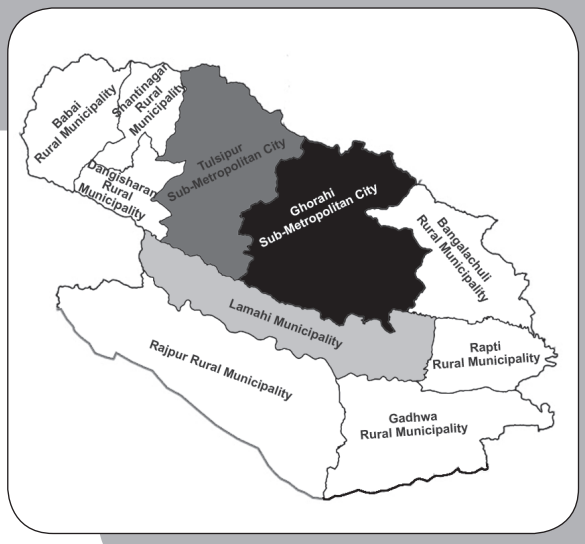
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Attempt to Trafficking					2		2
Domestic Violence		161	3	1	1	17	183
Polygamy		1			1		2
Rape				2	3		5
Rape Attempt	1				3		4
Women Trafficking				1			1
Total	**1**	**162**	**3**	**4**	**10**	**17**	**197**

Number of Incidents

Type of Event	Closed Case	Investigation	Legal Proceeding	Total
Killing	2	2	1	5

5.10 Dang



Total Population
5,93,757

Women
3,18,630

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
1,37,255

No. of Migrant Workers
43,160

Population by Disability
12,88,

Literacy above 5 yrs (%)
96.8

Dependent Population
2,47,368

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest		22	22			
Beatings		1	1	2	11	13
Child Rights				19	1	20
Death in Detention		1	1			
Economic, Social and Cultural Rights				1		1
Inhuman Behaviour		1	1		2	2
Injured				3	5	8
Killing				3	2	5
Right to Assembly		2	2			
Threats					1	1
Torture	1		1			
Women Rights				71		71
Total	**1**	**27**	**28**	**99**	**22**	**121**

Last year 140 people were victims of human rights violation whereas this year 149 were victims which includes 28 victims by state actor. This year 71 women were victims of women rights violation. A temporary police Binod Chaudhary was killed in an explosion in Tulsipur of Dang on November 28 when a bomb was detonated by an unidentified group near the election assembly organized by Nepali Congress.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DIGNIFIED LIFE
KILLED IN AN EXPLOSION

One temporary police including nine others were injured after a bomb was detonated by an unidentified group of people in Tulsipur on November 28 near the assembly of Nepali Congress. In an explosion, temporary police Biond Chaudhary, 23 of Tulsipur sub-, metropolis-12 was killed and nine others were injured. The injured Chaudhary died while undergoing treatment in Kolhapur Teaching Hospital on November 29. The seriously injured J.N DC and Devi DC was referred to Kathmandu and Nep Bahadur Khatri

received treatment at united hospital in Nepalgunj.

The government of Nepal had committed to provide 1 million to the family of Chaudhary along with Rs 15, 00,000 as an insurance however the family did not received any relief till the end of this year. The postmortem of the body was done at Bheri Zonal Hospital in Nepalgunj.

JAIL AND DETAINEES

The "C" graded district prison of Dang has a capacity to accommodate 50 inmates. However, there are 209 inmates, including 132 convicts and 77 detainees. The prison is overcrowded four times than its capacity and they are facing lack of space for sleeping. The building was built in 2005 and has two buildings including administration and detainees/inmates. Similarly, the Tulsipur prison has a capacity of 450 inmates and there are 269 inmates including 23 female, 243 male and 3 children. This prison building was built in 1980. The new prison building made in 2017 is in operation.

Dev Bahadur B.K, alias Gangate, 39 of Ghorahi sub-metropolis-14 was arbitrarily arrested by the police on August 29 and was kept in the custody of ward police office. He was arrested and taken into custody without any warrant. On August 30, he started to give a wheezing sound inside the custody and fell unconscious. He was rushed to Rapti Zonal Hospital in Ghorahi for treatment where he died while undergoing treatment. However, the DPO updated in Facebook about the incident and said that he was found dead in Ghorahi-Lamahi road section making the incident more suspicious. After the incident, an investigation team was formed in command of SSP Dilip Chaudhary on September 9. The investigating team submitted its report on September 12 and organized a press meet saying that he died not by torture but due to the chronic diseases that he was suffering. The team also recommended departmental action against police Chief SP Durga Singh Chand, inspector Suraj Khadka and custody guard Chandra Bahadur Pun of ward police office Lamahi on charge of giving false information in social networking site.

THREAT/BEATING

By State Actor

The victim's party of 37 years old Tika Gharti of Tulsipur Sub-metropolis-6 lodged a complaint at District Police Office of Tulsipur on February 6 accusing police constable Sunil Shahi and his team of beating him. Gharti was beaten by the teal led by constable Shahi while Gharti , who is also chairperson of Nepal Tarun Dal, was on the way to settle the dispute with friends. The victim underwent health checkup at local medical on February 6. The District Police Office of Tulsipur took departmental action against police constable Sinil Sahi, Surya Bahadur BC and policeman Hari Ram Reule on February 9. DSP Lok Nath Timsina of Area Police Office released press statement and informed that their promotion is suspended along with other departmental action.

By Non-State Actor

Nepali Congress cadres Tek Bahadur KC, 34 and Chitra Bahadur KC, 24 were injured in a clash between the police at the gate of Prithvi Janata Secondary School polling center on December 6 over a dispute on taking mobile phones in inside the polling center at Dashisaran Rural Municipality-6. Both of them sustained head injuries and they received treatment at Teaching hospital in Kohalpur. No one was arrested till the end of this year despite of action demanded against the accused.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

The provincial candidate Bharat Neupane,50 of Nepali Congress constituency number 2(2) was attacked with bomb by an unidentified group of people on November 26. The vehicle with registration number Ra1Ja612 was targeted and bomb was exploded at Chillikot of Tulsipur sub metropolis-19 while he was on the way to Ghorahi after addressing the election assembly. The bomb was detonated 200 meters away from the vehicle however there was no human loss. Candidate Neupane protested against the incident and said that the incident was a direct attack on democracy. No one have taken responsibility of the incident till the end of this year.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 courts including 1 high court. There are 3 positions for judges and 2 are working. There are 428 civil and 544 criminal cases pending. There are no cases older than 2 years. Similarly, there are posts for 6 judges in high court of Tulsipur and 5 of them are working. This year 156 civil and 97 criminal including 43 writs are left to be decided.

TORTURE AND OTHER INHUMANE BEHAVIOUR/PUNISHMENT

By State

Chief District Officer Gajendra Bahadur Shrestha, 56 of Dang was insulted with a foul language by Land and Reform Minister Gopal Dahit, 52 in one public program on August 21. The victim said that he was insulted on charge of giving him an old vehicle without flag while coming in the district. He sent a vehicle belonging to Agriculture Development Office to pick minister from Nepalgunj. The staff union released a press statement on August 5 and condemned the incident. CDO however did not lodged any complaints till the end of this year.

INHUMANE BEHAVOUR

An unidentified group of people have smeared black soot on Padam Sharma,40, a local agent of Kancharam Shankermali construction service Kathmandu on September 21. Two person in a motorbike poured black soot on him before fleeing the scene. The people involved in an incident were not identified. Nepal Communist Party Ghorahi sub-metropolis Council released a press statement on September 21 and took the responsibility of incident. The statement said that he was poured with black soot against the delay in construction of road from Katuwakhola till Tulsipur Chok resulting the health affect to the locals due to the dust.

CHILD RIGHTS

Education Status

In this district there are 249 primary schools, 81 lower secondary schools, 56 secondary schools and 35 higher secondary schools. Out of 1626 posts for teachers 32 remained vacant. This year 47329 boys and 54868 girls were enrolled in schools. In this district there are 126 disabled friendly schools. The District Education Office provided scholarships to 7664 dalit boys and 8,403 dalit girls. Similarly, 100 children from conflict victim's family and 703 free Kamlhari were provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Corporal Punishment		1	1
Rape	14		14
Sexual Abuse	5		5
Total	**19**	**1**	**20**

This year 14 girls from age group of 16 were victims of rape and 5 of sexual abuse. In 2016, 16 girls were victims of rape and 1 of sexual abuse.

Rape, Attempted Rape and Sexual Abuses

The victim's family of 14 years old girl lodged a complaint against 35 years

old father at Area Police Office of Tulsipur of February 5 on charge of rape. The victim said that her father raped her since 2 years after her mother went for foreign employment. The victim underwent a health checkup at Rapti sub-regional hospital on February 6. The district court ordered to sentence accused for 18 years with Rs 40,000 compensation.

CORPORAL PUNISHMENT

Nam Raj Khatri,35, a math teacher at Mechikali Boarding School was charged for beating 14 years old student Kasam Raj Pun of standard 9 on June 13 on charge of going out of the class while he was teaching. The student sustained ear injury. The victim's family lodged complaint at District Administration Office on June 18. The cases was settled in an agreement of bearing treatment cost and not repeating the case again on June 20.

ALL KINDS OF DICRIMINATION AGAINST WOMEN

This year 87 women lodged complaint of domestic violence at Women and Children Service Center. This includes 35 incidents of beatings, 21 incidents of expulsion from house, 7 incidents of deprivation of food, 13 incident of polygamy and other 11 incidents of minor dispute.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	53	53
For Practicing Witchcraft	1	1
Rape	13	13
Rape Attempt	2	2
Sexual Abuse	2	2
Total	**71**	**71**

This year 3 women were killed and 2 were victim of attempted rape. This year 71 women were victims of women rights violation. This includes 53 cases of domestic violence, 1 case of allegation of being witch, 13 cases of rape, 2 cases of attempted rape and 2 victims of sexual abuse. In 2016, 4 women were killed by family members and 2 by other party.

Killing by Family Members

The victim's family of 43 years old Goma Pun of Tulsipur sub-municipality-4 lodged a complaint at Area Police Office of Tulsipur on May 29 against her husband Dil Bahadur Pun,53 on charge of beating to death her on May 25 in an inebriated state. The victim died while undergoing treatment at Kohalpur medical college on May 28. The postmortem of the body was conducted at Kohalpur medical college on a same day. The district court ordered to remand him on custody on June 12. The case is pending till the end of this year.

The victim's family of 40 years old Geeta Kumal of Gadhawa Rural Municipalicty-1 lodged a complaint at Area police office against 30 years old sister-in-law Mani Kumari Kumal on charge of killing her on July 13. She was killed over a domestic dispute. The postmortem of the body was conducted at Lamahai Hospital on July 14. The accused was arrested by the police and by the court order on August 6, he was remanded in custody. The case is still pending till the end of this year.

Attempted Killing by Family Members

The victim's family of 33 years old Sharada Dangi of Tulsipur sub Municipality-15 lodged a complaint at Area Police Office of Tulsipur on December 24 against her husband Khum Raj Dangi, 38 on charge of attempting to murder her by using sharp weapon on December 23. The victim sustained serious head injury and underwent treatment at Rapti Zonal Hospital. The case will be lodged against him for attempted killing according to police.

Rape, Attempted Rape and Sexual Abuse

A complaint against Reule Gharti, 35 of Shantinagar municipality-2 was

lodged at Area Police of Tulsipur on March 2 on charge of raping 32 years old woman on February 25. The victim underwent health checkup at Rapti Zonal Hospital on March 3. By the court order on March 3, he was sentenced for 5 years along with compensation of Rs 25,000.

ALLEGATION OF WITCHCRAFT

The victim's party of 30 years old Bimala B.K of Lamahi Municipality-4 lodged complaint at ward police office of Lamahi on August 2 against Krishna Bahadur B.K,40 of Lamahi-4, 35 years old wife Keshari B.K and his 19 years old son Sandeep B.K on charge of alleging her of being witch on August 1. The victim was beaten by the accuse alleging her of being witch. She sustained injuries on her head and body and received treatment at Lamahi hospital on August 1. By the court order on August 27, the accused were released on bail amount of Rs 20,000 each.

HEALTH SERVICE STATUS

In this district, there is 1 regional , 1 sub-regional, 1 zonal and 1 district hospital. Similarly, there are 36 health posts and 2 primary health center. There are 7 posts for doctors and 3 are working. In this district there are posts for 115 AHW and only 113 are occupied. There are 4 community health units, 12 urban health centers and 1 institutionalized clinic in Dang. The annual budget is Rs 7, 38, 31,000 and Rs 12, 00,000 Is allocated for medical expenses. Majority of the amount is spent on administrative cost. The budget of medicine is very low and purchasing process is through local level.

Patali Roka, 41 of Rapti Rural Municipality-9 died on June 14 without getting medical treatment. She was a mother of 7 children and died during a postnatal stage due to the excessive bleeding and not getting any treatment for 6 hours according to medical superintendent Dr Ishwori Khanal. After giving birth of twins on mid night, she died on deprivation of getting medical treatment. The postmortem was done at Lamahi Hospital.

Number of Incident with Status of Legal Proceeding in 2017

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investgation	Legal Proceeding	Total
Corporal Punishment		1				1
Rape	4	1	2	1	6	14
Sexual Abuse	1	4				5
Total	**5**	**6**	**2**	**1**	**6**	**20**

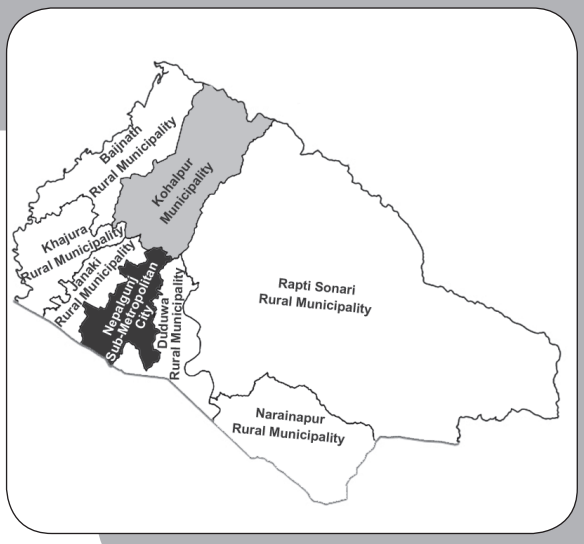
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	50			2		53
For Practicing Witchcraft					1		1
Rape	1	4	1	1	6		13
Rape Attempt					1	1	2
Sexual Abuse					2		2
Total	**2**	**54**	**1**	**1**	**12**	**1**	**71**

Number of Incidents

Type of Event	Closed Case	Incomplete	Investigation	Legal Proceeding	Total
Killing	1	1	1	2	5

5.11 Banke



Total Population
5,41,344

Women
2,75,814

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
1,27,690

No. of Migrant Workers
21,359

Population by Disability
7,468

Literacy above 5 yrs (%)
91

Dependent Population
2,24,839

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1		1
Arrest		24	24			
Beatings	2	11	13		2	2
Child Rights				12	1	13
Inhuman Behaviour					1	1
Killing				3		3
Racial Discrimination				1		1
Women Rights				77		77
Total	**2**	**35**	**37**	**94**	**4**	**98**

Last year 103 people were victims of human rights violation and atrocities. This year 135 were victims including 37 people by state actor. This year 77 women were victims in an incidents of women rights violation, and 13 children were victims in incidents of child rights violation. On 14 March, 2017, 12 people including a 10 years old child was injured in firing with a clash between Cadres of Madhesi Morcha and Police at Nepalgunj Gulariya road located in Khajura rural municipality-7.

JAIL AND DETAINEES

The "C" graded district prison of Banke district has a capacity to accommodate 300 inmates. However there are 645 inmates, including 357 convicts and 288 detainees. There are 59 female inmates with 2 dependent children. There are 15 inmates above the age of 70.The inmates are facing space issues and due to the double number of inmates, there is a problem for managing them. The prison building was established in 2000 B.S. and is in dilapidated condition. Arbind Kumar Barma, 27 of Nepalgunj Sub-metropolis-14 attempted to flee from the prison on

June 15 by digging canal. He committed suicide on a same day after he failed to flee from the prison.

THREAT/BEATING

By State

Faruk Nau,48 and Mustak Sai,25 of Khajura-5,Nepalgunj Gulariya Road,10 years old Irfan Sai of Khajura-6,Aslam Bhat,24,Jabbar Bhat,32, Roham Tulla Ansari,28,Samin Khan,35,Gariba Teli,55, Jamil Bhat,72,Karim Khan,40,Mahin Khan,27 and Sajjan Yadav,25 of same rural municipality were injured in a clash with police and cadres of Madhesi Morcha on March 14 at Khajura-7 .All injured victims underwent health treatment at Nepalgunj Medical College. Madhesi Morcha claimed that,Jamil Bhat died during treatment on March 18 but the postmortem report showed that he died due to asthma.

By Non-State

Youth leader of Nepali Congress, Yubaraj Poudel,38 of Kohalpur was smeared with soot by a group of 4 people in command Nepali Congress Cadre Bijay Pudasaini,32 accusing him of betraying during the Local Level election on July 5.Victim's party lodged a complaint at Area Police Office, Kohalpur on July 6.Victim said that the group of people misbehaved him at his own house because he defeated Bhanubhakta Bhattarai, Mayor Candidate from Nepali Congress. The case was settled in an agreement in Area Police Office of Kohalpur on July 8.

RIGHT TO PROMPT AND FAIR TRIAL

There are 5 positions for judged in the court and all the 5 positions are occupied. There are 1253 civil and 920 criminal cases pending. There are 7 judges in the High Court bench of Tulsipur at Nepalgunj. Similarly, there are 277 civil and 266 criminal cases pending this year. No cases older than 2 years are pending in the court.

CHILD RIGHTS

Education Status

In this district, there are 121 elementary school,58 lower secondary schools ,50 secondary schools and 29 higher secondary schools. Out of 1826 posts for teachers, 40 remained vacant .This year 48,897 boys and 50,958 girls were enrolled in schools. There are 251 disabled friendly school in a district. The District Education Office provided scholarships to 3479 dalit boys and 3620 dalit girls .Similarly 2 children from martyr's family and 108 children from conflict victims family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Corporal Punishment	3	1	4
Rape	9		9
Total	**12**	**1**	**13**

This year, 9 girls from 10-15 years of age group were victims of rape this year. None of the rape cases were decided this year and in one case, the accused is still at large. This year 3 girls and 1 boy were victims of corporal punishment in school.

CORPORAL PUNISHMENT

Amrit Singh,6 studying in U.K.G was injured after Ganga Shrestha ,28,teacher of Children Friendly School,Nepalgunj-5, charged him with clipboard in his head on charge of not being able to write. The victim underwent checkup at Nepalgunj Teaching Hospital. Bipin Gautam, Principal of the school said that the action will be taken against the teacher. Family of victim didn't lodge any complaint regarding the incident. Not any action was taken to the teacher till the end of this year.

Rape, Attempted Rape and Sexual Abuse

Family of 10 years old girl lodged a complaint at Area Police Office, Kohalpur

on May 21,accusing a 35 years old Karna Bahadur Nepali of Kohalpur-4 of raping her on May 18.The victim underwent health checkup at Bheri Zonal Hospital on May 21.Accused was arrested by police on the same day from his house and by a court order of May 30,he was remanded in custody. The case was not decided till the end of this year.

Family of 14 years old girl lodged a complaint at Area Police Office, Bhagwanpur on December 19 accusing a temporary Police Tek Bahadur B.K,22 of Baijanath ruralmunicipality-1 of attempting to rape her on December 18.The victim underwent health checkup at Bheri Zonal Hospital on December 19.The accused was arrested by the police on December 19 and the case was forwarded for legal proceedings. The case was not decided till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year,165 women lodged complaint at Women and Children Service Centre. This includes 111 incidents of beatings,20 incidents of deprivation of food and shelter,2 incidents of not making marriage and citizenship certificates,10 incidents of polygamy and other 14 incidents of minor disputes. Among these disputes, police settled 103 incidents in an agreement while 13 incidents were forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	50	50
Polygamy	4	4
Rape	13	13
Rape Attempt	1	1
Sexual Abuse	2	2
Women Trafficking	7	7
Total	**77**	**77**

This year 77 women were victims of women rights violation. Last year 4 women were killed by the family members whereas this year 3 were killed. This year 50 women were victims of domestic violence, 4 of polygamy, 13 of rape, 1 of attempt to rape, 2 of sexual abuse and 7 of women trafficking were documented.

Killings by Family Member

42 years old Sita B.K of Rapti Sonasari Rural Municipality-2 was killed by her 41 years old husband Puran B.K in an inebriated state on January 15. The postmortem of the body was done at Bheri Zonal hospital of Nepalgunj on January 16. By the court order on February 8, he was remanded in custody. The case is pending till the end of this year.

Anita Khatik, 22 of Nepalgunj submetropolis-12 was set on fire by his 26 years old husband Rajendra Khatik in a domestic dispute on the night of January 20. The victim was rushed to Bheri Zonal Hospital in Nepalgunj and was further referred to Kathmandu. She died while undergoing treatment in Teaching Hospital on February 1. The accused was arrested by the police on February 2 from Jamunaha. By the court order on March 2, he was remanded in custody. The case is still pending till the end of this year.

A 26 years old Phultan Beruwa of Kohalpur Municipality-4 was beheaded by her 29 years old husband Mohamed Aphtal on the night of July 10. The accused went to the Area Police Office of Kohalpur with her head in his hand. The victim was beheaded when her 6 and 7 months old children were with her. Police rescued an infant from the incident site and recovered a beheaded body of the victim. The postmortem of the body was conducted at Bheri Zonal Hospital on July 11. The accused was remanded in custody by the court order on August 8. The case is still pending till the end of this year.

Women Trafficking

Three women of age 18,19 and 25 were rescued by Indian SSB and police from Rupedia on February 3 while they were being trafficked to India. Police arrested Yam Bahadur Basnet,32 of Tulispur Sub-metropolis-17 on a sane day. The district court on July 13 ordered to sentence him for 10 years with penalty of Rs 50,000 after finding guilty.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 27 years old woman lodged a complaint at District Police Office on January 10 accusing 28 years old Uday Raj Khatri of Bageshwori-3 attempting to rape her on January 2. On the same day the victim underwent health checkup at Bheri Zonal Hospital. The accused was arrested by the police on the same day and by court order of March 7, the accused was sentenced for 3 years.

CAST BASED DISCRIMINATION

Seema Pariyar, 20 of Daduwa Rural Municipality-5 organized a press meet on June 1 in Nepalgunj and revealed that she had inter cast love marriage with Prem Praksh Chettri,22 one year ago and soon after the marriage she became victim of violence. She accused her husband and mother-in-law Hira Chetri of beating her in many occasion. The case was settled by the District Police Office on June 4 in an agreement.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people set fire in the office room of campus chief Shisir Kumar Sharma of Bageshwori Multiple Campus on February 28. The fire destroyed important documents, furniture and carpet worth of Rs 1,00,000 according to Area Police Office of Kohalpur.

The cadres of Madjesi Morcha set fire on a bus with registration number Bhe1Kha2042 heading toward Dang from Bardiya on March 14 on charge of defying Bandh. The cadres took out the passengers and sprinkled petrol on the bust before setting it on fire.

HEALTH SERVICE STATUS

In this district, there is 1 Zonal Hospital,2 sub health posts,42 health posts and 3 primary health centers. There are 3 positions for doctor and 2 positions are occupied. In this district, there are posts for 143 AHW and only 130 are occupied. The annual budget of District Public Health Office is Rs.40,39,77,642 and Rs.15,00,000 is allocated for medical expenses.

Dr Shyam Sunder Yadav of Ma Janaki Hospital in Nepalgunj was misbehaved on charge of doing negligence while treating patient on July 12. After the misbehavior and vandalization, the private and governmental hospital of the district stopped all of its services, except emergency services, according to Secretary R.K Jha of Nepal Medical Federation Bheri. Police arrested Sandeep Singh, 25 of Kohalpur Municipality-2, Mahesh Khatiwada, 27, Yadav Basyal,27 and Kamal Shahi,28 on July 19. The operation of hospital was normal afterwards. The arrested were released by the District Administration Office on bail amount of Rs 4,000 each.

Number of Incident with Status of Legal Proceeding in 2017						
CHILD RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Corporal Punishment		2			2	4
Rape	1		1	7		9
Total	**1**	**2**	**1**	**7**	**2**	**13**

WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		45	5	50
Polygamy	2		2	4
Rape			12	12
Rape Attempt	1			1
Sexual Abuse			2	2
Women Trafficking	1		2	3
Total	**4**	**45**	**23**	**72**

Number of Incidents		
Type of Event	**Legal Proceeding**	**Total**
Killing	3	3

5.12 Bardiya

Total Population
4,45,785

Women
2,35,514

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,21,178

No. of Migrant Workers
25,044

Population by Disability
8,197

Literacy above 5 yrs (%)
98

Dependent Population
1,78,005

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	19	20			
Beatings		2	2	2	1	3
Child Rights				24		24
Injured				4	9	13
Killing				1		1
Women Rights				51		51
Total	**1**	**21**	**22**	**82**	**10**	**92**

In 2016, 72 people were victims of human rights violation whereas this year 114 people were victims including 22 victims by state actor. This year majority of women were victims of women violence. This year 51 women and 24 children were victims. In lalpur of Guleriya Municipality-11, 13 people were injured in a clash over the dispute of settling the idol of Moharam and Durga. The issues of flood victims remains the same. Locals around the national park are facing attack from wild animals.

THREAT/BEATING

Jagat Ram Tharu,30 , a ward member and cadre of Maoist center of Guleriya Municipality-8 was injured in a beating by the Nepali Congress cadre Krishna Murari Tharu on December 5 accusing him of changing party from Maoist to CPN UML. He sustained head, chest and back injury and receiving treatment at District Hospital of Bardiya. The victim's wife Ram Mati Tharu,27 lodged a complaint at District Police Office of Bardiya for justice on a same day. The incident was settled after the accused agreed to pay the treatment cost to the victim.

JAIL AND DETAINEES

The "C" graded district prison of Bardiya has a capacity to accommodate 125 inmates and detainees. However, there are 261 inmates, including 181 convicts and 80 detainees. There are 14 female inmates with 1 dependent child. The jail is overcrowded. This prison was built in 1978.

RIGHT TO PROMPT AND FAIR TRIAL

There is 1 District Court in this district. Out of the posts for 2 judges, all are occupied. In District Court of Bardiya, this year 315civil cases out of 953 were decided. Similarly, out of 527 criminal cases 202 were decided and 325 remains pending.

TORTURE AND OTHER INHUMANE BEHAVIOUR/PUNISHMENT

Dinesh Yadav, 27 of Guleriya Municipality-1, Sagahapur was seriously beaten by the police constable Tek Bahadur Chand from police post at the same place on August 22. He was on the way to sell milk by riding a motorbike. He was stopped by police ASI Bhumi Chand and slapped him. The constable took him to the wall near the police post and started beating him. The eyewitness informed that he was beaten on charge of not wearing helmet while riding a bike. The victim received primary treatment at District Hospital of Guleriya and further referred to Nepalgunj for treatment. The victim did not lodge any complaint.

CHILD RIGHTS

Education Status

In this district there are 201 Primary Schools, 88 Lower Secondary Schools, 65 Secondary Schools and 41 Higher Secondary Schools. By the end of this year, 50,645 boys and 52,310 girls were enrolled in the school. In this district, there are 155 disabled friendly schools. This year the District Education Office provided scholarships to 6,891 Dalit boys and 7038 Dalit girls. Similarly, 237 children from conflict victim's family received scholarships.

Type of Events	By Non-State	
	Female	Total
Child Marriage	3	3
Killing of Newborn Baby	1	1
Rape	11	11
Sexual Abuse	9	9
Total	**24**	**24**

This year 24 children were victims of child rights violation. In 2016, 32 children were victims. This year 11 girls were victims of rape, 9 of sexual abuse. This year 1 infant was killed and 3 of child marriage. In incident of rape, 3 girls were victims by family.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 11 years old girl lodged an FIR at Area Police Office of Rajapur on May 14 against Chinki Tharu,48 accusing him of attempting to rape the girl on May 13. The victim underwent a health checkup at District Hospital of Guleriya on a same day. Police arrested the accused from his home on March 14 and taken into custody. By the court order on June 1, he was remanded in custody. On November 9, the court ordered him to sentence for 5 years.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 132 women lodged complaint of domestic violence at Women and Children Service Center. This includes 112 incidents of beatings and expulsion from house, 18 incidents of deprivation of food, 2 incident of non-cooperation in marriage registration and acquiring citizenship certificate. Among these all cases were settled in an agreement. This year 51 women were victims of women violence.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	7	7
For Practicing Witchcraft	6	6
Polygamy	3	3
Rape	11	11
Rape Attempt	3	3
Sexual Abuse	1	1
Women Trafficking	20	20
Total	**51**	**51**

In 2016, 29 women were victims in women rights violation. In 2017, 20 women were victims of trafficking, 11 of rape, 6 of allegation of being witch, 7 of domestic violence, 3 of polygamy and 3 of attempted rape.

Killing by Family Member

A complaint against mother-in-law Tila Kumari Chettri,50 and brother-in-law Om Bahadur Chetri was lodged at Area Police Office of Mainapokhari on August 28 by the victim's family of 25 years old Reeta Regmi of Badhaiyataal Rural Municpality-2 on charge of murder on August 17. Police arrested both accused were arrested by the police on August 27 and was remanded in custody by the court order on September 20. The case is pending till the end of this year.

Rape, Attempted Rape and Sexual Abuse

71 years old woman lodged an FIR at District Police Office on March 9 against Bahadur Lal Yadav,25 of India, currently living in Guleriya Municipality-8 accusing him of raping her on March 8. The victim underwent a health check-up at District Hospital of Guleriya on a same day. He was arrested by the police on a same day and presented to the court. By the court order on March 31, he was remanded in custody. The case is not decided till the end of this year.

INHUMANE BEHAVIOUR

Five women of age 40,45,20,34 and 20 had jointly lodged an FIR at Area Police Office of Baggadhi on October 14 against 26 years old Manisha Tharu, Sangati Tharu, 20 and Mamata Oli,28 accusing them of alleging victims of being witch. Police arrested all accused on October 4 and presented to the court. The court on October 17 ordered to release them in bail amount of Rs 30,000. The case is pending till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people have set fire on vehicle with registration number Lu1Cha 9159 at Sanoshretaralal Municipality-8 on March 12. The back part of the vehicle was damaged in the incident. Police said that cadres of Nepal Communist party may have been involved in the incident as the incident was on the day the party called on general strike.

An unidentified people pelted stones in the car (UP31AJ2942) of Nepali Congress Party's local leader Anil KC. The back side of the vehicle was damaged in the attack. Police was unaware about the incident and no complaint was lodged regarding the incident.

CULTURAL RIGHTS

At least 13 people were injured in a clash over a dispute between Hindu and Muslim community on settling Dashain idol and Moharm Tajiya idol in Lalpur in Guleriya Municipality-11 on October 1. In a clash, Sundhara Raidas,32, Reeta Das,3, Bishnu Raad,19, Gudana Raidas,60, Devi ram Raidas,36, Jagatpal Raad,45, Champhi Raidas,40, Sukhrana Raad,35, Najamuddin Khan,25, Samsher Khan,24, Salman Khan,9, Kamrul Nisha Khan,39 and Mahuwa Khan,72 were in-

jured. They received treatment at local medical and District Hospital of Guleriya.

The dispute was later settled after organizing harmony meeting between the both parties.

HEALTH SERVICE STATUS

In this district, there is 1 District Hospital, 30 health posts, 3 Primary Health Centers, 9 Urban Health Centers and 6 community Health Units. Out of 18 posts of doctors, 13 are working. Similarly, out of 1 post for AHW, 1 is working. The annual budget of the District Public Health Office is 4,61,46,000 of which 8,00,000 is a medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	No Legal Proceeding	Total
Child Marriage			3	3
Killing of Newborn Baby		1		1
Rape		11		11
Sexual Abuse	2	7		9
Total	**2**	**19**	**3**	**24**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	3		3	1	7
For Practicing Witchcraft	1		1		2
Polygamy			3		3
Rape		1	10		11
Rape Attempt			3		3
Sexual Abuse	1				1
Women Trafficking			7		7
Total	**5**	**1**	**27**	**1**	**34**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	1	1

Province 6

- Area: 30,211 sq.km.
- Poulation: 15,70,584
- Literacy Rate: 58.49
- District: 10
- Electoral Constituency (Parliamentary): 12
- Electoral Constituency (Provincial): 24
- Municipality: 25
- Rural Municipality: 54
- Total Ward No.: 718

Introduction of Province 6

This province consists of 10 districts including Humla, Mugu, Jumla, Kalikot, Dailekh, Surkhet, Salyan Rukum west, Jajarkot and Dolpa. The total population of this district is 15,70,584 and the province covers 30,211 square kilometers of land which is only 20.53% of the total area of Nepal. There are 12 electoral constituencies for HoR and 24 for provincial. There are 2 constituencies each in Surkhet and Dailekh whereas in remaining districts 1 constituency each is determined.

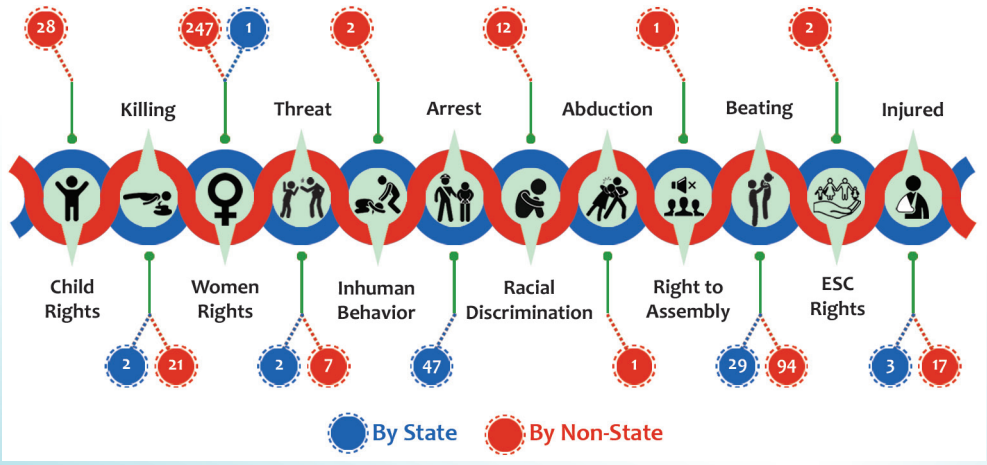
The province has 94.90 percent of population speaking Nepali language and remaining population speaks Magar, Tharu, Tamang, Kham, Gurung and Sherpa language. The per capita income of this province is 806 US dollars and average life expectancy is 65.67 years.

Dolpa and Humla districts under this province are still out from the road network. Other Himali districts have a road network however, they are not in a good condition. There is high possibility of tourism and hydro power in this province along with adequate amount of natural resources which can have positive impact on the overall economy of the country.

HUMAN RIGHTS SITUATION IN 2017

In 2017, 2 people were killed by state actor and 21 were killed by non-state actor. In incidents of beating and threat 132 people were victims whereas 31 were victims by state actor and 101 by non-state actor, 12 people were victims of caste based discrimination. Similarly, 1 person was deprived of right to assembly and freedom of speech, 248 women were victims of women violence, 1 of abduction, 2 relating to ESC rights and 28 children were victims of child rights violation.

No. of Victims by Incident (in 2017)



6.1 Dolpa

Total Population
36,700

Women
18,462

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
15,455

No. of Migrant Workers
447

Population by Disability
7,458

Literacy above 5 yrs (%)
54.15

Dependent Population
21,035

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	1	1			
Beatings	1	1		8	8
Child Rights			2		2
Inhuman Behaviour				1	1
Racial Discrimination				1	1
Right to Assembly				1	1
Women Rights			6		6
Total	**2**	**2**	**8**	**11**	**19**

In 2016, 18 people were victims of human rights violation and atrocities whereas this year 21 people were victims including 2 victims of violation by state-actor. This year majority of incidents on violence during three levels of elections were documented. The Himali district of Dolpa do not have access of road. Foods and other essential goods are transported through aero plane only and locals are compelled to pay higher price for that. This year, in Sarmi, Kaigaun, Kalika, Narku, Majhphal, Pahada, Liku, Tripurakot and Juphal under Mudkechula Jagdula Rural Municipality, Tripurasundari Municipality and Thulibheri Municipality could not get food on time. The government has announced to provide food on time in food crisis hit area , however for almost 4 months, the locals are facing food crisis.

THREAT/BEATING

By State Actor

Rajeev Kathayat, 24 of Tripurasundari Municipality-1 was beaten by 45 years old policeman, Bahadur B.K of Tripurakot Police post in an inebriated state at New Karnali Hotel on May 19. He sustained several bruises over his body

and received treatment at local medical. The victim did not complained about the incident.

JAIL AND DETAINEES

The "E" graded district prison of Dolpa has a capacity to accommodate 25 inmates. There are total of 12 inmates and detainees including 9 convict and 3 detainees. The prison building was built in 1975 and the building is in dilapidated condition. A new building is being built with the capacity to accommodate 150 inmates at a time.

RIGHT TO ASSEMBLY AND EEDOM OF SPEECH

A clash between the cadres of Nepali Congress and CPN UML started at Kaike Rural Municipality-6 on April 30 after Nepali Congress ward member and ward chairman candidates Lanku Buda,35 and Bhim Bahadur Rokaya,40 were attempted to take into control by the cadres of UML in direction from UML parliamentarian Dhan Bahadur Buda . They were beaten by the cadres on charge of giving candidacy from their area. Both candidates were injured in a clash and received treatment at Dolpo Hospital. Police arrested UML cadres Narendra Rokaya, Kailash Buda and RPP cadre Sher Bahadur Rokaya on May 2 on charge of their involvement in the clash. However, they were released next day by police without any condition.

Rudra Shahi, 42, a chairman of Youth Federation Kalika of Mudkechula Rural Municipality-1 was attacked by the district member Takka Shahi of ANNISU on November 4. He was attaked on his head. On a same day he was arrested by the police. The victim underwent a treatment at Primary Hospital in Kalika on a same day and further referred to Nepalgunj. The cases was settled after the agreement to provide treatment cost and air fare to the victim. The arrested Takka Bahadur was released on November 6.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 district court and 1 position for judge which is occupied. There are 8 civil and 4 criminal cases yet to be decided, This year, 16 cases were registered in the court and no cases are older than 2 years.

TORTURE AND OTHER INHUMANE BEHAVIOUR/PUNISHMENT

District Coordination Committee's secretary, Sagar Mishra, 49 was beaten and smeared with black soot into his face on July 10 in his office room by Nepal Communist Party cadres Lanka Bohara, 35 and Lal Bahadur Bohara, 38 on charge of not giving donation. Both accused were arrested by the police on the same day. They were released by the police on July 13. The party however claimed that he was smeared with black soot after he denied to provide the expenses description of District Coordination Committee in this financial year.

CHILD RIGHTS

Education Status

In this district there are 86 Primary Schools, 14 Lower Secondary Schools, 15 Secondary Schools and 5 Higher Secondary Schools. There are posts for 465 teachers and all the posts are occupied. This year, 4847 boys and 4,985 girls were enrolled in the schools. In this financial year, 1270 Janjati boys and 1031 Janjati girls were enrolled in the schools. There is 1 disabled friendly school in the district. The District Education Office has provided scholarships to 895 dalit boys and 868 dalit girls. The annual budget of the district is 14,65,38,000 and Rs 75,70,600 is administrative expenses.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Sexual Abuse	1	1
Total	**2**	**2**

This year 2 girls were victims of child rights violation. In 2016, no such incident was documented. This year 1 girl was a victim of sexual abuse and 1 of child marriage.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 17 years old girl lodged a complaint against 28 years old Kumar Buda of Tripurakot Rural Municipality-7 on February 5 at police post accusing him of rape on February 4. The accused was arrested on February 5 by the police and the case was settled after the accused agreed to pay Rs 7,000 to the victim.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 10 women lodged complaint of domestic violence at Women and Children Service Center. This includes 2 incidents of beating, 4 incidents of divorce and 4 incidents of deprivation of food. All of these cases were settled in an agreement.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	3	3
For Practicing Witchcraft	1	1
Polygamy	1	1
Rape	1	1
Total	**6**	**6**

This year 3 women were victims of domestic violence and the number was 11 in 2016. In all 3 incidents, the cases were settled in an agreement. Most of the incidents of domestic violence was of beating. This year 1 incident of polygamy was documented in which court sentenced the convict for 1 year.

Rape, Attempted Rape and Sexual Abuse

A complaint against 42 years old Ram Bahadur Rokaya of Jagdulla Rural Municipality-4 was lodged at District Police Office on February 14 by his 35 years old wife on charge of marital rape. The victim underwent a health checkup at District Hospital on a same day. The accused was arrested by the police on a same day and was presented in the court. By the court order on July 4, the accused was sentenced for 3 years.

ALLEGATION OF BEING WITCH

Danmaya Ukheda, 39 of Tripurasundari Municipality-1 was hit with a feast on her sensitive part of the body by 35 years old Jaya Bahadur Shahi on charge of being witch on November 20. The victim sustained bruises over her body. She lodged a complaint demanding the justice at ward office on November 21. The cases was settled in an agreement along with apologies by the accused in the ward office.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Food Crisis

The crisis of food hit in Sarmi, Kaigaun, Kalika, Narku, Majhphal, Pahada, Liku, Tripurakot and Juphal villages under Mudkechula Jagdula and Tripurasundaru Rural Municipality until the end of December. The crisis was due to the untimely transportation. Locals could not get rice even during the festive time. The production in these district was very low due to the draught. Despite of government commitment to provide food on time, locals faced shortage for almost 4 months.

HEALTH SERVICE STATUS

There is 1 District Hospital, 23 Health Posts in the district. Out of 2 posts for doctors, 1 is occupied. There are 4 posts for gynecologist and three are working. Out of 49 posts for AHW, 33 remains vacant. Similarly, for 23 posts of ANM, 20 are working. The annual budget of District Public Health office is 3,39,00,000 and 35,00,000 is a medicine expenses. The district faced medicine crunch this year as well according to District Public Health Office.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Compromise**	**Total**
Child Marriage	1		1
Sexual Abuse		1	1
Total	**1**	**1**	**2**

WOMEN RIGHTS			
Type of Events	**Closed Case**	**Compromise**	**Total**
Domestic Violence		3	3
For Practicing Witchcraft		1	1
Polygamy	1		1
Rape	1		1
Total	**2**	**4**	**6**

6.2 Mugu

Total Population
55,286

Women
27,261

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
25,784

No. of Migrant Workers
699

Population by Disability
1,917

Literacy above 5 yrs (%)
51.25

Dependent Population
35,401

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	1	3	4		13	13
Economic, Social and Cultural Rights				1	1	2
Threats					1	1
Women Rights				9		9
Total	**1**	**3**	**4**	**10**	**15**	**25**

In 2016, 17 people were victims by state actor and 13 by non-state actor. In 2017, 4 people were victims by state and 21 by non-state actors. In this district 11 people lost their lives in deprivation of treatment during seasonal flue that spread from November 21 till December 14. Lack of medicine, shortage of health workers and lack of awareness are the major reason behind the loss of lives.

THREAT/BEATING

By State Actor

Punita Shahi, 23 of Chanyanath Rara Muncipality-7 was beaten on June 4 by the police personnel Sunita Nagarkoti, 25 and Yam Lal Adhikari, 36 deployed for the security of the Rara airport. The victim complained that she was beaten over the dispute with neighbor Bidhya Malla on June 3. The victim's party lodged complaint at District Police Office on June 5 and the issue was settled on June 8 in condition to bear treatment cost of the victim. The victim did not received treatment cost till the end of this year.

By Non-State Actor

Ganesh Bahadur Rawal, 28 of Chaya Nath Rara Municipality-5 was beaten by the cadres of Tarun Dal, sister wing of Nepali Congress, on the night of November 25 on charge of operating campaign for CPN UML. He sustained fractured leg. The victim lodged a complaint at District Police Office on November 27 however it was not registered as the incident was politically motivated. The victim underwent medical treatment at Nepal Medical College.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 15 inmates at a time. There are 9 inmates in the prison including 4 convicts and 5 detainees. The new prison building is under construction. Inmates are facing difficulties because of not having new building. Some of the prisoners are being sent to neighboring district due to the lack of space. This year 8 inmates were sent to Jumla prison and 1 in Dang prison.

In this district there is 1 District Court. The position of judge is occupied. There are 7 civil and 30 criminal cases pending. There are no cases older than 2 years.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

On April 23, at about 100 local cadres from Nepal Communist party led by Surjit Rawat entered into the polling center at Himal Primary School during Local Level Election and looted ballot papers and ballot boxes. After the loot, the election materials were re sent in the center along with extra security personnel.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied. There are 7 civil and 30 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 93 Primary, 26 lower Secondary, 12 Secondary and 10 higher secondary Schools. There are 651 posts for doctors of which 7 remained vacant. This year 7,711 boys and 8,653 girls were enrolled in the school. There are no disabled friendly schools. The District Education Office has provided scholarship to 2106 dalit boys and 2445 dalit girls. Similarly, 14 students from the conflict victims family were provided scholarship.

Students in Shre Primary School at Mugu Karmarong Rural Municipality-7 were deprived of education from October 1 after teachers were absent for more than 4 months. Students from standard 1 to 5 were affected. Principal Hari Bahadur Bitalu said that the situation was created after 2 teachers were absent since 4 months.

In 2016, 3 children were victims of child violence and in 2017, no such incidents were documented.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 10 women lodged complaint at Women and Children Service Centre. This includes 4 incidents of beatings and expulsion from the house, 2 incidents of deprivation of food, 2 incidents of non-cooperation on acquiring marriage and citizenship certificates, 2 incidents of polygamy and 2 incidents of minor dispute. Among these dispute, police settled 10 incidents in an agreement while none of the other incidents were forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	6	6
Polygamy	2	2
Sexual Abuse	1	1
Total	**9**	**9**

Last year 7 women were victims of violence and this year 8 were victims. In 2016, 2 women were victims of rape, 3 of attempted rape, 1 of polygamy and 1 of women trafficking. In 2017, 5 women were victims of domestic violence, 2 of polygamy and 1 of sexual abuse.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

The house and toilets belonging to Bishnu Sunar, 40 of Chayanath Rara Municipality-4 and Danta Lal Kami , 60 of the same place were vandalized by Deep Bahadur Buda, 27 of Rara Municipality-5, Jir Singh Nepali, 26 of the same place and Padam Karki, 28 on charge of not casting vote for the ward candidate Mun Karki during local level election. The victims lodged complaint at DPO on May 20 against the accused. The police settled the issue on the agreement to pay the compensation to the victim however victims complained of not getting it.

HEALTH SERVICE STATUS

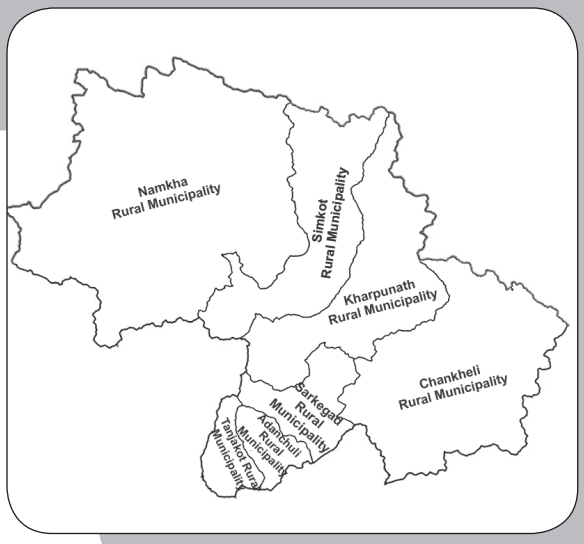
In this district, there is 1 district hospital,129 health posts and 1 primary health centers. There are 4 positions for doctors and all positions are occupied. Out of 3 staff nurse position 2 are working. There are posts for 68 AHW and 66 are occupied. The annual budget is Rs 4, 00, 000, 00 and Rs 10, 00,000 allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	1		4	6
Polygamy			1	1	2
Sexual Abuse				1	1
Total	**1**	**1**	**1**	**6**	**9**

6.3 Humla



Total Population
50,858

Women
25,025

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
27,962

No. of Migrant Workers
682

Population by Disability
2,411

Literacy above 5 yrs (%)
47.82

Dependent Population
27,016

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings			1	25	26
Child Rights				3	3
Injured			1		1
Threats	2	2		2	2
Women Rights			9		9
Total	**2**	**2**	**11**	**30**	**41**

In 2016, 10 people were victim of human rights violation whereas in 2017, 43 people were victims including 2 by state actor. This year majority of incident were related to threatening and beating where 28 people were victims. In comparison to other incidents, most of the incident documented was of clash between the political parties during local level, HoR and Provincial elections.

Locals of this district have complained of not being able to consume food as per determined by Government of Nepal. The food crisis has doubled this year. Locals had to live in shortage even during festive season because of failing to transport food in food depot. In all three depots of the district, food could not be transported for whole year. The government allocated 18,000 quintal of rice to the district however, locals could not get any of them. The officials of District Coordination Committee demonstrated with empty plate on October 10 protesting against not getting granted rice since long time. The protestors staged sit-in-protest in front of Food Corporation Office for about 30 minutes by hitting empty plate as a symbol of protest.

FIRING/ INJURED IN AN EXPLOSION

Batuli Budhi, 16 of Chankheli Rural Municipality-6 was injured on a firing by Bach Bahadur Buda,35 on January 21. The victim was injured after the accused opened fire on victim's father on a dispute. She was rushed to Melchham Health Post for treatment. A complaint against the accused was lodged at District Police Office on January 24 under attempted murder. He was arrested by the police on August 12 and by the court order on September 5, the accused was remanded in custody. The case is pending till the end of this year.

THREAT/BEATING

By State Actor

Gajendra Rokaya, 28 of Kharpunath Rural Municipality-5 and 31 years old Amar Aidi of the same place were misbehaved by 45 years old inspector Bishnu Bahadur Singh in District Police Office premises on September 28. The locals were at District Police Office staging sit-in- demanding the fact finding of the incident on death of Sher Bahadur Rokaya,45 who died suspiciously after getting hit by falling stone on September 24. The inspector was in inebriated state and misbehaved locals with foul language and denied registering the case. The Chief District Officer (CDO) Laxmi Prasad Baskota apologized about the inhumane behavior and committed to take internal action against the police inspector. DSP Kamal Prasad Nepal said that investigation will be initiated only after lodging an FIR. The case was settled after the inspector apologized on September 30 during a discussion.

By Non-State Actor

Nepali Congress cadre, 36 years old Chepal Lama of Namkha Rural Municipality was injured after he was attacked with stone on November 26 by the Maoist Center cadres while he was on the way to cast vote in District headquarter during HoR and provincial election. The accused Rinjin Dawa lama, 30, Padam Tashi Lama, 33, Tashi lama,27, Yangdum lama,24, Prem Lama,36 and Raju Lama, 27 were involved in the incident. Among the accused, 6 of them were arrested by the police on November 26. The arrested were released on bail amount of Rs 1, 00,000 each by the court order on December 20. The injured lama sustained head injury and was referred to Kathmandu for treatment.

JAIL AND DETAINEES

The"D" graded district prison of has a capacity to accommodate 25 inmates. One building is under construction. There are 2 detainees and they are kept at DPO custody. The old building is in dilapidated condition and new building is being made.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

The victims staged sit-in-protest infront of District Administration office and office of the Chief polling officer on May 16. The protest was against not letting independent candidate Prakash Bahadur Shahi,36 of Kharpunath Rural Municipality-5 to cast vote in the election by the cadres of Nepali Congress on May 14. The victims complained that their right to vote has been violated. But, at about 400 voters from Humla were deprived of casting vote. The victims complained about the incident however the central polling office denied for re: polling.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. There are 39 civil and 4 criminal cases pending. This year 51 cases were registered of which 8 civil cases were decided. There are 13 cases forwarded from the last year and 36 cases registered since July.

CHILD RIGHTS

Education Status

In this district there are 95 Primary Schools, 54 Lower Secondary Schools and 8 Higher Secondary Schools. This year 8,400 boys and 9,300 girls enrolled in the schools. There are no disabled friendly schools in this district however 52 schools are child-friendly. The District Education Office provided scholarships to 1600 dalit boys and 1500 dalit girls. Similarly, 104 children from conflict victim's family received scholarship. The annual budget of District Education Office is 9, 00, 000, 00 of which 1, 00,000 is an administrative cost.

Type of Events	By Non-State	
	Male	Total
Corporal Punishment	3	3
Total	**3**	**3**

This year 3 boys were victims of beating by teacher. Independent candidate padlocked Ishwor Primary School for 5 days from May 21 to May 25 on charge of teacher not casting vote in favour of him during local level election. This has deprived the right to education of children affecting 55 students. Last year 1 girl was victim of sexual abuse.

CORPORAL PUNISHMENT

Chunpura Shahi, 16 and Suresh Shahi,16 of standard 10 at Saipal Himal Secondary School at Simkot Rural Municipality-8, Syada were given a corporal punishment on April 25 by 38 years old teacher Jun Raj Hamal on charge of not doing their Home Work. The victim's family protested against the beating and the study was affected for one week. The victim's party however did not lodged complaint till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 24 women lodged complaint at Women and Children Service Centre. This includes 5 incidents of deprivation of food, 4 incidents of not caring and 15 incidents of minor dispute. Among these dispute, police settled 23 incidents in an agreement and 1 incidents was forwarded for legal proceedings.

This year 9 women were victims of women rights violation. Out of which 7 were victims of domestic violence and 2 of polygamy. In 2016, 5 people were victim of women violence.

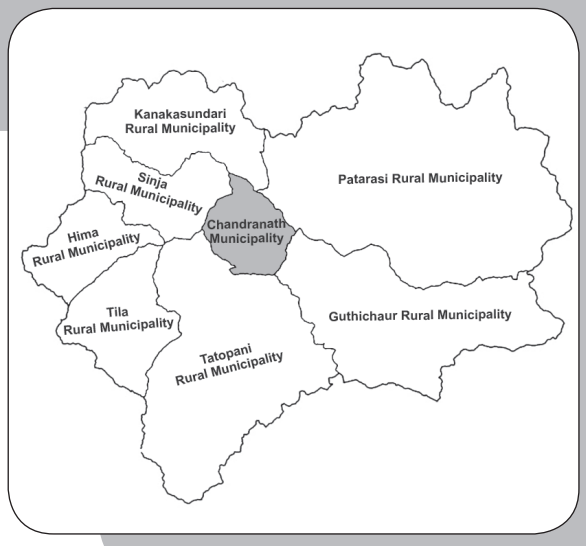
Type of Events	By Non-State	
	Female	Total
Domestic Violence	7	7
Polygamy	2	2
Total	**9**	**9**

HEALTH SERVICE STATUS

In this district, there is 1 district hospital and 26 health posts. There are 4 positions for doctors and 2 positions are occupied. In this district there are posts for 55 AHW and only 56 are occupied. The annual budget is Rs 15, 00, 00,000 and Rs 27, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017			
CHILD RIGHTS			
Type of Events	**Closed Case**	**No Legal Proceeding**	**Total**
Corporal Punishment	1	1	2
Total	**1**	**1**	**2**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	7		7
Polygamy	1	1	2
Total	**8**	**1**	**9**

6.4 Jumla



Total Population
1,08,921

Women
54,023

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
52,602

No. of Migrant Workers
1,463

Population by Disability
3,248

Literacy above 5 yrs (%)
54.66

Dependent Population
61,916

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest		6	6			
Beatings	6	4	10		5	5
Killing				1	2	3
Women Rights				10		10
Total	**6**	**10**	**16**	**11**	**7**	**18**

In 2016, 22 victims of human rights violation were documented and this year 16 were victims by state actor and 18 by non-state actor were documented.

The Chaupadi practice still prevails in Jumla despite of issuance of Chaupadi practice eradication manual 2064. The practice could not be stopped even after operating various awareness related program in the district. This year, Rautwada and Jogiwada of ward number 3 and 4 of Tila Rural Municipality were declared as "Chaupadi-Free" village. Last year, Kudari VDC-8 Dhimkot, Lamra VDC-6, Hiyakhola-7 and Dillichaur VDC-3, Tallolorp village were declared as Chaupadi free village.

THREAT/BEATING

By Non-State Actor

Basanta Raj Bhandary, 46 , chief of Jumla Multiple Campus and polling officer Padam Bahadur Shahi, 42 was beaten by Ammarjung Shahi,29, District in charge of ANNISU affiliated Maoist cadres on February 24. They were beaten on charge of opening the padlocked campus during the indefinite strike called on by the union. The victims did not lodged complained regarding the incident.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 180 inmates. There are 47 inmates, including 40 convicts and 7 detainees. The prison building is rebuilt after the former Maoist attacked the building during conflict era. The building is still under construction. There is a problem of drinking water in the prison. Inmates are compelled to drink polluted water from Tila River.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Surendra Giri,44 of Chandanath Municipality-9, Birkha Giri,40 of the same place, Chaiti Giri,45, Durga Giri, 39, Jantara Giri, 38, Chakra Giri, 34, Kala Giri, 44, Bishnu Giri, 34, Eek Maya Giri, 32 and Mannu Giri, 30 were injured on April 25 in a baton charge by police. The injured sustained head and leg injuries and received treatment at teaching hospital in Jumla. The clash between the police and locals started over a dispute on forest which lies between Bayalkatiya village and Talium Village. In a clash, policeman Hikmat Thapa, 35 of DPO was injured. The District Administration Office provided the treatment cost to the victims.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there are 2 courts including 1 High court. The position of judge is occupied. There are 31 civil and 38 criminal cases pending. There is 1 case older than 2 years. In high court, there is position for 3 judges and only 2 posts are occupied. There are 13 civil and 66 criminal cases pending and there are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 92 primary, 31 lower secondary, 46 secondary, 15 higher secondary schools. This year 14,514 boys and 15,540 girls enrolled in the school. There are 102 disabled friendly schools in this district. The District Education Office provided scholarships to 3152 dalit boys and 3245 dalit girls. Similarly, 116 children from conflict victims family were provided scholarships.

Twenty seven percent children in Jumla district are malnutrition free in four years. In a baseline survey conducted in 2012, 81% of children were suffering from malnutrition. The percent is down by 54.5 at present however the problem of malnutrition is still among the children. Various program to eradicate malnutrition is being operated in the district however it has very little effect.

In 2016, 2 children were victims of child rights violation whereas the violation is 1 this year. In 2016, 1 child was killed by family member and 1 by other. Similarly, two cases of sexual abuse was documented by INSEC.

Killing by Family Member

A six months old boy of Patarasi Rural Municipality-1, Patmara village was killed after he was attacked with stone by his 20 years old father on November 20. He was arrested on a same day by the police and by the court order on December 7, the accused was remanded in custody. The postmortem of the body was done in Jumla Hospital on November 20. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 58 women lodged complaint at Women and Children Service Centre. This includes 36 incidents of beatings and expulsion from the house, 19 incidents of deprivation of food, and 2 incidents of polygamy. Among these dispute, police settled 57 cases in an agreement while 1 incident was forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	6	6
Polygamy	2	2
Rape	1	1
Rape Attempt	1	1
Total	**10**	**10**

As compared to last year, the incidents on women violence has decreased this year. In 2016, 11 women victims on domestic violence were documented, whereas this year the number is 6. Similarly, last year 2 women were victims of rape and this year the number is 1. This year 2 victims of polygamy and 1 victim of attempted rape was documented.

Killing by Family Members

Jayarupa Aidi,50 of Gothichaur Rural Municipality-1 was killed by her 30 years old son Bir Bahadur Aidi on February 2 with stone. The accused was arrested on a same day by the police. The accused also killed his 45 years old father Gorakh Aidi on a same day. The postmortem of both bodies were conducted at Karnali Health and Science Institute of Jumla on February 3. The court ordered to sentence him for 8 years on June 15.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 30 years old woman lodged a complaint at District Police Office on September 5 against Paras Budha,35 of Guthichaur Rural Municipality-4, Ganjyakot on charge of rape on September 4. The accused was arrested by the police on September 6 based on a complaint lodged by the victim's family. The victim underwent a health checkup at Karnali Health Institute of Jumla on September 5. The case is still pending in the court.

HEALTH SERVICE STATUS

In this district there is no District Hospital. There are 10 Community Health Centers, 29 health posts and 1 primary health center. There is 1 post for doctor and it is occupied. Out of 30 posts for senior assistant health workers 26 are working. The district also have posts for 60 AHW and 55 are working. The annual budget of the District Hospital is 2,6,84,000 and 9,35,000 is a medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017				
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	1		5	6
Polygamy			2	2
Rape			1	1
Rape Attempt		1		1
Total	**1**	**1**	**8**	**10**

Number of Incidents			
Type of Event	**Closed Case**	**Legal Proceeding**	**Total**
Killing	1	1	2

6.5 Kalikot

Total Population
1,36,948

Women
68,115

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
78,749

No. of Migrant Workers
2,096

Population by Disability
5,262

Literacy above 5 yrs (%)
56.83

Dependent Population
20,912

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest		2	2			
Beatings	2	3	5		7	7
Child Rights				3		3
Inhuman Behaviour					1	1
Injured		3	3			
Killing		2	2		1	1
Racial Discrimination				1		1
Threats					2	2
Women Rights	1		1	11		11
Total	**3**	**10**	**13**	**15**	**11**	**26**

In 2016, 11 people were victim in incident of human rights violation and atrocities whereas this year 39 people were victims. This year, 2 people were killed in a firing by state actor. Temporary police Bibek Aidi was killed in a police firing during a demonstration staged by temporary police demanding for the allowances they were entitled for and ward chairman candidate from RPP, Dhanrup Batala was killed in a police firing in a clash when Nepal Communist Party cadres attempted to capture the booth during local level election.

The health organizations of Kalikot faced shortage in medicine this year. The shortage was due to the delay in purchasing process of medicine by local level. The medicine crisis remains till the end of this year.

The locals of Khin Dhaulagoha under Palata Rural Municipality faced food crisis after the area was hit by draught from July 30. The shortage was due to the delay by the government on transporting food received in a grant, in Nepal Food Corporation depot. The draught has affected more than 35,000 people in this area.

CIVIL AND POLITICAL RIGHTS
RIGHT TO DIGNIFIED LIFE
MURDER

By State Actor

Dhanrup Batala,39, a ward chairman candidate of Naraharinath Rural Municipality-6 died in a police firing on May 14 at Nanda Devi Sherapata polling center in a clash when cadres of Nepal Communist Party attempted to set fire in a ballot box after capturing the booth. The cadres pelted stones and set fire in a ballot box when it was being sealed. In retaliation, the police fired a bullet. The postmortem of the body was conducted at District Hospital of Kalikot. In a police firing, Byasi B.K,45, Dan Bahadur Batala, 30 and Kulman Batala, 32 were injured. They received treatment at regional hospital in Surkhet and Kathmandu.

Temporary police Bibek Aidi, 23 of Raskot Municipality-2 died in a police firing on December 21 in a clash with police at Manma. He was shot in head. He died on the way to the hospital. Temporary police were in agitation on December 21 in District Police Office demanding the services and perks that they were entitled for. After the incident, the local administration had to impose curfew in Manma Bazar until December 24. After the incident, a high protocol team including DIG Pravin Shrestha including other stakeholders visited the incident site and investigated the case. The report of the incident has not been made public till the end of this year. The victim's family have not received any relief till the end of this year. Temporary police were agitated in the district against the anomalies in their services and perks that they were entitled for. The final rites of the body was performed on December 27 after the postmortem.

THREATENING/BEATING

By State-Actor

Pabitra Shahi, 25 of Tilagupha Municipality-3, currently living in Manma, was beaten by police from DPO on December 23 on charge of participating in a demonstration against the killing of temporary police in a firing. The victim was injured in a beating and received treatment at District Hospital of Kalikot. The hearing of the incident was not made saying that she was beaten by the police. The victim did not make any complaint till the end of this year.

By Non-State Actor

ANNISU cadre 16 years old Madan Singh, Mandir Raj Rokaya, 17 of Thirpu Rural Muncipality-5, Nabin Shahi, 17 of Danha Rural Municipality-3 and 17 years old Shahi were injured on March 1 during a clash with ANNISU (Revolutionary) affiliated with Maoist center. Injured Singh received treatment at District Hospital whereas Rokaya and Shahi were treated at Abiskar Medical. The victims did not make complaints till the end of this year.

JAIL AND DETAINEES

The "C" graded district prison of has a capacity to accommodate 25 inmates. However, there are 51 inmates, including 40 convicts and 11 detainees. There are 3 female inmates with 1 dependent child. The jail is overcrowded. The prison building was built in 1975 and the building is in dilapidated condition.

RIGHT TO ASSEMBLY AND FREEDOM OF EXPRESS

The cadres of Nepal Communist Party obstructed the election assembly of Maoist center organized at Sanni Triveni Rural Municipality during the local level election campaign on May 5. Rural Municipality candidate Dilip Shahi said that the team of Nepal Communist Party obstructed their election campaign program.

RIGHT TO PROMPT AND FAIR TRIAL

In Kalikot district there is 1 District Court. The position of judge is occu-

pied. There are 16 civil and 29 criminal cases pending. There is 1 civil and 2 criminal cases older than 2 years.

INHUMANE BEHAVIOUR

Ratna Singh Saud,41 of Sannanitriveni Rural Municipality-4 affiliated to Maoist center teachers association was smeared with black soot on to his face on February 28 on charge of doing monopoly during NSU election by cadres of ANNISU. The accused were immediately arrested by the police after the incident. On February 29, the incident was settled in an agreement.

CHILD RIGHTS

Education Status

In this district there are 234 elementary, 61 Secondary and 32 Higher Secondary Schools. Out of 949 posts for teachers, all are occupied. This year 29,663 boys and 35,885 girls were enrolled in the school. There are no disabled friendly schools in the district. The District Education Office has provided scholarships to 8,653 dalit boys and 26,262 dalit girls. Similarly, 268 children from conflict victim's family received the scholarships.

This year 3 girls were victim of child rights violation. In 2016, 2 girls were the victims. This year, 2 girls were victims of child marriage and 1 girl of rape.

Type of Events	By Non-State	
	Female	Total
Child Marriage	2	2
Rape	1	1
Total	**3**	**3**

Rape, Attempted Rape and Sexual Abuses

The victim's family of 13 years old girl lodged a complaint at District Police Office on December 1 against 28 years old Laxman Shahi of Tilagupha Municipality-4 and Deependra Shahi of the same place on charge of rape. The victim's family lodged complaint at District Police Office on December 2. The victim underwent a health checkup at District Hospital of Kalikot on December 2. The accused is at large till the end of this year according to the police.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 22 women lodged complaint of domestic violence at Women and Children Service Center. This includes 19 incidents of beatings and expulsion from house, 1 incidents of polygamy and other 2 incidents of minor dispute. Among these cases 20 of them were settled by police and 2 of them were processed for legal action.

Type of Events	By Non-State		By State	
	Female	Total	Female	Total
Domestic Violence	7	7		
For Practicing Witchcraft	1	1		
Polygamy	2	2		
Lack of Pre & Post Partum Services			1	1
Rape Attempt	1	1		
Total	**11**	**11**	**1**	**1**

This year 12 women became victims of women violence where as in 2016, only 2 women were victims of attempted rape. In 2017, 7 women were victims of domestic violence, 1 of witchcraft allegation, 2 of polygamy and 1 of attempted rape. Two cases of domestic violence were settled in an agreement and in 1 case the woman did not come into contact. In 2 incidents, women were victims of domestic violence for not giving birth to baby boy.

ALLEGATION OF BEING WITCH

Kala Jaisi, 41 of Khadachakra Municipality-3 was misbehaved by Belkosha Shahi,45 of the same place alleging her of

being witch. The complaint against the accused was lodged at District Police Office on February 6 however the case has not been heard till the end of this year.

Rape, Attempted Rape and Sexual Abuses

28 years old women accused Gogan Shahi,41 of Khadachakra Municipality-3 of attempting to rape her on February 1. The victim lodged complaint at District Police Office against the accused on a same day. The victim underwent a health checkup at District Hospital on February 1. Police said that the accused is at large till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Locals of Palata Rural Municipality had to face food crisis from July 31 after they could not produce grains due to the draught. The food crisis started after the government failed to transport grant rice of Food Corporation to the depot in village. Dhaulagoha, Khin, Thirpu, Ramnakot, Nanikot and Badalkot of Palata region of Manma west faced food crisis till yje end of this year. The draught has affected more than 35,000 people in this area.

HEALTH SERVICE STATUS

In this district there is 1 district hospital, 28 health posts and 1 primary health centers. There are 3 positions for doctors and all positions are occupied. In this district there are posts for 61 AHW and only 43 are occupied. The annual budget is Rs 4,15,28,000 and Rs 5,00,000 is allocated for medical expenses.

Shortage of Medicine

This year the health organization of the district faced severe medicine crunch due to delay in medicine purchasing process. The shortage could not be managed till the end of this year.

Chandra Shahi, 26 of Khandachakra Muncipality-1 died on December 12, after excessive bleeding during a postnatal condition and not getting treatment. She died because of not having essential device for treatment and lack of blood in District Hospital according to the victim's family. The victim's family lodged complaint at District Administration Office on December 12. The office said that the investigation is carried on till the end of this year.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	No Legal Proceeding	Total
Child Marriage	1		1	2
Rape		1		1
Total	**1**	**1**	**1**	**3**

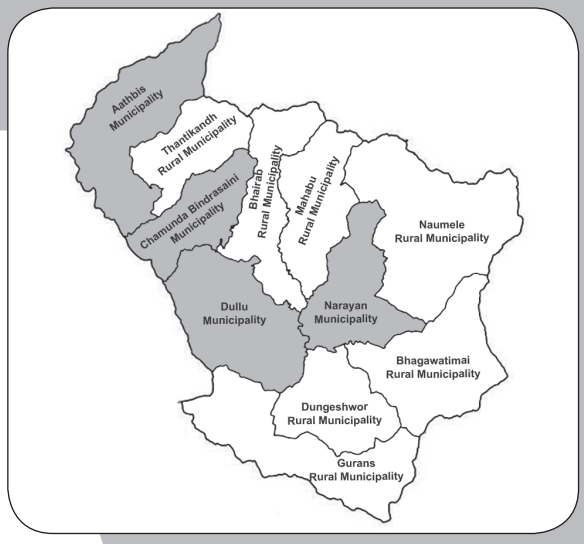
WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	2	4	1	7
For Practicing Witchcraft			1	1
Polygamy		2		2
Lack of Pre & Post Partum Services			1	1
Rape Attempt		1		1
Total	**2**	**7**	**3**	**12**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	No Legal Proceeding	Total
Killing	1	1	1	3

6.6 Dailekh



Total Population
2,61,770

Women
1,34,780

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
93,428

No. of Migrant Workers
11,221

Population by Disability
7,607

Literacy above 5 yrs (%)
62.47

Dependent Population
1,36,409

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Beatings	1	4	5		3	3
Child Rights				4	1	5
Injured				1	13	14
Killing				4	1	5
Racial Discrimination				1		1
Women Rights				30		30
Total	**1**	**4**	**5**	**40**	**18**	**58**

In 2016, 39 people were victims of human rights violation and atrocities whereas in 2017, the number has increased up to 63. This year, 14 people were injured in a clash between various political parties during Local Level Election, HoR and provincial election. Similarly, this year two women including 1 girl died in Chaupadi during menstruation period.

THREAT/BEATING

A complaint against 53 years old DSP Kedar Rajaure, chief of DPO was lodged at mid-regional police office of Surkhet and Women and Children Cell on April 5 by 22 years old Rekha Kunwar, a policewoman officer working at DPO, accusing him of misbehaving her in the office. The clarification was asked with DSP Rajaure based on the investigation report presented by the team led by inspector Harihar Khadka. However, no action was taken until the end of this year.

By Others

UML cadres Bhagat lal Baniya,55, Bal Kumari Yogi,43, Surja Pandey,32, Satananda Pandey,35, Satananda Pan-

dey,35, Tilak Upadhyaya,42, Phurti Pandey,28 and Purna Pandey,39 of Dullu Minicipality-9 were attacked with sharp weapon by armyman Prem Bahadur Bhandary, 27 of Dullu Minicipality-9, Nepali Congress cadres Nagendra Bhandari, 23, Shakti Sunar,25 and Prem Sunar,28 on May 18 on charge of not casting vote to Nepali Congress candidate during Local Level election. The victim's party lodged complaint at District Police Office on May 20 against the accused. The police denied to process the case for legal action as it was election related incident. The victims received treatment at Bheri Zonal Hospital in Nepalgunj.

JAIL AND DETAINEES

The" D" graded district prison has a capacity to accommodate 80 inmates. However, there are 121 inmates, including 103 convicts and 19 detainees. There are 9 female inmates with 2 dependent child. The jail is overcrowded by almost double. The inmates complained about drinking water and lack of space. The prison building was built in 2013.

A clash was reported in District Prison of Dailekh on April 22 over a dispute on drinking water. In a clash, Narayan Shahi, 29, Upendra Pun, 31, Ganesh Khatri, 27, Arjun Sarki, 21, Krishna Khatri, 23, Yam Bahadur Shahi, 24 and Bimal Tamang, 31 were injured. They received treatment at District Hospital.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 26 civil and 9 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 426 elementary schools and 87 secondary level schools. Out of 2367 posts for teachers 31 remained vacant. This year 47,724 boys and 49 185 girls were enrolled in schools. In this district there are 2 disabled friendly schools. The District Education Office provided scholarships to 11,935 dalit boys and 13,213 dalit girls. Similarly, 4 children from martyr family and 87 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Child Marriage	1		1
Killing of Newborn Baby		1	1
Sexual Abuse	3		3
Total	**4**	**1**	**5**

This year the incident of child rights violation have decreased as compared to the last year. In 2016, 8 children including 6 girls were victims whereas in this year the number is 5. In one incident of killing infant, the court ordered life sentence to the convict.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 115 women lodged complaint at Women and Children Service Centre. This includes 11 incidents of beatings and expulsion from the house, 17 incidents of deprivation of food, 13 incidents of non-cooperation on acquiring marriage and citizenship certificates, 9 incidents of polygamy and other 63 incidents of minor dispute. Among these dispute, police settled 94 incidents in an agreement while 21 incidents were forwarded for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	18	18
Polygamy	9	9
Rape	2	2
Rape Attempt	1	1
Total	**30**	**30**

In 2016, 22 women were victims in violation whereas the number is 28 this year. This year INSEC documented 2 incidents of killing of which 1 was by the family members. Similarly, 2 victims of rape, 1 victim of attempted rape, 9 victims of polygamy and 16 women victims of domestic violence.

Killing by Family Members

Police arrested 52 years old Dal Bahadur Basnet and his first wife Ramsara Basnet,55 on July 19 on charge of killing 56 years old Harikala Basnet of Naumule Rural Municipality-7 on July 17. By the district court order on August 8, both accused were remanded in custody. The postmortem of the body was conducted in District Hospital of Dailekh on July 18. The case remained pending till the end of this year.

By Others

An FIR was lodged against 33 years old Laxmi Prasad Acharya was lodged at District Police Office by the victim's father Lal Neupane of 20 years old Man Shobha Neupane of Tilagupha Municipality-5 on September 5 accusing him of murder. He was charged of killing the victim by giving her poison in Aale Hotel at Aathbis Municipality-5, Khadkijiul. The victim was sexually abused by Acharya in a hotel for three days before killing her. The accused was arrested by the police on September 5. By the court order on October 4, the accused was remanded in custody. The postmortem of the body was conducted on September 26. The case remains pending.

Rape, Attempted Rape and Sexual Abuse

A complaint against 32 years old Yagya Prasad Bhattarai was lodged at District Police Office by the victim's family of 18 years old girl on September 19 charging him of rape. The victim underwent a health checkup at District Hospital. The case is pending.

Death During Chaupadi Practice

Tulasi Shahi, 18 of Bindrasaini Municipality-6 was bitten by snake on the night of June 26 while sleeping in "Chaugoth" during Chaupadi practice. She was rushed to the medical for treatment however she died the next day. Similarly, on May 22, in the same municipality-4, Lalsara B.K, 14 died during Chaupadi practice. According to the study conducted by District Coordination Committee, there are 513 Chaugoth in the house.

Domestic Violence

Ranjana Malla,27 of Mahabu Rural Municipality-3 was beaten on March 29 by her relatives Amba Shahi, 29 of Dullu Municipality-13, mother-in-law Balu Shahi,50 and brother-in-law Birendra Shahi,19. The victim's family even accused Ranjana's husband of attempting to murder her and lodged complaint at police office. The accused was arrested by the police. The police denied registering the case of domestic violence and accused was released without settling the case. The victim lodged complaint at District Court. The court on November 28 ordered the accused to pay Rs 6,000 in a monthly basis to the victim.

HEALTH SERVICE STATUS

In this district there are 2 district hospitals, 56 health posts and 2 primary health centers. There are 7 positions for doctors and all positions are occupied. In this district there are posts for 124 AHW and only 99 are occupied. The annual budget is Rs 19,77,18,000 and Rs Rs 50,00,000 Is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Child Marriage			1	1
Killing of Newborn Baby	1			1
Sexual Abuse	1	2		3
Total	**2**	**2**	**1**	**5**

WOMEN RIGHTS						
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	1	6	1	5	5	18
Polygamy	2	1		2	4	9
Rape				2		2
Rape Attempt		1				1
Total	**3**	**8**	**1**	**9**	**9**	**30**

Number of Incidents			
Type of Event	**Incomplete**	**Legal Proceeding**	**Total**
Killling	1	3	4

6.7 Jajarkot

Total Population
1,71,340

Women
85,767

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
64,175

No. of Migrant Workers
4,174

Population by Disability
6,848

Literacy above 5 yrs (%)
57.27

Dependent Population
98,512

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					1	1
Arrest		5	5			
Beatings	1	1	2	1	4	5
Child Rights				4		4
Injured					2	2
Killing				2	1	3
Racial Discrimination				1		1
Women Rights				14		14
Total	**1**	**6**	**7**	**22**	**8**	**30**

In 2016, 22 people were victim of human rights violation whereas in 2017, the number has increased to 37. Last year 1 person was victim by state actor whereas this year 7 people were victims.

The district public health office said that 47 percent women in their fertility age are suffering from Uterus problem. One third of the health organization do not have regular and quality services. Person with disability, conflict victims, victims of domestic violence, children, single women and senior citizen's lives are at risk in this district.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLINGS

By State-Actor

Rabindra Shamser Shah,37, a former central member of Nepal Student Union and living at Bheri Municipality-3 was killed after he was attacked with stone and pushed off the Jumlibhir cliff by the cadres of Nepal Communist Party on March 28. Police arrested NCP cadres Thagendra Bahadur Singh,29 , Dil Bahadur Rana based on an FIR lodged by the victim's brother Ram Jung at police office

on April 3. The district court ordered to remand them in custody on April 29. The postmortem of the body was done at District Hospital on March 27.

THREAT/BEATING

By State Actor

Police constable Dhan Bahadur Oli, 37 of Area Police Office of Garkhakot was accused of beating Jaya Lal Khadka,38 and his 37 years old wife Lala Khadka of Junichande Rural Municipality-2 over the issue of land on June 16. The injured couple lodged complaint at District Police Office seeking for justice on June 22. The case was settled in an agreement at District Police Office after the police constable Oli agreed to provide treatment cost of Rs 8,000 along with Rs 5,000 as other expenses to victims.

By Non-State Actor

Mandira Damai,43 of Chedgadh Municipality-12 and Prithvi Damai,42 of the same place were beaten by Nepali Congress cadres Kashi Ram Rokaya, Megh Wadi, Kashi Ram Wadi, lal Bahadur Shahi, Man Bahadur Singh, Binod Shahi, Tek Bahadur Shahi and Deep Malla on November 16 on charge of participating and playing instrument in an election assembly of left alliance. The victim's party lodged complaint at District Police Office on November 19. The case was settled in an agreement after the commitment of not repeating such incident in future.

ABDUCTION

Recently elected ward chairman, Gopal Nepali,34 of UML, living at Kushe Rural Municipality-1 was abducted by the cadres of Nepal Communist Party on November 24 from his relative's house near Kushe Rural Municipality. District incharge Harichandra Jaisi of NCP said that he was abducted to obstruct the HoR and provincial election. The victim however was released on November 25. The victim did not lodge complaint regarding the incident.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 10 inmates. However, there are 54 inmates, including 38 convicts and 16 detainees. There are no female inmates and dependent child. The jail is five times overcrowded. It was built in 1988 and is in dilapidated condition.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and 1 position of judge is occupied. There are 29 civil and 20 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 284 primary, 85 lower secondary,43 secondary and 21 higher secondary schools. There are positions for 351 teachers of which 16 are vacant. This year 31,506 boys and 33,634 girls were enrolled in the school. There are no disabled friendly schools in this district. The district education office has provided scholarships to 10,282 dalit boys and 10,755 dalit girls. Similarly, 121 children from conflict victim and martyr families were provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	3	3
Sexual Abuse	1	1
Total	**4**	**4**

In 2016, 5 children were victim of child rights violation whereas in 2017, 4 of them were victims. This year 3 girls were victim of rape and 1 from sexual abuses. Last year, 4 girls were victims of rape and sexual abuse.

Rape and Sexual Abuse

The victim's family of 7 years old girl lodged complaint at District Police Office on March 24 against Tike Badi,55 of Chedgadh Municnipality-8 on charge of attempted rape. The victim underwent a health checkup at District Hospital on April 3. On April 4, the accused was arrested by the police and by the court order on April 26, he was remanded in custody. The case is pending till the end of this year.

The victim's family of 15 years old girl lodged a complaint against 64 years old Moti Pun of Chedgadh Municipality-10 on October 12 at District Police Office on charge of rape. The victim underwent a health checkup at District Hospital on October 12. On October 15, the accused was arrested by the police and by the court order on October 31, he was remanded in custody. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 78 women lodged complaint of domestic violence at Women and Children Service Center. This includes 30 incidents of beatings and expulsion from house, 10 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate and other 19 incidents on minor dispute. Among these cases 48 were settled in an agreement and 30 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	5	5
Rape	2	2
Rape Attempt	2	2
Total	**14**	**14**

In 2016, 4 victims of domestic violence was documented whereas this year, the number is 5. Similarly, last year 2 victims of rape and 3 of polygamy was documented whereas this year 5 women victims of polygamy, 2 of rape and 2 attempted rape were documented. This year, 2 incidents of domestic killing was documented same as in last year.

Killing by Family Member

Police arrested Kamal B.K 34, police constable of District Police Office on February 9 on charge of killing 28 years old Radhika Sunar of Bherimalika Municipality-4 by attacking her with a sharp weapon on February 5. The initial investigation has revealed that she was killed to conceal the physical relationship with her. The postmortem of the body was done in District Hospital on February 6. The District court ordered for life imprisonment along with confiscation of property on July 31.

Rape, Attempted Rape and Sexual Abuses

The victim's family of 41 years old woman lodged a complaint at District Police Office on July 8 against 26 years old Dal Bahadur Bitalu of Chedgadh Municipality-6 on charge of attempting to rape her on June 6. The accused was arrested by the police on June 9 and by the court order on July 2, he was remanded in custody. The case is still pending till the end of this year.

HEALTH SERVICE STATUS

In this district there is 1 district hospital, 31 health posts and 3 primary health centers. There are 8 positions for doctors and all positions are vacant. In this district there are posts for 69 AHW and only 51 are occupied. The annual budget of District Public Health is Rs 4, 28, 000, 00 and Rs 5, 00,000 Is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017					
CHILD RIGHTS					
Type of Events			**Legal Proceeding**		**Total**
Rape			3		3
Sexual Abuse			1		1
Total			**4**		**4**
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	1		3	1	5
Polygamy			5		5
Rape			2		2
Rape Attempt		1	1		2
Total	**1**	**1**	**11**	**1**	**14**
Number of Incidents					
Type of Event	**Closed Case**		**Legal Proceeding**	**Total**	
Killing	1		2	3	

6.8 Rukum West

Total Population
1,55,549

Women
81,596

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
Not Available

No. of Migrant Workers
Not Available

Population by Disability
Not Available

Literacy above 5 yrs (%)
62.09

Dependent Population
Not Available

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	22	22			
Beatings			2	18	20
Child Rights			5	1	6
Killing			3		3
Threats				1	1
Women Rights			8		8
Total	**22**	**22**	**18**	**20**	**38**

This year 60 people were victims which includes 22 by state actor. This year 20 people were victims in beating incidents. Majority of incidents were during the Local Level, HoR and Provincial election. In first phase of HoR and Provincial election, 1 voter put acid inside the ballot box in Rastryia Secondary School polling center at Aathbiskot Municiality-11. An unidentified people attacked the vehicle of left alliance candidate Janardan Sharma with bomb.

THREAT/ BEATING
By Non-State Actor

Sujal Shahi, 26 , candidate for NSU chairperson at Radi Campus was injured after YCL cadres attacked him on February 18. Chairperson Lal Bahadur Oli of Nepal Student Union (NSU) by releasing a press statement on February 19 condemned the incident and demanded the action against the accused. He alleged YCL cadres saying that the attack was aimed to obstruct the election. The victim underwent treatment at local medical. No complaints made by the victim till the end of this year.

ARREST

Police arrested 19 District level cadres of Nepal Communist Party on May 1 from Aathbiskot-1 on charge of operating anti-election activities in the district and charged them under public offence act. On same day police arrested 6 women artists from NCP and released on May 5. The federal socialist forum Nepal and Naya Shakti Nepal released joint statement on May 29 and demanded the release of cadres who were arrested without warrant while in a peaceful protest. Police released Purna Jung Khadka and Hari Bishnu Oli on May 31 and other were released in a bail amount of Rs 5,000 each by the order from CDO Banshi Kumar Acharya on June 6.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 25 inmates. However, there are 83 inmates, including 68 convicts and 15 detainees. There is 1 dependent child and 2 inmates above 65 years age. The jail is overcrowded by almost 4 times. The prison building is in dilapidated condition.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

In first phase of HoR and provincial election on November 26, one voter poured acid inside the ballot box at Rastriya Secondary School polling center at Aathbiskot Municipality-11. There were 300 votes already casted in the ballot box. Police immediately arrested Nepali Congress cadre Keshav Khadka, 28 of Aathbiskot Municipality-12. The polling process for proportionate was postponed after the ballot box was in fire. Similarly, in Ratna Secondary School ,Kanda, polling center in Baphikot Rural Municipality-5, Kalpana KC, 35 was arrested on charge of pouring acid inside ballot box. In polling center of Himalaya Secondary School, Shyalakhadi, 25 years old Rupa B.K was arrested while she was preparing to pour acid inside the ballot box. Police fire two rounds of bullet to arrest Khadka. A bomb was exploded near the polling center in Aathbiskot Municipality-6 and polling center in ward 7 after the beginning of polling. The postponed polls were re scheduled for December 1. Among the arrested, Kalpana KC and Rupa B.K was released on bail amount of Rs 1,000 each and Keshav was released on bail amount of Rs 1, 00,000 on December 10.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied. There are 49 civil and 115 criminal cases pending. There are no cases older than 9 months.

INHUMANE BEHAVIOUR

Assistant sub engineer Chita Ram Khadka, 45 of District Coordination Committee, Rukum was misbehaved by the cadres of Nepal Communist Party on July 6 by smearing black soot into his face on charge of taking bribe. District Secretary Chandra Buda of the party said that he was taken action as he was found to be taking bribe from Road Construction Consumers Committee.

CHILD RIGHTS

Education Status

In this district there are 231 primary schools, 81 lower secondary school, 52 secondary and 40 higher secondary school. Out of 1559 posts for teachers however the posts are yet to be managed. This year 41,245 boys and 45901 girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 7,750 dalit boys and girls. Similarly, 142 children from conflict victim's and martyr's family were provided with scholarship.

Type of Events	By Non-State		
	Female	Male	Total
Child Marriage	3		3
Corporal Punishment		1	1
Rape	1		1
Sexual Abuse	1		1
Total	**5**	**1**	**6**

This year, 6 children including 5 girls and 1 boy was victim of child rights violation. The victims includes 3 girls on child marriage, 1 girl is on rape and sexual abuse and 1 boy on corpral punishment.

CORPORAL PUNISHMENT

Ashok Sharma, 13 of Musikot Municipality-6 was given a corporal punishment by teacher Dev Bahadur Buda of Yamuna Nanda Model Secondary School on February 20 on charge of coming late in the class room. The victim's family lodged complaint at District Police Office on February 21 and the case was settled in an agreement of providing treatment cost to the victim on February 23. The teacher provided Rs 50,000 to the victim's family.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 13 years old girl lodged a complaint at District Police Office on March 15 against Lok Bahadur B.K, 21 of Banphikot Rural Municipality-3 on charge of rape. The victim underwent a health checkup at District Hospital of Salle. The accused was arrested by the police on March 17 from his house. By the court order on April 3, the accused was released on bail amount of Rs 45,000. The case is still pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 33 women lodged complaint of domestic violence at Women and Children Service Center. This includes 3 incidents of beatings and torture, 3 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate, 4 incidents of polygamy and other 22 incidents of minor dispute. Among these cases 15 were settled in an agreement, 2 cases were forwarded to east Rukum and Salyan and 5 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
For Practicing Witchcraft	1	1
Polygamy	5	5
Rape	2	2
Total	**8**	**8**

This year 8 women were victims of women rights violation of which 2 incidents of killing by family members and 1 women killed by other. This year, 1 victim on allegation of being witch, 7 of polygamy and 2 victims of rape. In 3 incidents of polygamy, the court gave its verdict.

Killing by Family Members

Bhakta Bahadur Budathoki, 51 of Rukum Chaurjahari Municipality-3 strangulated his 48 years old Kali Budathoki to death on the night of September 27 in an inebriated state. He was arrested by the police from his house on September 29. The accused however claimed and gave false statement saying that his wife committed suicide. The postmortem of the body was done at District Hospital of Rukum on September 9. By the court order, the accused was remanded in custody. The case is pending till the end of this year.

Police arrested Dilli Bahadur Rana from his house on July 4 on charge of killing his 34 years old wife Lalita Rana of Chaurjahari Municipality-14 on July 3. The victim was attacked with sharp weapon while she was coming back from

her work. The postmortem of the body was done at District Hospital of Salle. By the court order on July 14, he was remanded in custody.

WITCHCRAFT ALLEGATION

40 years old woman lodged a complaint at District Police Office on May 3 against Rupa Khadka, 49 of Musikot-11, Suresh Khadka, 22 and Dil Maya Khadka, 26 on charge of alleging her of being witch. The police arrested them from the house on a same day the complaint was lodged. By the court order on May 19, they were released on bail amount of Rs 30,000 each.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 18 years old girl lodged a complaint at District Police Office against 17 and 13 years old boys of Aathbiskot-3 on December 14 on charge of rape. The victim underwent health checkup at district hospital in Salle. Both accused were arrested by the police on December 14 and registered complaint at District Court on January 5.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The municipality office took action against Oli Store and Chitra Suppliers and Chakhlighat Store on October 15 on charge of selling substandard and expired food products. Executive director Ram Bahadur KC of Aathbiskot Municipality cinfirmed that the stores were penalized for selling such food.

HEALTH SERVICE STATUS

In this district there is 1 district hospital, 41 health posts and 2 primary health centers. There are 2 positions for doctors and all positions are occupied. In this district there are posts for 92 AHW and only 90 are occupied. The annual budget of District Public Health is Rs 2,00,000,00 and Rs 12,00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Child Marriage	2		1	3
Corporal Punishment		1		1
Rape			1	1
Sexual Abuse			1	1
Total	**2**	**1**	**3**	**6**

WOMEN RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
For Practicing Witchcraft		1	1
Polygamy	3	2	5
Rape		2	2
Total	**3**	**5**	**8**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	3	3

6.9 Salyan

Total Population
2,42,444

Women
1,26,475

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
69,605

No. of Migrant Workers
14,213

Population by Disability
6,233

Literacy above 5 yrs (%)
64.04

Dependent Population
20,174

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	11	11			
Beatings				3	3
Child Rights			3		3
Killing			1		1
Women Rights			26		26
Total	**11**	**11**	**30**	**3**	**33**

In Salyan, this year 11 people were victims by state-actor and 33 by non-state actor. Last year 41 people were victims of human rights violation.

The issue of malnutrition is seen in more than 25 percent of children in remote northern parts of the district despite of National Nutrition Policy and strategy of the government. The District Heath Office said that this year 13 malnutrition affected children were referred to nutrition reestablishment center in Ghorahi and Nepalgunj.

THREAT/BEATING

By Non-State Party

UML cadres Ramesh B.K, 21, Jit Bahadur Batha, 30 and 24 years old Nara Bahadur Nepali were injured on May 9 in a clash between cadres of UML and Maoist center at Darma Rural Municipality-3. The victim's party lodged a complaint at District Police Office on May 15. Police arrested 46 years old Nanda Ram KC and 18 years old Janak Chand on May 9. The victims underwent treatment at local medical on the same day. Both accused were released on bail amount of Rs 65,000. The case is still pending.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 20 inmates. However, there are 78 inmates, including 39 convicts and 39 detainees. There are 9 female inmates with 1 dependent child. The jail is four times overcrowded. There is a problem in a management of inmates and detainees.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 43 civil and 102 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 329 primary schools, 98 lower secondary schools and 77 secondary schools. Out of 568 posts for teachers all are occupied. This year 29,749 boys and 33,117 girls were enrolled in schools. In this district there are no data of disabled friendly schools. The District Education Office provided scholarships to 6222 dalit girls and 5709 dalit boys.

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	**3**	**3**

In 2016, 1 girl each on victim of rape and sexual abuse and in 2017, 3 girls were victims which includes 2 of rape and 1 of sexual abuse.

Rape, Attempted Rape and Sexual Abuse

A complaint against 20 years old Jar Singh Airi, 42 years old Chandra Prakash Shakya and 24 years old Ramesh Airi was lodged at District Police Office on December 17 by te victim's family of 8 years old girl on charge of molestation. Police arrested Jar Singh and Chandra Prakash on December 15 from their house. The victim underwent a health checkup at District Hospital on December 23. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 24 women lodged complaint of domestic violence at Women and Children Service Center. This includes 8 incidents of beatings and expulsion from house, 2 incidents of deprivation of food, 1 incident of non-cooperation in marriage registration and acquiring citizenship certificate and other 13 incidents of minor dispute. Among these cases 22 were settled in an agreement and 2 cases were processed for legal action.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	10	10
Polygamy	2	2
Rape	11	11
Rape Attempt	3	3
Total	**26**	**26**

In 2016, 21 women were victims of domestic violence were documented whereas this year 10 victims were documented. Similarly, last year 8 victims of rape was documented and this year the number is 11 and this year 2 women were victims of polygamy and 3 of attempted rape.

Killing by Family Members

Tiki Oli, 60 of Bagchaur Municipality-3 was killed by her 19 years old nephew Deepak Bhandari on February 8. The postmortem of the body was conducted at District Hospital on February 9. The accused was arrested by the police on February 9 and bythe court order on June 22 he was given life imprisonment with confiscation of his property.

Rape

The victim's party of 28 years old woman lodged a complaint at District Police Office on March 7 against 37 years old Prem Oli of Kapurkot Rural Municipality-3 on charge of rape on March 6. The victim underwent health checkup at District Hospital on a same day and by the court order on March 8, the convict was sentenced for 5 years with compensation of Rs 35,000.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Properties

The cadres of Nepal Communist party have set fire on the motorbike with registration number Ra3Pa7005 on March 13 at Tharmare Municipality on charge of defying strike. The party said that the bike was set on fire on charge of defying general strike called on by the party. The victim did not lodge complaint till the end of this year.

A motorbike with a registration number Ra3Pa7005 belonging to Deepak Giri was vandalized by the cadres of Nepal Communist Party on May 12 on charge of defying Bandh. The party had called on general strike against the government's announcement of holding local level election. The victim did not lodge complaint till the end of this year.

HEALTH SERVICE STATUS

In district, there is 1 district hospital, 45 health posts and two primary health centers. There are 5 positions for doctors and all positions are occupied. In this district there are posts for 97 AHW and only 70 are occupied. The annual budget of District Public Health Office is Rs 2,98,00,000and Rs 45,00,000 is a medicine costs.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	2	2
Sexual Abuse	1	1
Total	**3**	**3**

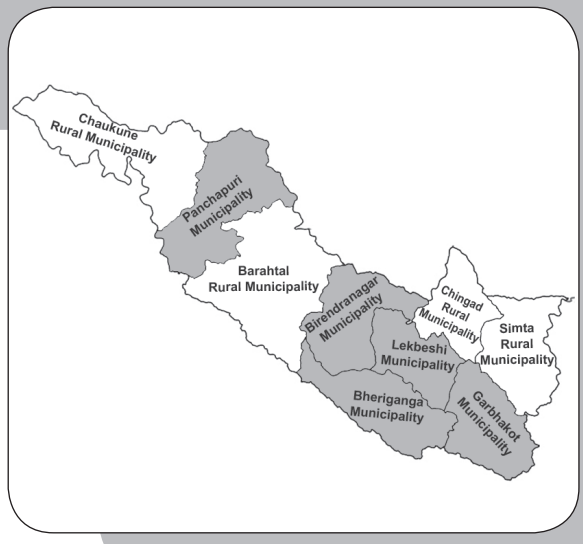
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence	1	3		1	5	10
Polygamy	2					2
Rape	1				10	11
Rape Attempt			1		2	3
Total	**4**	**3**	**1**	**1**	**17**	**26**

Number of Incidents

Type of Event	Closed Case	Total
Killing	1	1

6.10 Surkhet



Total Population
3,50,804

Women
1,81,383

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,04,492

No. of Migrant Workers
23,197

Population by Disability
10,291

Literacy above 5 yrs (%)
73.12

Dependent Population
1,73,258

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	2	2		4	4
Child Rights			2		2
Killing			5		5
Racial Discrimination			4	4	8
Threats				1	1
Women Rights			124		124
Total	**2**	**2**	**135**	**9**	**144**

In 2016, 124 people were victims in an incidents of human rights violation and atrocities where as in 2017, the number has increased to 146.

In Latikoili, Uttarganga, Tatapani, Ghatgaun, Satakhani, Lekhparaju, Hariharpur, Babiyachaur, Taranga, Chinchi and Kunathari of Birendranagar Municipality, 12,385 people from 327 families were displaced due to the flood and landslide erupted followed by an incessant rain in 2014, August 13 and 14. Even after three year of displacement, more than 200 families are compelled to live in Women Training center, Girighat of Kunathari and Tatapani VDC since 2016. The District Natural Disaster Relief Committee, various organizations, political parties and businessmen had provided clothes and dishes as a relief however, since then they did not get any support leading them to live hard life. Similarly, victims living in various camps since 2014, October 11 did received any relief from NGOs or governmental organizations. The government has introduce various programs to re-establish them however it could not be effective. Similarly, none of the political parties or state found to be taking solid

step for their re-establishment and settlement until the end of this year.

THREAT/BEATING

By State

Tej Soni, 24 and Santosh Khadka, 25 of Birendranagar Municipality-5 were beaten by the inmates kept in DPO custody and police on December 19. Soni and Khadka were taken into custody on charge of attacking YCL cadre Govinda Pratap Malla on December 14 of Birendranagar Municipality-2. They were injured in a clash between police and detainees. Soni sustained fractured hand. The victims underwent health checkup at Deuti Nursing Home. No complaint has been made till the end of this year.

By Non-State Actor

Sita Ram Paudel,42, secretary of Lekbeshi City Committee, Lekbesi Municipality-1 was beaten by UML cadre Bir Bahadur Rawat, 40 on May 28 on charge of not including his name as a member from minority community during nomination. Chairperson Gagansingh Sunar of the committee released a press statement on May 29 condemning the incident. The injured received treatment at local Deuti Nursing Home. No complaints made till the end of this year.

JAIL AND DETAINEES

The"E" graded district prison has a capacity to accommodate 25 inmates. However, there are 177 inmates, including 152 convicts and 23 detainees. There are 17 female inmates with 1 dependent child. The jail is overcrowded and it is facing serious problem on management of inmates and detainees. Jailer Lal Bahadur Khatri said that there are almost 7 times more inmates and detainees then its capacity. The prison building was built in 1972 and it is in dilapidated condition. The construction of improvement center was halted in 2012, which started its construction nine years ago.

RIGHT TO PROMPT ANF FAIR TRIAL

In this district there is 1 high and 1 district court. The position of judges are occupied. There are 127 civil and 73 criminal cases pending. There are no cases older than 2 years. Similarly, out of 8 posts for judges in high court, 4 are occupied. There are 58 civil and 134 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 455 primary, 102 elementary and 136 secondary schools. Out of 3566 posts for teachers, 69 remained vacant. This year 4992 boys and 5143 girls were enrolled in schools. In this district there are 137 disabled friendly schools. The District Education Office provided scholarships to 1688 dalit boys and 1793 dalit girls. Similarly, 320 children from martyr family and 294 children from conflict victim's family provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Total	**2**	**2**

This year 2 girls were victims of rape whereas last year 1 girl was victim of rape and 1 infant was killed.

Rape, Attempted Rape and Sexual Abuse

The victim's family of 14 years old girl lodged a complaint at District Police Office on May 17 against 22 years old Prakash Rokaya alias Jumli of Birendranagar Municipality-2 on charge of rape on May 16. The victim underwent a health checkup at regional hospital of Surkhet on May 17. Based on a complaint lodged, the accused was arrested by the police on May 19 and registered complaint at District Court. By the court order on June 11, he was remanded in

custody. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 324 women lodged complaint of domestic violence at Women and Children Service Center. This includes 89 incidents of beatings and expulsion from house, 18 incidents of deprivation of food, 23 incident of non-cooperation in marriage registration and acquiring citizenship certificate along with 194 incidents of minor dispute. Among these cases 126 were settled in an agreement.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	117	117
Polygamy	3	3
Rape	2	2
Rape Attempt	1	1
Sexual Abuse	1	1
Total	**124**	**124**

This year 2 women were victims of rape, 1 of attempted rape, 3 of polygamy and 117 of domestic violence. Last year 99 women were victims. This year 5 women were killed and in 2 cases court gave its verdict.

Killing by Family Members

Ramkali Badi, 20 of Jajarkot Chedgadh Municipality-5, currently living in Lekbesi Municipality-6, Mulpani was killed by her husband Bhagat Badi, 20 over a domestic dispute on May 5. She was attacked with sickle by the accused. He surrendered himself in Area Police Office immediately after the incident according to SI Munni Singh Chauhan of Area Police Office, Chinchu. The postmortem of the body was done in regional hospital on May 6. The Area Police Office of Chinchu registered the case in court and by the court order on October 31, the convict was given a life imprisonment with confiscation of his property.

Panchakali Kami, 30 of Gurbhakot Municipality-2 was strangled to death by her husband Tek Bahadur Kami, 30 in the jungle between Surkhet and Salyan on September 10. The accused was arrested by the police on same day from his house and registered the case in district Court. By the court order on December 13, he was given life imprisonment along with the confiscation of his property. The postmortem of the body was done in regional hospital, Surkhet on September 11.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 35 years old woman lodged a complaint at District Police Office on February 3 against Alim Din of Birendranagar Municipality-11 on charge of attempted rape on February 2. He was arrested by the police from his house on February 4. The victim underwent health checkup at regional hospital in Sukhet on February 4. The district court ordered to release the accused on bail amount of Rs 25,000 on February 22. The case is pending till the end of this year.

ALL KINDS OF CAST DISCRIMINATION

Nine years old victim Bhim Bahadur B.K of Barahatal Rural Municipality-8, Kunathari complained that he was severely beaten by neighbor Batu Shahi,45 and his 19 years old son Bharat Shahi on March 30 on charge of touching their kitchen. The victim underwent treatment at regional hospital in Surkhet on April 2. The victim's mother Jaisara B.K lodged a complaint at police office on April 2 demanding for action against the perpetrators. On a same day, Batu Shahi was arrested by the police and registered complaint at district court under cast discrimination and untouchability act. By the court order on April 22, he was released on bail amount of Rs 7,000. The

case is still pending till the end of this year.

Bhakta Bahadur B.K, 57 and his wife Amrita B.K, 48 of Barahatal Rural Municipality-8, Damare was seriously beaten by 22 years old Mohan Shahi and 24 year old Nanda Sahi on September 10 on charge of their son Bal Bahadur B.K, 25 doing inter caste. Both injured received treatment at sub regional hospital in Surkhet. The victim complained that they were tied with a rope before beating them by group of 4 people including Shahi. On September 18, the victim's party lodged complaint under caste based discrimination against the accused and by on October 22, the incident was settled in District Police Office in an agreement of compensating victims for Rs 75,000 along with Rs 20,000 treatment cost.

HEALTH SERVICE STATUS

In this district there is 1 regional hospital, 1 hospital, 3 primary health centers and 45 health posts. In regional hospital, there are posts for 25 doctors of which 18 posts are occupied. In Mehelkuna hospital, there are posts for 4 doctors and all are occupied. Similarly, out of the posts for 103 AHW, 8 remains vacant. The annual budget of District Public Health Office is 18, 71,52,000 and Rs 7,00,000 is medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS-

Type of Events	Legal Proceeding	Total
Rape	2	2
Total	**2**	**2**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	34	1	10	72	117
Polygamy	1	1	1		3
Rape		1	1		2
Rape Attempt			1		1
Sexual Abuse	1				1
Total	**36**	**3**	**13**	**72**	**124**

Number of Incidents

Type of Event	Closed Case	Legal Proceeding	Total
Killing	2	3	5

Province 7

- Area: 19,539 sq. km.
- Poulation: 25,52,517
- Literacy Rate: 61,54
- District: 9
- Electoral Constituency (Parliamentary): 16
- Electoral Constituency (Provincial): 32
- Sub-Metropolitan City: 1
- Municipality: 33
- Rural Municipality: 54
- Total Ward No.: 734

Introduction of Province 7

In this province, there are 7 districts Darchula, Baitadi, Dadeldhura, Kanchanpur, Kailali, Doti, Achham, Bajura and Bajhang of far-west region. Among them, Kailali has highest number of 5 electoral constituencies for HoR followed by 3 in Kanchanpur, 2 in Achham and 1 each in remaining districts. The total population of the province is 25,52,517 with an area of 19,539 square kilometers which is 13,27 percent of total population of Nepal. This province is small as compared to other provinces of the country based on its population and area it covers.

Out of the total population of this province, 30.45% speaks Doteli as their mother language followed by 30.17% Nepali, 17.01% Tharu, 10,64% Baitadeli, 5.58% Achhami, 2.65% Bajhangi and remaining speaks other languages.

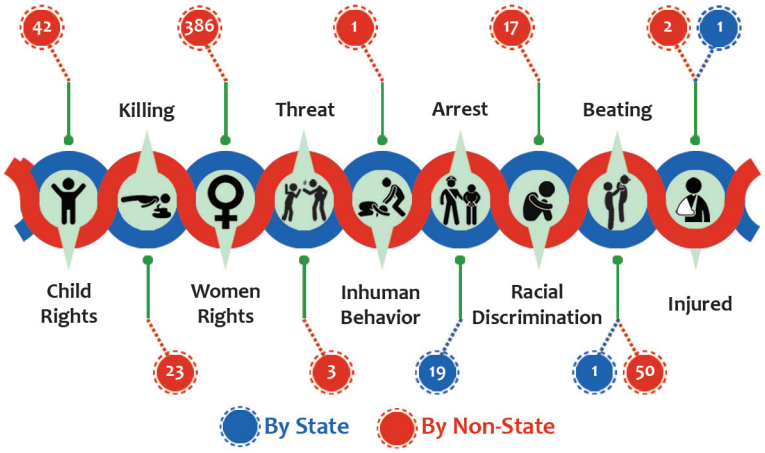
This province has an adequate possibilities of agriculture, tourism, medicinal herbs and hydro-power. All districts have road access however they are far behind in development. The average life expectancy of people are 66.93% and per capita income is 685 US dollars. Majority of people in this province goes to India for employment due to the food crisis and un employment problem in the district.

The government has determined Dhangadhi, headquarter of Kailali, as a temporary capital of this province. The majority in provincial assembly will determine permanent capital as per constitution.

HUMAN RIGHTS SITUATION IN 2017

In 2017, 21 people were victims of human rights violation by state actor and 524 by non-state actor. This includes 1 women by state and 444 by non-state actor. This year, 386 women were victims in women rights violation, 17 people were victims in caste discrimination, 42 in child rights violation and 51 in beating. This year, 23 people were killed including 9 women.

No. of Victims by Incident (in 2017)



7.1 Bajura

Total Population
1,47,053

Women
75,743

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
85,867

No. of Migrant Workers
8,054

Population by Disability
5,855

Literacy above 5 yrs (%)
55.7

Dependent Population
79,699

Type of Events	By Non-State		
	Female	Male	Total
Beatings	1	13	14
Child Rights	3		3
Killing		1	1
Racial Discrimination		2	2
Threats		1	1
Women Rights	9		9
Total	**13**	**17**	**30**

In 2016, 29 people were victims in incidents of human rights violation and atrocities whereas in 2017, 30 were victims. Majority of incidents documented were related to election. UML cadre Hansa Bahadur Rawat, 55 of Chededaha Rural Municipality-5 died in a clash with cadres of Nepali Congress. This year majority of incidents related to beatings were documented.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

CPN UML cadre Hansa Bahadur Rawat, 55 of Cheddaha Rural Municipality-5 was seriously injured in a clash between Nepali Congress during registration of candidacy nomination on June 18. He died on the way to the hospital on a same day. The victim's family staged demonstration and called on for general strike demanding the action against the accused and compensation to the family. The victim's family stopped their demonstration and protest after Nepali Congress, CPN UML and administration agreed to provide compensation to the victim and action against the accused. The victim's family lodged an FIR against the

accused at police office on June 19. Among the accused, police arrested Dev Bahadur Rawat and was remanded in custody by the court order on June 19. Other 9 accused are at large according to the police. The victim's family were provided with Rs 40,000 as a funeral cost through district administration office according to CDO Devendra Lamichhane.

THREAT/BEATING

Elected ward member Dammer Mahat from CPN UML of Badimalika Municipality-2 was beaten by Nepali Congress cadres 20 years old Krishna Thapa, Dal Thapa, 21 and 17 years old Krishna Thapa on November 18. Injured Mahat received treatment at District Hospital on November 19. Police arrested Krishna Thapa on November 19 and other two accused surrendered themselves to district administration office however,the case was settled within the police station.

JAIL AND DETAINEES

The "E" graded district prison of Bajura has a capacity to accommodate only 25 inmates. However, there are 34 inmates, including 23 convicts and 11 detainees. All inmates are male. The inmates complained about not having any facilities of sports and library in the prison. The prison was built on 1982 and it is in dilapidated condition.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

An unidentified group of people attacked and injured Nepali congress cadres Ammar Thapa,40 of Budhiganga-1, Krishna Thapa,42, lalit Thapa,40, Gore Sanai,62 and Madan Nepali, 30 on November 22 at Budhiganga Municipality-1, Dumri. All injured received treatment at District Hospital on November 23. A complaint against left alliance cadres Ganesh Thapa, 22, Dev Rokaya, 22, Bir Bahadur Thapa, 30, Bhansingh Thapa, 32, Shanker Bahadur Thapa, 24 Min Thapa, 22, Madan Rokaya, 21 and Prem Thapa, 19 was lodged at District Police Office on November 23 accusing them of attacking the cadres by pelting stones while they were in an election campaign of HoR candidate Kabi Raj of Nepali Congress. The left alliance cadres however denied the accusation. The accused are at large according to the police.

Six UML cadres were injured on June 12 after the cadres of Nepali Congress attacked them in Gaumul Rural Municipality-5, Nakhrada. The injured were Paras Rokaya, 28, Tanka Rokaya, 27, Santosh Rokaya, 32 and Subhash Rokaya, 22 of the same municipality. Among the injured, Santosh Rokaya was referred for extra treatment in Nepalgunj.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. Out of 65 cases, 55 cases were decided. There are 6 civil and 27 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 165 Primary Schools, 46 Lower Secondary Schools, 41 Secondary and 20 Higher Secondary Schools. Out of 125 posts for teachers, 5 remained vacant. This year 22,371 boys and 24,837 girls were enrolled in schools. The District Education Office said that 12,750 dalit students were provided scholarships. In this district there are 101 child friendly buildings and no disabled friendly schools. In this financial year, the District Education Office has annual

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	2	2
Total	**3**	**3**

budget of 22, 81, 00,517 and 97, 20, 320 is administrative cost.

This year 3 girls were victims of child rights violation of which 1 is of child marriage and 2 of rape. Last year the number was five.

Attempted Rape, Sexual Abuse

The victim's family of 12 years old girl lodged complaint at District Police Office on January 22 against 26 years old Deepak Pari of Budhiganga Municipality-1 on charge of rape on January 21. The victim underwent a health checkup at District Health Office on January 22. He was arrested on a same day by the police and was presented in the court. The District Court ordered to sentence him for 10 years along with the compensation of Rs 80,000 to the victims on May 3.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 81 cases of women violence and 35 cases of gender violence were lodged at Women and Children Service Center out of which 79 cases of women violence were settled in an agreement whereas 2 incidents were processed for legal action. All incidents under gender violence were settled within the center.

Most of the registered cases were related to beatings in an inebriated state according to the center.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	7	7
Rape	1	1
Women Trafficking	1	1
Total	**9**	**9**

This year 9 women were victims of women rights violation. This includes 7 victims of domestic violence, 1 of rape and 1 of attempted traffick. Last year, 24 women were victims.

Rape, Attempted Rape and Sexual Abuses

The victim's family of 26 years old woman lodged a complaint at District Police Office on September 19 against 40 years old Dharmendra Adhikari of Himali Rural Municipality-7 on charge of raping her while sleeping in the hotel at Chiligadh on September 10. The victim underwent a health checkup at District Hospital on September 20. The accused was arrested by the police on September 20 and was presented in the court. By the court order on October 30, the accused was remanded in custody.

Women Trafficking

27 years old woman lodged a complaint at District Police Office on October 6 against Dhan Bahadur Giri, 33 of Triveni Municipality-8 on charge of conducting sexual violence and attempting to traffick her in India on July 7 by pretexting her of marriage. The victim was being trafficked through Gauriphanta checkpost in Dhangadhi to Panjab in India. She was sexually abused for 6 days and was taken to Simapuri in India according to SI Krishna Khadka of DPO. The accused was arrested by the police on October 6 and was presented in the court. By the court order on October 30, the accused was remanded in custody. The victim underwent a health checkup at District Hospital of Bajura on October 6.

Beatings

Gyanu Joshi Rokaya, 30 of Budhinanda Municipality-8 was beaten by her husband Janak Bahadur Rokaya, 38 on January 1. The victim sustained injuries and several bruise over her body. She received treatment at District Hospital on January 5. The accused was arrested by the police on January 5 and was presented in the court. The court ordered to sentence him for 2 years along with the penalty of 1,25,000.

ALL KINDS OF CASTE DISCRIMINATION

CPN UML cadre Prem Bahadur B.K, 28 of Chededaha Rural Municipality-1 was penalized for Rs 2,000 by 29 years old Nepali Congress cadre Rajendra Bahadur Singh on charge of touching his cowshed while he was on the way for election campaign on January 23. The accused said that he was penalized because being a dalit, he is not allowed to touch the cowshed and said that he needs to perform rituals to make god happy. The victim B.K pled for justice at Dalit Development Forum of the district. The forum registered the complaint at District Police Office demanding for justice however, the case was settled after the agreement between the two parties according to the secretary Shankar Chandara of the forum.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people have set fire in the poultry firm in Triveni Municipality operated by RPP candidate Himal Shahi on the night of April 24. The fire destroyed the firm worth more than Rs 3,00,000. Police reached the incident site. The reason behind setting fire is still unknown according to DSP Dal Bahadur Bogati of DPO. The police office said that the incident is still under investigation and no one has been charged yet.

HEALTH SERIVE STATUS

The District has 1 hospital, 1 Primary Health Center and 26 Health Posts. There are 2 posts for doctors and all posts are occupied. Out of 5 posts for the staff nurse 4 are working. There are 53 posts for AHW of which 50 are working. Total of 44 ANM are working out of 50 posts. The annual budget of the district is Rs 1,45,43,000.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Marriage	1		1
Rape	1	1	2
Total	**2**	**1**	**3**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Legal Proceeding	Total
Domestic Violence	5	1	1	7
Rape			1	1
Women Trafficking			1	1
Total	**5**	**1**	**3**	**9**

Number of Incidents

Type of Event	Legal Proceeding	Total
Killing	1	1

7.2 Bajhang

Total Population
2,70,710

Women
1,09,574

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
1,10,465

No. of Migrant Workers
22,845

Population by Disability
4,976

Literacy above 5 yrs (%)
55.6

Dependent Population
1,10,406

Type of Events	By Non-State		
	Female	Male	Total
Beatings	1	11	12
Child Rights	1		1
Killing	1	1	2
Racial Discrimination	3	11	14
Women Rights	7		7
Total	**13**	**23**	**36**

In 2016, 20 people were victims in incident of human rights violation whereas this year 36 were victims. The majority of incidents documented were of clashes during local level and provincial election. At least 4 UML cadres were injured in a clash with Maoist center at Chhabis Pathivhere Rural Municipality over a dispute on poll counting.

JAIL AND DETAINEES

The "E" graded district prison has a capacity to accommodate 25 inmates. However, there are 51 inmates, including 42 convicts and 9 detainees. The prison building was built in 1985 and it is in dilapidated condition. There are 2 toilets in the prison and inmates are facing problem due to the lack of space. There are no facility of sports or entertainment in the prison. They are facing space problem and due to the overcrowd in prison building, the prison management is finding difficulty on managing inmates and detainees. Inmates and detainees are facing problem in sleeping, eating and even going to the toilet according to jailer Rajendra Bohara.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

A clash started at Chabis Pathib-

her Rural Municipality between Maoist center and CPN UML cadres over the dispute on counting votes on June 29. In a clash polling representative and secretary of ANNISU Sagar Bhatta,25, Subash Bhatta,20, Raj Khatri,20 and Siddhi Raj Thapa were injured. Police arrested 5 cadres of Maoist center on charge of their involvement in the incident on a same day however they were released on July 2 after all party agreement.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and the position of judge is occupied. There are 10 civil and 19 criminal cases pending. The court is operating its daily work from rented building. The new building is under construction.

CHILD RIGHTS

Education Status

In this district there are 441 Lower Secondary Schools and 41 Higher Secondary Schools along with 62 institutionalized Schools. There are 293 child development center. In this district, there are 1821 posts for teachers and they are being fulfilled according to the District Education Office. Similarly, there are 36 community learning centers and schools for visual and hearing impaired students.

This year 1 infant was killed. Last year 2 girls were victim of rape and 1 was of sexual abuse.

Type of Events	By Non-State	
	Female	Total
Killing of Newborn Baby	1	1
Total	**1**	**1**

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 113 women lodged complaint of domestic violence at Women and Children Service Center. This includes 2 incidents of rape, 2 of attempted rape, 1 women trafficking, 7 child marriage, 12 polygamy and other 46 incidents of minor dispute.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	7	7
Total	**7**	**7**

This year 7 women were victims of domestic violence whereas last year 9 were victims in such incidents.

HEALTH SERVICE STATUS

In Bajhang district, there is 1 district hospital,45 health posts, 2 primary health centers, 6 community units and 3 city health center. There are positions for 267 health workers and 27 are working. The posts for ANM and staff nurse are vacant. There are positions for 2 doctors however the post of medical superintendent is vacant since 2 years. The annual budget of the district is 6,42,11,000.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Total
Killing of Newborn Baby	1	1
Total	**1**	**1**

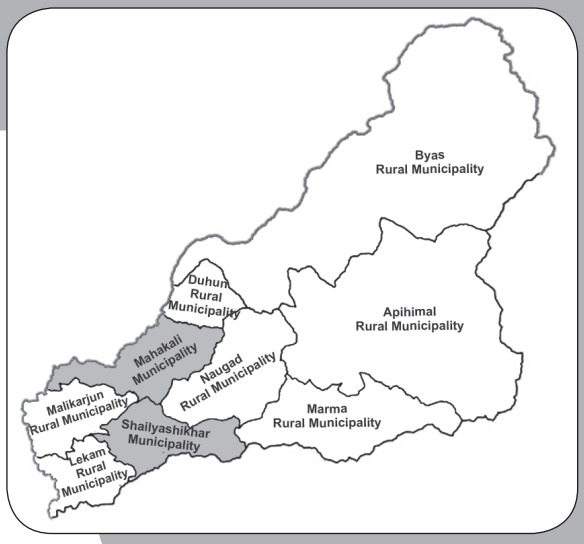
WOMEN RIGHTS

Type of Events	Compromise	No Legal Proceeding	Total
Domestic Violence	6	1	7
Total	**6**	**1**	**7**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	1	2

7.3 Darchula



Total Population
1,38,097

Women
72,900

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
70,003

No. of Migrant Workers
6,864

Population by Disability
3,669

Literacy above 5 yrs (%)
65.4

Dependent Population
66,405

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	1	1			
Beatings				7	7
Child Rights			3		3
Killing				2	2
Threats				1	1
Women Rights			17		17
Total	**1**	**1**	**20**	**10**	**30**

This year 1 person was victim in an incident of human rights violation by state actor. In 2016, no incidents by state actor was documented. In 2016, 37 people were victims in human rights violation by non-state actor whereas this year 30 people were victims on such incident. This year, health organizations of the disrict faced medicine shortage. Similarly, issues regarding food crisis was also documented this year.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLINGS

Police arrested Bhawan Singh Mahara, 18 and Sher Singh Mahara, 24 of Mahakali Municipality-3 on March 3 on charge of killing Ganesh Singh Mahara, 22 of the same place on February 28. All accused were remanded in custody by the court order on March 24. The victim was found dead before reaching his home. He was on the way to home after coming back from Malaysia. The postmortem of the body was conducted at District Hospital of Darchula on February 29. The case has not been decided till the end of this year.

Kamal Singh Lothyal, 31 of Aapi

Himal Rural Municipality-2 was found dead at same Rural Municipality 6, Majje, while he was on Local Level election campaign on May 3. He was out of contact since April 27 and a team of police from Khandeshwori Police Post had recovered his body from 200 meters down near the Majje jungle according to DSP Kedar Khanal. Police said that no FIR is lodged yet and postmortem of the body was conducted on May 4 at Gokuleshwor Hospital.

JAIL AND DETAINEES

The "C" graded district prison of Darchula district has a capacity to accommodate 40 inmates. There are 25 male and 15 female inmates. Until the end of the year, there are 37 convicts and nine detainees in the prison of which there is 1 female detainee. The District prison was built in 1965. The inmates and detainees are provided with indoor and outdoor sports facilities. The prison building is in dilapidated condition and due to this, inmates and detainees are facing difficulties according to jailer Man Bahadur Khadayat.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Police have arrested Mahendra Singh Bista, 51 of Mahakali Municipality-7 on November 22 from his house on charge of his involvement in anti-election activities. The District Administration Office released him on December 9 in bail amount of Rs 2500.

A clash was reported at Dethala of Shailyashikhar Municipality-3 on December 14 between the cadres of Nepali Congress and left alliances during the provincial and HoR election. Dhirendra Pal,36 , a cadre of Nepali Congress was injured in a clash and received treatment at Gokuleshwor Hospital. Inspector Dirgha Bogatai of Area Police Office of Gokuleshwor said that the incident was settled down between the party and no cadres were arrested.

Prem Singh Dhami, 35 of Naugadh Rural Municipality-4, a ward chairman candidate from UML was threatened for his life by former Maoist cadre Amar Singh Dhami, 35 of the same place on May 23. The victim said that he was attempted to attack while having some rest after election assembly. The district committee of UML released a press statement on May 24 and demanded action against the guilt. Police DSP Kedar Khanal said that no one was arrested.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 post for judge and it is occupied. There are 37 criminal and 28 civil cases registered of which 32 criminal and 23 civil cases are pending. The court has decided 9 postponed criminal and 4 civil cases and 5 are pending till the end of this year.

CHILD RIGHTS

Education Status

In this district there are 230 Primary, 61 Lower Secondary, 46 Secondary and 25 High Secondary Schools. Out of 1041 posts for teachers 17 remained vacant. In all schools, there is a facility of toilets. In this financial year, 10,298 girls from age 1to 5 and 9,494 boys were enrolled in the school. Similarly, in standard 9 and 10, 3,186 girls and 3057 boys were enrolled according to District Education Office. In this financial year, 2,677 dalit girls and 2,899 dalit boys were enrolled in the school. The District Education Office has provided scholarships to 2,232 dalit boys and 2,412 dalit girls. Meanwhile, 12 girls and 8 boys from conflict victims' fam-

Type of Events	By Non-State	
	Female	Total
Rape	2	2
Sexual Abuse	1	1
Total	**3**	**3**

ily received scholarships. There are no disabled friendly schools in this district.

This year 2 girls were victims of rape and 1 of sexual abuse. Last year 2 girls were victims in rape and sexual abuse.

Rape, Attempted Rape and Sexual Abuses

The victim's family of 13 years old girl lodged complaint at District Police Office against Damber Bahadur Pal, 21 of Mahakali Municipality-7 on September 15 accusing him of rape. Police registered case against Pal. The victim underwent health checkup at District Hospital of Darchula on September 14. He is absconding till the end of this year according to police.

The victim's family of 13 years old girl lodged a complaint at Police Office of Dallekh on October 10 against 35 years old Mohan Lal Singh Thagunna of Naugadh Rural Municipality-1 on charge of rape. The accused was arrested by the police from his house on October 11 and registered case under rape against him. On October 11, victim underwent health checkup at District Hospital of Darchula. The accused was remanded in custody by the court order on October 21.

Complaint against Indra Singh Dhami, 26 of Malikarjun Rural Municipality-8 was lodged at District Police Office on December 25 by the victim's family of 15 years old girl on charge of attempted rape on December 23. He was arrested by the police on December 26 and remanded for five days. The victim underwent a health checkup at District Hospital on December 24.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year, 24 women lodged complaint at Women and Children Service Center against domestic violence. Out of which 15 were related to beatings, 2 on deprivation of food and 7 on foul languages and abuses. All complaints were settled in an agreement.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	2	2
Domestic Violence	12	12
Rape Attempt	2	2
Sexual Abuse	1	1
Total	**17**	**17**

This year 17 women were victims of violence. Last year 32 women were victims. This year 12 women were victims of domestic violence, 2 of attempted rape, 2 of attempted trafficking and 1 of sexual abuse.

Rape, Attempted Rape and Sexual Abuses

25 years old woman lodged complaint at police post of Dallekh on October 7 against Nanda Singh Dada, 28 of Naugadh Rural Municipality-1, Khar on charge of attempting to rape her on October 6 while she was in the jungle. Police arrested the accused on October 8 and registered the case under attempted rape. The victim underwent health checkup at District Hospital on October 7 and by the court order on November 4, he was remanded in custody. The case is pending till the end of this year.

Locals of Vyas Rural Municipality-3 have lodged complaint against assistant polling officer Suresh Singh Bista, 37 at Sunsera Police Post accusing him of sexually abusing 27 years old woman on November 23. The accused was arrested by the police on November 22. The woman was abused by the polling officer while she was in her lodge. According to DSP Janak Bahadur Shahi of DPO, the accused was arrested by the police and charged under public offence. He was release on a bail amount of Rs 19,000 on December 6 by the order from District Administration Office.

Human Trafficking

25 years old woman lodged a verbal complaint at Area Police Office of Gokuleshwor against 33 years old Dhampu Ram Tamata of Malikarjun Rural Municipality-8 on charge of attempting to traffick her on May 11.

The accused had attempted to traffick the victim by pretexting of marriage. He was arrested from the incident site and was charged under women trafficking act on June 5. According to the District Court order on September 5, the accused was sentenced for 1 year.

A complaint against Laxman Singh Dhami, 24 of Lekam Rural Municipality-1 was lodged at District Police Office on December 7 by the victim's family of 19 years woman on charge of attempting to traffick her in India on November 17. She was rescued from Banbasa by the family members. The accused is absconding till the end of this year according to District Police Office.

HEALTH SERVICE STATUS

In this district, there are 2 district hospitals, 40 Health Posts, 7 Community Health Units and 2 Urban Health Units. Two posts for medical superintendents are vacant and three medical officers are at work. There are 45 posts for Health Assistant however 18 are vacant. There are 35 birthing centers. The annual budget of the District Public Health is 22, 8,66,00,00 of which 72, 35,000 are allocated for medicine.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	1	1	2
Sexual Abuse		1	1
Total	**1**	**2**	**3**

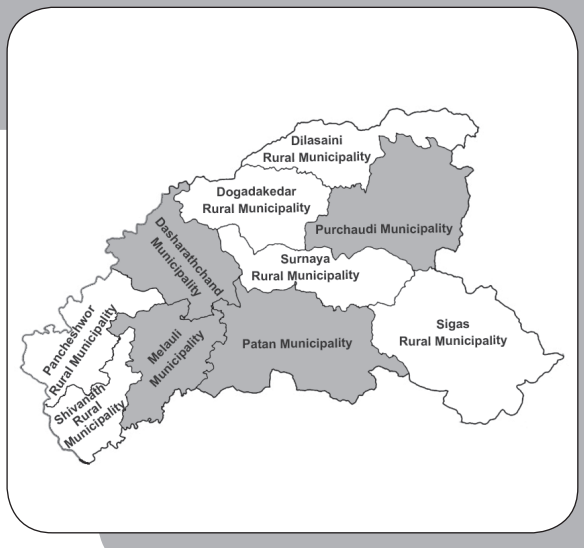
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Attempt to Trafficking	1		1		2
Domestic Violence		12			12
Rape Attempt				2	2
Sexual Abuse				1	1
Total	**1**	**12**	**1**	**3**	**17**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	1	2

7.4 Baitadi



Total Population
2,50,898

Women
1,38,896

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
1,14,355

No. of Migrant Workers
21,039

Population by Disability
7,788

Literacy above 5 yrs (%)
63

Dependent Population
1,27,826

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	7	7			
Beatings				1	1
Child Rights			4		4
Killing			3		3
Racial Discrimination				1	1
Women Rights			47		47
Total	**7**	**7**	**54**	**2**	**56**

In 2016, 1 male and 39 female were victims by non-state actor whereas in 2017, 56 people were victims by non-state actor and 7 by state actor.

THREAT/BEATING

Local Bir Singh Saud was given punishment in presence of locals on December 26 on charge of beating and injuring teacher Ganesh Saud of Purchaudi Municipality-8, Malladehi. The case was settled after the accused was punished according to ward chairperson Janak Bista. He was given a punishment after he accepted that he intimidated the teacher on December 13 while he was returning home from the school. The case was settled after teacher returned back from the hospital receiving treatment. In presence of more than 150 locals in Purchaudi Municipality-8, he was punished by making him sit up for three times. The police was not able to settle the case since two weeks however, it was settled by the ward office in presence of ward chairman. The victim however had lodged a complaint at Purghat Police Office against the accused charging him of intimidation.

JAIL AND DETAINEES

The "B" graded district prison of Baitadi has a capacity to accommodate 25 inmates. However, there are 35 inmates, including 27 convicts and 8 detainees. The prison building is in dilapidated condition and prison is not women friendly. Normally women inmates and detainees are sent to other district. There are two inmates with age more than 60. The prison was built in 1985 and is facing space problem, creating difficulty in management. It is facing security challenges as there is no transportation facilities to take prisoners for treatment.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Nepal Communist Party (NCP) cadre Amar Sarki, 22 of Dogadakedar Rural Municipality-1, Rim, was arrested by the police on November 15 on charge of involving in an anti-election activities. The victim was released on December 9. The victim said that he was arrested because of his affiliation with Nepal Communist Party.

The District Police Office arrested 56 years old teacher Bashudev Bohara, of Kaphalshaini Secondary School at Dilashaini Rural Municipality-1 on November 15 on charge of his involvement in anti-election activities. He was released by police on December 9. The victim said that he was arrested because of his affiliation with Nepal Communist Party.

A team of police from District Police Office arrested Prem Singh Karki, 23 of Dogadakedar Rural Municipality-1, Rim, on November 15 on charge of his involvement in an anti-election activities during HoR and provincial elections. He was however released on December 9. The victim said that he was arrested on charge of his affiliation with Nepal Communist Party.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied. There are 11 civil and 20 criminal cases pending. This year 48 cases were registered in the court.

CHILD RIGHTS

Education Status

In this district there are 417 Primary Child Development Centers, 20 community Centers, 336 Primary Schools, 105 Lower Secondary Schools, 69 Secondary Schools and 54 Higher Secondary Schools. In an initial child development center there are 419 teachers. In Primary level, 330 permanent, 303 temporary and 392 relief teachers are working. The District Education Office provided scholarships to 26417 dalit girls and 16,400 dalit boys from standard 1 to 8. Similarly30 students from conflict victim's family received scholarships. Most of the students of the district are facing crunch in text books affecting their studies.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	3	3
Total	**4**	**4**

This year 3 girls were victims of rape and 1 of child marriage. Last year 2 girls were victims of rape.

Rape, Attempted Rape and Sexual Abuses

The victim's party of 11 years old girl lodged complaint at District Police Office on March 31 against 55 years old Birvan Parki of Lekam Rural Municipality-4, Kharkada, on charge of rape. The accused had raped a girl on March 30 and next day he was arrested by the police. By the court order on May 4, the accused was sentenced for 8 years along with compensation of Rs 20,000 to the victim.

The victim's party of 16 years old girl of Melauli Municipality-1 lodged a complaint at Area Police Office of Patan on July 24 against 18 years old Bharat Ram Luhar of Patan Municipality-1 and 27 years old Manoj Dayal on charge of killing her after rape. The postmortem of the body was conducted at Primary Health Center in Patan. Both accused were arrested by the police on July 25 and by the court order they were remanded in custody on August 17. The case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 81 women lodged complaint at Women and Children Service Center against domestic violence. Out of which 73 cases were settled and 8 were sent for legal proceedings.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	43	43
Rape	2	2
Rape Attempt	2	2
Total	**47**	**47**

This year 47 women were victims of women violence of which 43 were victims of domestic violence, 2 of rape and 2 of attempted rape. Last year 3 women were victims of rape and 31 of domestic violence.

MURDER

A compliant against 25 years old Lokendra Bahadur Bohara of Sigas Rural Municipality-3 was lodged by the victim's family of 35 years old Lalmati Bohara on April 2 at Area Police Office accusing him of killing her on April 1. The postmortem of the body was conducted at Primary Health Center in Patan on April 2. The accused is at large after the incident according to DPO Baitadi.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 18 years old girl lodged a complaint against Min Bahadur Chand, 22 of Shiva Nath Rural Municipality-2 at District Police Office on August 21 accusing him of attempting to murder her after she retaliated the attempted rape on August 18. The victim was injured in an attack and received treatment at local health center. The accused is absconding after the incident and his search is undergoing according to District Police Office.

Ram Bahadur Chand, 52 of Melauli Municipality-2 and a principal at Malikul Sudarshan Secondary School was arrested by the police on July 14 on charge of raping 38 years old woman on January 27. The complaint against him was lodged at District Police Office on January 28 by the victim's family. The victim received treatment at District Hospital on a same day. By the court order on July 14, he was sentenced for 10 years along with compensation of Rs 30,000 to the victim.

Killing by Family Members

The victim's party of 23 years old woman Debaki Kunwar lodged a complaint against victim's husband Devendra Kunwar, 25 at District Police Office on January 11 with support from INSEC district representative and journo accusing him of killing Debaki and immediately performing the final rites. The accused was arrested by the police on January 10 and presented to the court. By the court order on April 19, he was sentenced for 10 years.

ALL KINDS OF CASTE DISCRIMINATION

Raju Rana, a dalit teacher at Shre Krishna Lower Secondary School was expelled from her profession by local people from Non-dalit community on charge of assisting 15 years old Puja Chand of non-

dalit community on eloping with dalit boy Bharat Luhar on February 11. Her husband Karan Rana,34 was also expelled from teaching profession at Hirapur Secondary school on August 27 by the school management committee. He lodged a complaint at District Education Office on August 31. Rana said that he lodged complaint at Rural Municipality and District Police Office as well. After expelling from the school and village, he is currently living in district headquarter with family. The victim lodged complaint against teacher Raj Bahadur Chand,48, Chakra Bahadur Chand,40, Janak Bahadur Chand,50 local vendor Ramesh Bahadur Chand,38 and local Gokarna Chand,45 at District Police Office on September 26 accusing them of setting fire on his house and destroying it on September 21. The accused were arrested by the police on October 8. Student Puja was also arrested by the police after she said that she set fire on the house. The district court of Baitadi released 6 accused on bail amount of Rs 40,000 each on October 31. Puja Chand is in custody of District prison of Kailali. A field study was conducted by INSEC along with human rights defender led by INSEC district representative on October 27. The report stated that the old house of Rana was vandalized and was set on fire after shifting his goods to the new house. Rana complained District Education Office for being silent on the issue of his expulsion. Rana's family are living in District headquarter at present. The accused party is alleging Rana of attempting to traffick Puja however the family denied the accusation. Puja has given her statement in District Police Office saying that she eloped with Dalit boy on her own will.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 2 Primary Health Centers, 65 health posts, 168 Birthing Centers, 338 village clinics and 5 Community Health Units. Out of 5 posts for doctors, 1 is vacant. There is 1 gynecologist. Out of the posts for 60 health assistant 7 remained vacant. Similarly, for the posts of 138 AHW, 19 are vacant. In this district there are 831 women health volunteers. There has been a medicine crunch in this district until the end of this financial year. The annual budget of District Public Health is 17, 58, 18,000 and 86, 60,000 is medicine expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Marriage		1	1
Rape	1	2	3
Total	**1**	**3**	**4**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		43		43
Rape	1		1	2
Rape Attempt			2	2
Total	**1**	**43**	**3**	**47**

Number of Incidents

Type of Event	Closed Case	Investigation	Legal Proceeding	Total
Killing	1	1	1	3

7.5 Dadeldhura

Total Population
1,49,053

Women
80,120

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
60,915

No. of Migrant Workers
11,670

Population by Disability
5,150

Literacy above 5 yrs (%)
65.3

Dependent Population
352006

Type of Events	By Non-State		
	Female	Male	Total
Killing	1	1	2
Women Rights	11		11
Total	**12**	**1**	**13**

In 2016, 49 people were victim in an incident of human rights violation and atrocities whereas in 2017, 13 were victims. This year 11 female were victims of domestic violence were documented. 2 people including 1 woman was killed. Locals complained about the lack of budget in medicine. More birthing centers are needed in the district due to its geographical proximity.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH
KILLING
By Non-state

Human Rights Defender, Sher Bahadur Saud of Koteli Nwaghar, Nawadurga rural municipality was killed by Bhim Bahadur Bhul,24 of the same municipality on February 19 over a dispute on drinking water. On the same day, his body was taken to sub-regional Hospital, Dadeldhura for postmortem. The accused was arrested based on a complaint lodged by the victim's family and case was registered at District Court of Dadeldhura on March 2 after the investigation. The District court ordered to remand him in custody on

March 5. As per the decision on May 25, the court ordered for life imprisonment on March 5. The convict is doing his jail term on District prison of Dadeldhura.

JAIL AND DETAINEES

The "B" graded district prison of Dadeldhura has a capacity to accommodate 25 inmates. However, there are 44 inmates which is two times the capacity of a prison. There are no female inmates due to the bad condition of a prison. Due to the overcrowded inmates, there is problem of management. The inmates and detainees are facing is problem in treatment due to the lack of budget according to the jail administration.

RIGHT TO PROMPT AND FAIR TRIAL

In this district, there is one District Court. The position of judge is occupied. There are 9 civil and 33 criminal cases pending. There are 25 cases forwarded this year from the previous year. This year, there are 64 cases including 39 the cases from this year. The court has already decided 22 cases however 42 are still pending.

CHILD RIGHTS

Education Status

In this district there are 192 elementary and 59 secondary private schools. Out of 745 posts for teachers in elementary school,8 remained vacant whereas out of 141 post for teachers in secondary school,1 remained vacant. This year 18,164 boys and 20,636 girls were enrolled in schools. The District Education Office provided scholarships to 4,051 dalit students from class one to eight. The District Education Office has provided scholarships to 16,528 dalit girls, 14 children from marginalized community,103 disabled children and 1005 children for their secondary level education where. Similarly,23 children from conflict victim's family were provided with scholarship. In this district there are no disabled friendly schools.

ALL KIND OF DISCRIMINATION AGAINST WOMEN

This year 50 women have lodged complaint at women and children service centre. All the disputes were settled in an agreement. Most of the victims of domestic violence have lodged their complaints at Women and Children Service Center seeking for justice. Due to lack of Human Rights education, most of the women from remote area are deprived of their right according to the stakeholders.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	11	11
Total	**11**	**11**

This year 11 women were victims of domestic violence. In 2016, 49 women were victims in similar incidents.

Domestic Violence

Kari Bohara,38 of Khinnebhadeki, Aalitaal rural municipality-7 killed his wife Janaki Bohara on March 26 by using a Sharpe weapon. The accused committed suicide immediately after the killing. The District Police Office, Dadeldhura said that no one has been arrested after the accused himself committed suicide.

HEALTH SERVICE STATUS

In this district, there is 1 sub-regional Hospital,1 Hospital,24 health posts,3 area health centres,2 community health units and 19 birthing centers. There are no gynecologist in this district. There are posts for 24 Health Assistant however, only 22 are occupied. Out of 48 posts for AHW 40 are occupied and out of 39 posts for ANM, 37 are occupied. All 5 posts for nurse are occupied. There are 462 women health volunteers in the district. The annual budget is Rs.4,41,51,000

and Rs.35,00,000 is allocated for medical expenses which is not enough for the population of this district. According to District Health Office, there are lack of medicine. More birthing centers are necessary in this district due to the geographical proximity.

Number of Incident with Status of Legal Proceeding in 2017			
WOMEN RIGHTS			
Type of Events		**Compromise**	**Total**
Domestic Violence		11	11
Total		**11**	**11**
Incidents			
Type of Event	**Closed Case**	**No Legal Proceeding**	**Total**
Killing	1	1	2

7.6 Doti

Total Population
2,14,043

Women
1,19,191

No. of Constituency (HoR)
1

No. of Constituency (PA)
2

Below Poverty Level
1,01,000

No. of Migrant Workers
23,544

Population by Disability
7,302

Literacy above 5 yrs (%)
56.3

Dependent Population
1,12,750

This year 39 people were victims by non-state actor which includs 1 male and 38 female. In 2016, 35 people were victims including 1 male by state actor and 34 female by non-state actor.

JAIL AND DETAINEES

The"B" graded district prison was built during Rana regime. There is no data of its establishment. The prison has a capacity to accommodate 25 male and five female inmates however there are 35 inmates including 30 male and 4 female inmates and detainees according to jailer Yagya Raj Pathak. The prison building is in dilapidated condition and the roof leaks during the raining season. One HA and 1 AHW is provided for their treatment of prisoners. The prison has provided library service to the inmates and detainees however the books are very old and needed updates.

RIGHT TO PROMPT AND FAIR TRIAL

The district has 1 District Court and the position of 1 judge is occupied. Out of 9 civil cases 8 were decided and 1 is still pending. Similarly, out of 40 criminal cases, 31 is decided and 9 are pending. There is 1 civil case older than two years.

Type of Events	By Non-State		
	Female	Male	Total
Child Rights	1		1
Threats		1	1
Women Rights	37		37
Total	**38**	**1**	**39**

This year 50 cases were registered in the district.

CHILD RIGHTS

Education Status

In this district there are 280 Primary Schools, 82 Lower Secondary Schools, 53 Secondary and 33 Higher Secondary Schools. Out of 1575 teachers 1560 are working. In this financial year, 24,390 boys and 26,393 girls were enrolled in the school. The District Education Office said that majority of schools have facilities of toilets however no exact data of child friendly schools were received. There are no disabled friendly schools. Most of the schools in the district are facing text book crunch.

The District Education Office has provided scholarships to 21,184 students from standard 1 to 10. Similarly, 16,264 dalit students and 50 conflict victim students were provided with scholarships. Over all, there are 15 posts vacant for teachers.

Type of Events	By Non-State	
	Female	Total
Rape	1	1
Total	**1**	**1**

This year 1 girl was victim of rape. Last year 2 girls were victims of rape and sexual abuse.

Rape, Attempted Rape and Sexual Abuse

The victim's party of 13 years old girl lodged a complaint at District Police Office on June 9 against Min Bahadur Dhami, 20 of Parshuram Municipality-10 accusing him of rape on May 16. He was arrested by the police on a same day and was presented in the court on November 7. The District Court ordered to remand him in custody and the case is pending till the end of this year.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In this financial year, 21 cases were registered at Women cell under District Police Office against the domestic violence.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	32	32
Polygamy	2	2
Rape	2	2
Women Trafficking	1	1
Total	**37**	**37**

This year 32 women were victims of domestic violence, 2 of polygamy, 2 of rape and 1 of woman trafficking. Last year, 31 women were victims in a similar incidents.

Rape, Attempted Rape and Sexual Abuse

Complaint against 38 years old Rani Bista of Sayal Rural Municipality-4 was lodged at District Police Office on July 30 against rape on 40 years old woman on July 29. The accused was arrested by the police on July 31 and victim underwent health checkup at District Hospital on July 31. By the court order on August 24, he was remanded in custody. The case is pending till the end of this year.

HEALTH SERVICE STATUS

In this district, there is one District Hospital, 2 Primary Health Centers and 49 Health Posts. The annual budget of the District Public Health Office is 5, 99, 00,000 of which 6, 99,290 are medicine costs. There are posts for 3 doctors and extra 2 doctors from Sayaman Organization are working. Similarly, in 2 Primary Health Centers two posts for doctors are occupied. There are no gynecologist in the district. Out of 4 posts of staff nurses, 2 are working. Similarly for the post of 106 AHW, 81 are working and 23 remained vacant. The district is facing shortage in medicine creating difficulties on treating patients.

Number of Incident with Status of Legal Proceeding in 2017					
CHILD RIGHTS					
Type of Events			**Legal Proceeding**		**Total**
Rape			1		1
Total			**1**		**1**
WOMEN RIGHTS					
Type of Events	**Compromise**	**Incomplete**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence	31			1	32
Polygamy		1		1	2
Rape			2		2
Women Trafficking				1	1
Total	**31**	**1**	**2**	**3**	**37**

7.7 Achham

Total Population
2,68,774

Women
1,44,057

No. of Constituency (HoR)
2

No. of Constituency (PA)
4

Below Poverty Level
1,20,931

No. of Migrant Workers
31,015

Population by Disability
8,602

Literacy above 5 yrs (%)
55.7

Dependent Population
1,44,565

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Beatings	1	1		11	11
Child Rights			6		6
Injured				2	2
Killing			2	3	5
Women Rights			6		6
Total	**1**	**1**	**14**	**16**	**30**

Last year 2 male including 16 were victims of human rights violation by non-state actors whereas this year 1 male was victim by state and 30 by non-state actor.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

Sarraswoti Thapa, 25 of Bannigadhi-Jayagadh Rural Municipality-6 and her 1 year old daughter Manisha Thapa were found hanging in their house on May 22. The postmortem of the body was conducted at District Hospital of Achham on May 23. The District Police Office of Achham arrested 27 years old husband Ganesh Thapa on May 24 on suspicion of his involvement in murder. By the District Court order on June 13, he was remanded in custody and the case is still pending.

JAIL AND DETAINEES

The "E" graded district prison of Achham has a capacity to accommodate 80 inmates. There are 24 inmates and 11 detainees of which 6 are women along with 2 dependent child. According to the prison administration, inmates and detainees are provided with sports and library facilities.

THREAT/BEATING

Deepak Prasad Adhikari,50 of Kamalbazar Municipality-7, Phaltane lodged a complaint at Area Police Office on July 1 against Nepali Congress cadres Raj Bahadur Bhandari,35, Hemanta Khatiwada,32, Khadak Bhandari,32 and Khem Bhandari,30 on charge of attacking him with wooden log while he was in his home. The victim underwent treatment at Primary Health Center at Kamalbazar on the same day. Police arrested all four accused. The incident was settled with in the police office in order to avoid possible future confrontation. The victim was mayor candidate from CPN UML.

Nepali Congress cadre Damber Swar,38 of Bannigadhi-Jayagadh Rural Municipality-5, Lidi, lodged a complaint at Area Police Office of Jayagadh on December 6 against CPN UML politburo member Karna Bahadur Thapa on charge of beating. The victim sustained eyes and facial injury. The victim Swar said that the cadres had set fire on the vehicle with registration number 1667. The vehicle sustained damage in an attack.

Bhim Saud, 22 of Mallekh Rural Municipality-7 was injured on December 7 over a dispute on proxy vote at Durga Devi polling center. He was attacked by CPN UML cadre Ekindra Saud,28, Naresh Saud,19, Pushpa Saud,19, Charan Saud,22 in the polling center. He sustained head, eyes and leg injury and received primary treatment at Bayalpata Hospital and further referred to Nepalgunj. Police denied registering the complaint saying that the incident will be settled within the political parties.

CPN UML cadres Janak Kunwar, 38 of Chaurpati Rural Municipality-4, Pushpa Kunwar,24, Naresh Kunwar,24, Bhabindra Kunwar,24, Tilak Kunwar,25 were attacked with beer bottles and stones by the cadres of Nepali Congress on December 12 while they were having food at Hat Bazar in Saphebagar Municipality-3 after joining the victory rally of CPN UML. All injured received preliminary treatment at Bayalpata hospital and were further referred to Nepalgunj medical college in Kohalpur. Police denied registering the complaint as it was politically motivated.

Victims duo Lok Rak Neupane,48 of Ramaroshan Rural Municipality-4, Batulasen and Tarka Raj Neupane,52 of the same place accused ward member Nanda Raj Upadhyaya,32 of the same Rural Municipality of beating them on July 26. The accused was arrested by the police based on the complaint lodged by victims however, he was later released after the agreement between the both parties.

By State

Yagya Raj Dhungana, 33 of Mangalsen Municipality-5 was beaten by the team of policemen from District Police Office of Achham led by SI Padam Bahadur Budamagar,40 on October 16 at Manakamana Hotel in Mangalsen. The victim sustained head, eyes and back injury. On the same day, the victim received treatment at District Hospital of Achham. On October 17 and October 18, both parties were summoned in the office to settle the case however, the victim registered the complaint at District Court on October 19 and the case is pending.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

There was a clash between the cadres of left alliance and democratic alliance at Bajuda in Kamalbazar Rural Municipality-2 on the evening of December 5. In a clash, Gagan Bahadur Khadka,35 of same municipality-2 was injured and he received treatment at local primary center.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court. The position of judge is occupied.

There are 6 civil and 6 criminal cases pending. There are no cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 349 Primary Schools, 76 Lower Secondary Schools, 63 Secondary and 32 Higher Secondary Schools. Out of 993 posts for teachers, 1794 are working and 778 are working as a relief staff. This year 9,162 boys and 4694 girls were enrolled in schools. In this district there are no disabled friendly schools. The District Education Office provided scholarships to 14,513 dalit boys and 14,696 dalit girls. The annual budget of the district is 22, 64, 00,000 of which 10, 15,000 are administrative costs.

Type of Events	By Non-State	
	Female	Total
Child Trafficking	2	2
Rape	4	4
Total	**6**	**6**

This year 6 girls were victims of child rights violation of which 2 of child trafficking and 4 of rape. Last year 1 girl was victim of rape.

Rape, Attempted Rape and Sexual Abuses

Victim's family of 10 years old girl had lodged a complaint at District Police Office on July 1 against 17 years old Karan B.K and Jayandra B.K, 18 of Mangalsen Municipality-13 on charge of rape. Both accused were arrested by the police on a same day. The victim underwent a health checkup at District Hospital on July 2. On July 4, police registered the case at District Court. As per the court order on July 21, the accused were remanded in custody. The case is pending in the court.

The acquaintances of 14 years old girl lodged a complaint at District Police Office (DPO) on September 14 against 24 years old Ramesh Kumar B.K of Jorayal Rural Municipality-1 accusing him of taking girl in a hostile before raping her. On September 19, the accused was arrested by the police from Martadi. The victim underwent health checkup at District Hospital on September 15. On September 22, the accused was remanded in custody by the court order however on October 17, he was released on bail amount of Rs 20,000. The case is still pending in the court.

The victim's party of 16 years old girl lodged a complaint against Deepak Bogati,22 of Mangalsen Municipality-13, Dadigade at DPO on October 22 accusing him of raping her on October 21. The victim underwent a health checkup at District Hospital on October 22. Based on the information, the accused was arrested by the police on October 22. By the court order on November 16, the accused was remanded in custody and the case is still pending.

Khagendra B.K, 22 of Dhakari Rural Municipality-7 raped 10 years old girl on November 15 while she was watching fair in the village. The victim's family lodged a complaint against him at Area Police Office of Dhungachalna on November 16. On November 17, the victim underwent a health checkup at District Hospital. By the court order on October 24, the accused was remanded in custody and the case is still pending in the court.

Child Trafficking

14 and 11 years old girls lodged complaint at DPO on August 29 against Ratan B.K, 32 of Panchadebal Binayak Municipality-4 on charge of raping them before attempting to traffic by pretexting them of good job in India. The victim girls underwent a health checkup at District Hospital on August 29. Based on a complaint lodged by the victims, the accused was arrested by the police from his house on August 30. The District Court ordered to sentence him for three years along with

the compensation of Rs 50,000 to the victim on December 31. The victims were handed over to their family according to police.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

In District Police Office of Achham, total of 47 incidents of domestic violence were registered. Out of the registered cases, 34 are of beatings, 1 of mental torture and 12 of abuses and all cases were settled according to the police.

Type of Events	By Non-State	
	Female	Total
Domestic Violence	5	5
Polygamy	1	1
Total	**6**	**6**

In 2016, 12 women were victims of women rights violation. In 2017, 6 women were victims of discrimination and misbehavior. Among the documented incidents, 5 were of domestic violence and 1 of polygamy.

Rape, Attempted Rape and Sexual Abuses

A complaint against 27 years old Shyam Prasad Jaisi Rimal of Dhakari Rural Municipality-1, 42 years old Shiva Raj Jaisi of the same place was lodged at District Police Office on January 17 by the relatives of 19 and 21 years old victims on charge of attempting to rape them on December 22. The victims underwent a health checkup at District Hspital of Achham on a same day. On January 17, Shiva Raj Jaisi was arrested by the police. Both the accused were beaten by the victim's family. They received treatment at Kohalpur medical college. The accused Shyam Prasad was sentenced for three years by the court order and other relatives involved in a beating were sentenced for 5 years and 6 months by the court order. The remaining accused were acquitted by the court.

HEALTH SERVICE STATUS

In Achham district, there is 1 government and 1 community hospital. There are 72 Health Posts in this district. Out of 4 posts for doctors, 2 are working and 7 are in contract. There is 1 position for gynecologist expert. The post for vaccine supervisor is vacant. Out of 151 posts of AHW, 40 remained vacant and out of 151 posts for ANM, 13 posts remained vacant. Out of the 76 posts for Health Assistant, 61 are working. According to the District Public Health Office, the annual budget of the office is 2, 23, 87,000 of which 6, 00,000 are medicinal expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Trafficking	1	1
Rape	4	4
Total	**5**	**5**

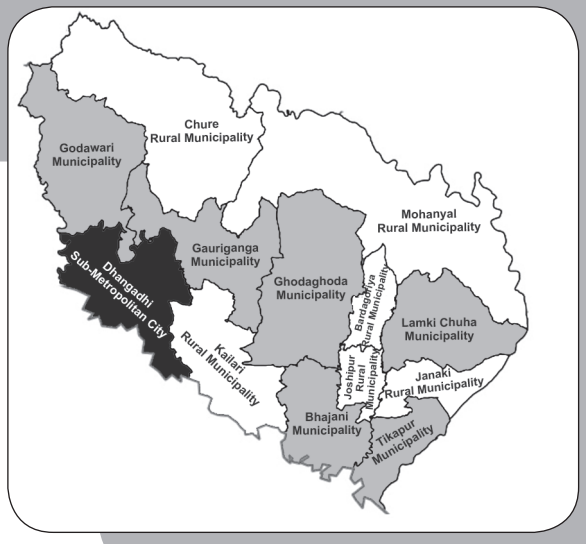
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Total
Domestic Violence		5	5
Polygamy	1		1
Total	**1**	**5**	**6**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	3	4

7.8 Kailali



Total Population
8,50,585

Women
4,41,961

No. of Constituency (HoR)
5

No. of Constituency (PA)
10

Below Poverty Level
2,56,821

No. of Migrant Workers
62,644

Population by Disability
15,378

Literacy above 5 yrs (%)
66.3

Dependent Population
3,52,660

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	8	9			
Beatings				2	1	3
Child Rights				18		18
Inhuman Behaviour					1	1
Injured		1	1			
Killing				2	3	5
Women Rights				201		201
Total	**1**	**9**	**10**	**223**	**5**	**228**

This year 228 people were victims of human rights violation and atrocities by non-state actor were documented. In 2016, 167 victims were documented. The majority of incidents documented this year are related to election. Last year 30 people were victims by state actor whereas this year 10 people were victims. There is an increment in complaint lodging process by women may be because of the raising awareness.

FIRING/ INJURED IN AN EXPLOSION
By State Actor

Birendra Jaisi, 19 of Tikapur Municipality-3, Bhakaraiya was injured after a patrolling police fired a bullet on the night of February 13. He sustained a bullet injury and received treatment in Kathmandu on a same day. Police opened fire in retaliation after villagers attacked them while attempting to arrest wood smugglers.

Nepal Communist Party cadre Chandra Bahadur Singh, 29 of Dhangadhi Sub-Metropolis-12, Jugeda died in a self-inflicted bomb explosion on June 26. He died on the way to the hospital. Nepal Communist Party led by "Bipolb" terrorized locals by operating series of explosions during the election time. Locals were terrified after the incident.

THREAT/BEATING

22 years old journalist Laxmi Jaisi of Bardgoriya Rural Municiaplity-2, his 22 years old wife Durga Jaishi and 50 years old mother Nanda Devi Jaisi were attacked by an unidentified group of people with sharp weapon on the night of November 18. INSEC chairperson Subodh Raj Pyakurel and Far-western regional coordinator of INSEC, Khadga Raj Joshi conducted the field study of the incident on November 19. All victims underwent a health checkup at Kohalpur medical college. FNJ, Press Chautari Nepal condemned the incident and demanded the action against the guilt by releasing a press statement on November 19. The accused involved in an incident could not be identified till the end of this year.

JAIL AND DETAINEES

The "D" graded district prison has a capacity to accommodate 125 inmates. However, there are 367 inmates, including 265 convicts and 102 detainees which includes 19 foreign male inmates. There are 17 female inmates with 2 dependent child. The jail is overcrowded and the administration is facing management crisis.

RIGHT TO ASSEMBLY AND FREEDOM OF SPEECH

Police arrested Birendra B.K of Lamki Cuha Municipality-1 on May 28 and charged him under public offence act on charge of operating ani-election activities in the district. He was released on June 23 by the court order.

Police arrested RJP central member Phoni Ram Chaudhari, 63 and District Chairman Sarita Chaudhary,40 while attempting to padlock the office of the chief polling officer at Kailari Rural Municipality on June 18. Both accused were released by the District Police Office on June 19 in condition of not obstructing the local level election.

RIGHT TO PROMPT AND FAIR TRIAL

In this district there is 1 District Court and out of the posts for 3 judges, 2 are working. There are 273 civil and 297 criminal cases pending. There are 14 civil and 2 criminal cases older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 572 community schools and 348 institutionalized schools. In the community school, 1,40,420 students were enrolled of which 78,889 are girls and 1,40,420 are boys. There are 2974 posts for teachers of which 8 posts remains vacant. This year 1057 Kamlhari children received scholarship, along with 260 children of conflict victim family.

Type of Events	By Non-State	
	Female	Total
Child Marriage	1	1
Rape	14	14
Sexual Abuse	3	3
Total	**18**	**18**

This year 18 girls were victims of child rights violation of which 1 of child marriage, 14 of rape and 3 of sexual abuse. Last year the number was 12.

Misbehavior

Principal of Mordern Era School and former chairperson of PABSON, Kailali, R.C Yadav was misbehaved by Baidhya affiliated Maoist party by smearing black soot into his face on April 30 on charge of breaking the lock of the school which was padlocked by agitating joint students association of the district against the fee hike in private schools.

Rape, Attempted Rape and Sexual Abuses

A complaint against Maheshwor Sharma,17 of Dhangadhi Sub-metropolis-5 was lodged by the victim's family of 3 years old girl at District Police Office on February 28 on charge of rape. The family said that the accused had raped a girl while she was playing near the street at Dhangadhi sub-metropolis-5 on January 27. The accused was arrested by the police on a same day the complaint was lodged.

The victim underwent a health checkup at Seti Zonal Hospital on February 28. By the court order on August 23, the accused was sentenced for 15 years along with the compensation of Rs 100,000 to the victim.

ALL KINDS OF DISCRIMINATION AGANST WOMEN

This year 199 women were victims of women rights violation of which 160 incidents of domestic violence were settled in an agreement, 16 were processed for legal action and in 13 incidents victim were out of contact.

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	4	4
Domestic Violence	196	196
Rape	1	1
Total	**201**	**201**

This year 196 women were victims of domestic violence, 1 of rape and 4 of attempted traffcking.

WOMEN TRAFFICKING

Police arrested Shiva Raj Sanjel and Kamal Chaudhary of Tikapur Municipality-13 on August 9 on charge of attempting to traffick three women of age 20, 24 and 28 pretexting them of good job in India. They were being trafficked through border check post Trinagar of Kailali. The accused were however released later on August 11 after no written complaints were registered against them.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people detonated a pressure cooker bomb in the house of Gokarna Bhatta, a mayor candidate of Maoist Center in Godavari Municipality-1 on the night of June 23. There was no major damage in an explosion and no one was arrested according to DSP Bir Bahadur Buda Magar of DPO.

HEALTH SERVICE STATUS

In this district there are three hospitals which are Malakheti, Tikapur and Seti Zonal Hospital. There are 37 Health Posts and 5 Primary Health Centers. Out of 49 posts for doctors, 24 are working in all three hospitals. There are no gynecologists except in Zonal hospital. Out of 33 posts for staff nurses, 24 are working. The annual budget of the District Public Health Office is 7,14,34044.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Child Marriage					1	1
Rape	3			2	8	13
Sexual Abuse		1	1		1	3
Total	**3**	**1**	**1**	**2**	**10**	**17**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Legal Proceeding	No Legal Proceeding	Total
Attempt to Trafficking			1	1	2
Domestic Violence	188	2	2	4	196
Rape			1		1
Total	**188**	**2**	**4**	**5**	**199**

Number of Incidents

Type of Event	Closed Case	Incomplete	Investigation	Legal Proceeding	Total
Killing	1	1	1	1	4

7.9 Kanchanpur

Total Population
4,84,889

Women
2,58,365

No. of Constituency (HoR)
3

No. of Constituency (PA)
6

Below Poverty Level
1,40,381

No. of Migrant Workers
38,398

Population by Disability
9,072

Literacy above 5 yrs (%)
70.7

Dependent Population
2,08,222

Type of Events	By State		By Non-State		
	Male	Total	Female	Male	Total
Arrest	2	2			
Beatings				2	2
Child Rights			6		6
Killing				3	3
Women Rights			51		51
Total	**2**	**2**	**57**	**5**	**62**

In Kanchanpur 2 people were victims of human rights violation by state actor this year. Last year 4 people were victims by state actor. Similarly, in 2016, 66 people were victims in incidents of human rights violation and atrocities whereas this year, 62 people were victims by non-state actor. The locals of Chandani and Dodhara complained about not getting proper services from the state. Similarly the incident of misbehavior by Indian Security Force on Nepali in Punarbas region were made public.

CIVIL AND POLITICAL RIGHTS

RIGHT TO DIGNIFIED LIFE

KILLING

By Indian Border Security Force

Govinda Gautam, 25 of Punarbas Municipality-5 was shot dead by the Indian border security force on March 9 at Ananda Bazar in Punarbas Municipality-8. The locals had protested and retaliated the armed Indian Security Force after they entered into Nepali land and started to break culvert in Anandabazar. The clash started after the retaliation. The Indian Security Force opened fire

where Gautam was injured. He died on the way to the hospital. The postmortem of the body was conducted at Seti Zonal Hospital on March 10. The locals of Mahendranagar protested and demanded to take action against the guilty and to declare Gautam as a martyr. During the protest, demonstrators vandalized car with Indian number plate (N.C.D 4463) belonging to Birendra Kumar Rai,41 at Bhimdatta Municipality-4 . Similarly they vandalized a motorbike with registration number U.K.S 1365 belonging to Kailash Debal,33. The vehicles sustained damage in the incident. The demonstrators called on strike and the office of District Technical Office was vandalized on March 10 for defying strike. The government decided to provide financial support of 1 million to the victim's family and declared him as a martyr. The final rites of the body was performed on March 12.

Damber Jagri, 25 of Durgathali Rural Municipality-6 of Bajhang district was killed by an unidentified people on March 11, 2017. He was studying at Siddhanath Science Campus at Bhimdatta Municipality-18. His body with slitted throat was recovered from the campus store. He was district member of sister wings of Maoist Center. The incident is under the investigation according to DSP Gyan Bahadur Sethi.

The body of assistant constable Narendra Kunwar, 33 of armed police force was found in the morning at Bhim Datta Municipality-6 on August 22 according to the police. Police said that he might have been murdered while he was returning home after finishing his duty on August 23. The motorbike used by the deceased was found near the canal. Police arrested 28 years old Bhan Bahadur Bista on August 24 on suspicion of his involvement. He was remanded in custody by the district court order.

JAIL AND DETAINEES

The "C" graded district prison of Kanchanpur has a capacity to accommodate 95 inmates. However, there are 250 inmates, including 203 convicts and 47 detainees. There are 20 female inmates with 4 dependent child. The jail is overcrowded by three times than its capacity. The prison building was built in 1966 and it is in dilapidated condition.

THREAT/BEATING

By Indian Security Force

Tika Ram Chapagain, 33 of Belauri Municipality-5 of Shantipur was injured after he was beaten by the Indian Security Force on March 7 in a clash regarding the incident in Punarbas Municipality-8, Anandabazar. The locals were in demonstration against the atrocity from Indian Security Force. He sustained head, chest and back injury. He was rushed to Dhangadhi hospital for treatment and further referred to Kathmandu. He received treatment at Teaching Hospital in Kathmandu.

ARBITARY ARREST

Police arrested Editor Khem Bhandari, 50 of Manaskhanda Daily and executive editor Ganesh Bhatta, 26 on June 17 on the issue of published news. Bhandari was arrested from his office and Bhatta from Bhimdatta Municipality-4, Mahendranagar Bazar. Editor Bhandari said that the arrest may be the result of news published regarding the arrest of hotel operator Kanchan Nath and Puja Nath linking with police. Khem Raj Nath, father of Kanchan had lodged a complaint against duo editors on June 16 accusing them of attempting to assassin the character of his daughter according to DSP Bhim Dahal of DPO. FNJ, Kanchanpur had released press statement and condemned the arrest. Both arrested editors

were released without any condition on June 18.

RIGHT TO PROMPT AND FAIR TRIAL

There is 1 District and 1 High court in this district. Out of the 2 posts for judges, all are occupied. Until the end of this year, 188 civil and 226 criminal cases are yet to be decided. There are 30 civil and 12 criminal cases older than two years.

Similarly, there are 4 posts for judges in High Court of Mahendranagar and there are 4 judges in the bench. Among the cases, 82 civil and 160 criminal cases are pending and no cases are older than 2 years.

CHILD RIGHTS

Education Status

In this district there are 93 Primary Schools, 58 Lower Secondary Schools, 57 Secondary and 50 Higher Secondary Schools. Out of 1898 posts for teacher, 29 remained vacant. This year 71,886 boys and 72,943 girls were enrolled in schools. In this district there are 50 disabled friendly schools. The District Education Office provided scholarships to 11303 dalit girls and 8,754 dalit boys. Similarly, 55 children from conflict victim's family were provided with scholarship.

Type of Events	By Non-State	
	Female	Total
Rape	6	6
Total	**6**	**6**

This year 6 girls were victims of rape. Last year 3 girls were victims of child trafficking, 3 of rape and 1 of sexual abuse.

Rape, Attempted Rape and Sexual Abuse

The Human Rights Watch Committee of the district has drawn the attention of District Police Office of Kanchanpur on May 20 to arrest 40 years old Radheshyam Rana of Belauri Municipality-3 on charge of raping 10 years old girl. The incident of rape was revealed after the girl complained about the stomach pain to her family. She was pregnant according to doctors. The girl revealed that she was a victims of multiple rape since last six months. Complaint against the accused was lodged at police office by the victim's family on May 17 however, police could not arrest the accused. After the attention was drawn by Human Rights Watch Committee of Kanchanpur, CIWIN Nepal and WOREC, team of police was mobilized for his search and rescue of girl according to DSP Bhim Bahadur Dahal. The accused along with the girl is at large till the end of this year.

The victim's party of 17 years old girl lodged a complaint at District Police Office on January 31 against 35 years old Puran B.K and Akash Neupane, 19 of Punarbas Municipality-8 on charge of rape. The accused were arrested by the police on a same day and victim underwent a health checkup at Mahakali Zonal Hospital on a January 31. The accused were presented to the court and court ordered on February 27 to remand them in custody. The case is pending till the end of this year.

17 years old girl lodged a complaint at District Police Office on June 8 against 24 years old Raj Bahadur Dhami of Bhimdatta Municipality-4 on charge of sexual abuse on January 3. The victim underwent health checkup at Mahakali Zonal Hospital on June 8 according to inspector Mohan Saud. The accused was arrested by the police on June 8. He was acquitted by the court on December 25.

ALL KINDS OF DISCRIMINATION AGAINST WOMEN

This year 97 women lodged complaint at Women and Children Service Center against domestic violence. This includes 87 incidents of beatings, 10 incidents of deprivation of food and not reg-

Type of Events	By Non-State	
	Female	Total
Attempt to Trafficking	2	2
Domestic Violence	46	46
Polygamy	1	1
Rape	1	1
Rape Attempt	1	1
Total	**51**	**51**

istering marriage. Out of which, 64 cases were settled by the police and 16 are in a legal process. In 15 cases, the victims did not come into contact.

This year 51 women were victims of women rights violation which includes 46 victims of domestic violence, 1 of polygamy, 1 of rape, 1 of attempted rape and 2 of attempted trafficking. Last year 49 women were victims of domestic violence and 1 each of rape and attempted rape.

Women Trafficking

Maiti Nepal Kanchanpur rescued 2 women from western Simanakagadda Check-Post while they were being trafficked on April 29. According to coordinator Maheshwori Bhatta of Maiti Nepal Kanchanpur, both women with age 22 and 30 were being trafficked in India from Kathmandu in a vehicle with registration number BA3KHA 4168. They were pretexted for marriage by the accused and search for people involved in trafficking are undergoing according to District Police Office of Kanchanpur.

Rape, Attempted Rape and Sexual Abuse

Gajendra Bista, 26 of Bhimdatta Municipality-4 was arrested by the police on October 6 on charge of attempting to rape 38 years old intellectually disabled woman. Locals had informed the police while he attempted to rape woman near the bush at Bhimdatta municipality-9, Sukasal. The victim underwent a health checkup at Mahakali Zonal Hospital on October 6. By the court order on December 17, he was sentenced for 6 and half years and sent for jail term in Kanchanpur prison.

24 years old victim lodged a complaint at District Police Office against Binod Khadka,24 of Beldadi Municipality-3 on December 14 on charge of raping her on December 12. On a same day, the accused was arrested by the police. The victim underwent a health checkup at Mahakali Zonal Hospital on December 13 and the accused was taken into custody. The case is not decided till the end of this year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The local youths of Mahendranagar staged demonstration on March 10 demanding the action against the guilt and declaration of Govinda Gautam as a martyr who died in a firing by Indian Border Security Force. During the demonstration, vehicle belonging to Birendra Kumar Rai with Indian registration number D.L N.C.D 4463 was vandalized by the protestors. They set fire on three other motorbikes heading towards India. Meanwhile, the protestors vandalized the District Technical Office on charge of defying strike.

The cadres of Nepal Communist Party led by Netra Bikram Chand set fire on Indian truck on May 13 on charge of defying strike demanding the release of their arrested cadres. The truck was heading towards Dhangadhi. Similarly, another truck with registration number UA031701 belonging to Munnalal Rawat was set on fire by the cadres on charge of defying strike called on by Nepal Communist party. The truck was completely destroyed by the fire. Search for those involved in an arson attack is undergoing according to District Police Office of Kanchanpur.

An unidentified group of people set fire in Kanchan Bidhya Mandir Com-

munity College in Bhimdatta Municipality-4, Mahendranagar on February 9. An unidentified group of people locked the guard inside the room and set fire in account section. The fire damaged furniture and other physical materials of the college according to Professor Dr Raj Kumar Saud of the college. The search for the people involved is undergoing according to the police.

HEALTH SERVICE STATUS

In this district, there is 1 district hospital, 18 health posts and 3 primary health centers. There are 32 positions for doctors and 8 positions are occupied. There are posts for 58 AHW and all are occupied. One post of gynecologist is occupied. The annual budget is Rs 1, 92, 00,000 and Rs 8, 00,000 is allocated for medical expenses.

Number of Incident with Status of Legal Proceeding in 2017

CHILD RIGHTS

Type of Events	Closed Case	Incomplete	Legal Proceeding	Total
Rape	1	1	4	6
Total	**1**	**1**	**4**	**6**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Attempt to Trafficking			1		1
Domestic Violence		46			46
Polygamy				1	1
Rape				1	1
Rape Attempt	1				1
Total	**1**	**46**	**1**	**2**	**50**

Number of Incidents

Type of Event	Investigation	Legal Proceeding	Total
Killing	1	2	3

Annex 2

Statistics of Human Rights Violations in 2017

Annex 2.1 Incidents and Number of Victims

Type of Events	By State			By Non-State				Grand Total
	Female	Male	Total	Female	Male	M/F N/A	Total	
Abduction								
Abduction				2	16		18	18
Arrest								
Arrest	24	441	465					465
Beatings								
Beatings	20	59	79	40	324		364	443
Child Rights								
Attempt to Kill				1			1	1
Child Marriage				26			26	26
Child Trafficking				16	7		23	23
Corporal Punishment				5	6		11	11
Killing of Newborn Baby				11	3		14	14
Rape				527			527	527
Sexual Abuse				170	11		181	181
Total				756	27		783	783
Death in Detention								
Death in Detention		4	4					4
Economic, Social and Cultural Rights								
Others				1	1		2	2
Relegious Freedom					1		1	1
Right to Own Property				1	7	1	9	9
Total				2	9	1	12	12
Inhuman Behaviour								
For Practicing Witchcraft					1		1	1
Others		1	1	2	7		9	10
Rubbing Soot on the Face				2	23		25	25
Shoes-garlanded					1		1	1
Total		1	1	4	32		36	37
Injured								
Acid Attack					1		1	1
Injured By Bomb Blast				24	46		70	70
Injured By Firing	1	36	37	2	9		11	48
Injured by setting fire				1	1		2	2
Injured by using sharp weapons				4	33		37	37
Injured in Clash		2	2	21	43		64	66
Total	1	38	39	52	133		185	224

Annex 2.1 Incidents and Number of Victims

Type of Events	By State				By Non-State				Grand Total
	Female	Male	M/F N/A	Total	Female	Male	M/F N/A	Total	
Killing									
Beaten to Death					45	42		87	87
By Bomb Blast						1		1	1
By Giving Poison					3	1		4	4
By Hanging					9	1		10	10
By Own Bomb Blast						1		1	1
By Using Sharp Weapons					36	31		67	67
Crushing with Stone					4	4		8	8
Hacked to Death					2	1		3	3
Killed After Rape					21			21	21
Killed by Firing		11		11	3	7		10	21
Killed in Clash					1	1		2	2
Nature of Killing Unexposed						1		1	1
Setting Fire					5	2		7	7
Slitting Throat to Death					1	2		3	3
Squeezed to Death					1	1		2	2
Striking Hammer					1			1	1
Striking Khukuri					4	3		7	7
Striking Lathi					4	5		9	9
Total		11		11	140	104		244	255
Racial Discrimination									
Deprived from Entering in Public Places					3	3		6	6
Deprived from Various Opportunities						1		1	1
Fired from the Job						1		1	1
Intercaste Marriage					4	2		6	6
Untouchability					11	20		31	31
Total					18	27		45	45
Right to Assembly									
Lathi Charge	17	37	32	86					86
Right to Assembly	21	60		81		4		4	85
Total	38	97	32	167		4		4	171
Threats									
Threat		2		2	7	26		33	35
Torture									
Torture	1	6		7					7
Women Rights									
Attempt to Trafficking					73			73	73
Domestic Violence					2733			2733	2733
For Practicing Witchcraft					33			33	33
Polygamy					248			248	248
Lack of Pre & Post Partum Services	2			2					2
Rape					265			265	265
Rape Attempt					122			122	122
Sexual Abuse					44			44	44
Women Trafficking					40			40	40
Total	**2**			**2**	**3558**			**3558**	**3560**
Grand Total	**86**	**659**	**32**	**777**	**4579**	**702**	**1**	**5282**	**6059**

Annex 2.2 Number of Victims by Occupation

Occupation	By State				By Non-State			
	Female	Male	M/F N/A	Total	Female	Male	M/F N/A	Total
Agriculture	12	135		147	1275	222		1497
Business	4	23		27	35	13		48
Civil/Private Service		2		2	9	28		37
Disabled Person					21			21
Engineer						2		2
Health Worker		1		1	6	2		8
Housewife	6			6	2298			2298
Human Rights Activist		1		1	1			1
Journalist	1	11		12	3	23		26
Labour		7		7	125	27		152
Law Professional		1		1		1		1
Police	2	6		8	5	19		24
Political Worker	48	399		447	21	227		248
Prisoner						6		6
Social Worker		2		2	2	3		5
Student	10	38		48	637	77		714
Teacher	1	10		11	5	29		34
Underage					41	8		49
N/A	2	23	32	57	95	15	1	111
Total	**86**	**659**	**32**	**777**	**4579**	**702**	**1**	**5282**

Annex 2.3.1: Incidents and Number of Victims — Province 1

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	5	28	33			
Beatings	1	2	3	4	28	32
Child Rights				171	5	176
Economic, Social and Cultural Rights					6	6
Inhuman Behaviour				3	3	6
Injured		5	5	9	23	32
Killing		1	1	17	26	43
Racial Discrimination				1		1
Right to Assembly					1	1
Threats				1	1	2
Women Rights				353		353
Total	**6**	**36**	**42**	**559**	**93**	**652**

Annex 2.3.2: Incidents and Number of Victims — Province 2

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1	5	6
Beatings	2	7	9	8	33	41
Child Rights				108		108
Death in Detention		1	1			
Inhuman Behaviour				1	13	14
Injured		6	6	19	32	51
Killing		5	5	38	21	59
Racial Discrimination				1	1	2
Right to Assembly	32	70	102		2	2
Threats				3	3	6
Torture		1	1			
Women Rights				423		423
Total	**34**	**90**	**124**	**602**	**110**	**712**

Annex 2.3.3: Incidents and Number of Victims — Province 3

Type of EventS	By State				By Non-State			
	Female	Male	M/F N/A	Total	Female	Male	M/F N/A	Total
Abduction						2		2
Arrest	1	32		33				
Beatings		5		5	5	42		47
Child Rights					205	4		209
Death in Detention		1		1				
Economic, Social and Cultural Rights						2	1	3
Inhuman Behaviour						4		4
Injured	1	18		19	7	36		43
Killing		3		3	24	24		48
Racial Discrimination					1	1		2
Right to Assembly	5	6	32	43				
Threats					1	9		10
Torture		5		5				
Women Rights	1			1	334			334
Total	**8**	**70**	**32**	**110**	**577**	**124**	**1**	**702**

Annex 2.3.4: Incidents and Number of Victims — Province 4

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					7	7
Arrest	4	104	108			
Beatings		5	5	3	40	43
Child Rights				59	3	62
Inhuman Behaviour					3	3
Injured				1	1	2
Killing				7	5	13
Racial Discrimination				2		2
Threats				2		2
Women Rights				659		659
Total	**4**	**109**	**113**	**733**	**59**	**792**

Annex 2.3.5: Incidents and Number of Victims — Province 5

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction				1	1	2
Arrest	13	212	225			
Beatings	6	21	27	12	45	57
Child Rights				148	10	158
Death in Detention		2	2			
Economic, Social and Cultural Rights				1		1
Inhuman Behaviour		1	1		6	6
Injured		5	5	14	24	38
Killing				29	9	38
Racial Discrimination				3	6	9
Right to Assembly	1	21	22			
Threats					3	3
Torture	1		1			
Women Rights				1156		1156
Total	**21**	**262**	**283**	**1364**	**104**	**1468**

Annex 2.3.6: Incidents and Number of Victims — Province 6

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Abduction					1	1
Arrest		47	47			
Beatings	11	18	29	4	90	94
Child Rights				23	5	28
Economic, Social and Cultural Rights				1	1	2
Inhuman Behaviour					2	2
Injured		3	3	2	15	17
Killing		2	2	16	5	21
Racial Discrimination				7	5	12
Right to Assembly					1	1
Threats		2	2		7	7
Women Rights	1		1	247		247
Total	**12**	**72**	**84**	**300**	**132**	**432**

Annex 2.3.7: Incidents and Number of Victims — Province 7

Type of Events	By State			By Non-State		
	Female	Male	Total	Female	Male	Total
Arrest	1	18	19			
Beatings		1	1	4	46	50
Child Rights				42		42
Inhuman Behaviour					1	1
Injured		1	1		2	2
Killing				9	14	23
Racial Discrimination				3	14	17
Threats					3	3
Women Rights				386		386
Total	**1**	**20**	**21**	**444**	**80**	**524**

Annex 2.4 Number of Victims by Type and Month

Type of Events	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Torture	1				5					1			7
Abduction			1		10		3	1	2		1		18
Beatings	11	34	41	25	74	86	14	14	17	13	76	38	443
Death in Detention					1	1		1	1				4
Economic, Social and Cultural Rights			1		2	1	1	1			5	1	12
Killing	27	25	32	16	26	22	19	23	21	15	20	9	255
Arrest		7	1	10	103	115			3		203	23	465
Injured	9	7	10	10	46	36	1		1	34	49	21	224
Right to Assembly			56	7	61	46			1				171
Women Rights	396	388	308	379	350	201	315	310	260	312	256	85	3560
Child Rights	62	68	77	73	83	53	89	69	60	82	32	35	783
Inhuman Behaviour	3	4	8	1		4	2	2	8	1	1	3	37
Racial Discrimination	8	4	3	5	4	9	3	4	3	1	1		45
Threats	3	1	7	1	4	11	1	1	2		3	1	35
Total	**520**	**538**	**545**	**527**	**769**	**585**	**448**	**426**	**379**	**459**	**647**	**216**	**6059**

Annex 2.5 Number of Victims by Caste/Ethnic Group

Castes	By State				By Non-State			
	Female	Male	M/F N/A	Total	Female	Male	M/F N/A	Total
ADHIBASI		6		6	35	7		42
BAISYA		1		1	3			3
BANIYA		10		10	26	3		29
BRAHMAN	23	157		180	543	145		688
CHHETRI	22	142		164	846	212		1058
DALIT	8	77		85	1058	106		1164
GODIYA	1	1		2	4			4
JANAJATI	12	135		147	1305	161		1466
KAYASTHA	1	1		2	1			1
KOIRI	2	7		9	33	7		40
MANDAL	3	25		28	103	9		112
MUSLIM	1	32		33	259	17		276
NEWAR					8	1		9
SANYASI	7	8		15	26			26
TELLI	1	12		13	52	10		62
YADAV	4	40		44	140	15		155
N/A	1	5	32	38	137	9	1	147
Grand Total	**86**	**659**	**32**	**777**	**4579**	**702**	**1**	**5282**

Annex 2.6 Destruction of Property

Property Type	Total
Bank	1
Civil Aviation Office	1
College	2
Communication Sector	2
Cooperative Building	1
District Forest Office	1
Government Offices	8
Government Vehicles	11
Municipality	3
Police Post	2
Political Party Office	7
Private Home	7
Private Offices	4
Private Property	7
Private Vehicle	109
School	7
Total	**173**

Annex 2.7 No. of Inmates in Jail at the End of 2017

	Number	District	Category	Capacity	Numbers In Jail					Dependent		Death
					Detainees	Convicts	Total	Male	Female	Boys	Girls	In Prison
Province 1	1	Taplejung	E	25	22	75	97	75				
	2	Sankhuwasabha	D	25	34	71	105	98	7			
	3	Solukhumbu	E	25	20	49	69	65	4			
	4	Okhaldhunga	D	25	11	47	58	49	9	1		
	5	Khotang	E	99	22	77	99	90	9	3		
	6	Bhojpur	D	25	17	79	96	90	6			
	7	Dhankuta	E	40	5	49	54	49	5	1		
	8	Terathum	E	35	70	18	88	81	7			
	9	Panchthar	E	25	26	93	119	105	14	1	1	
	10	Ilam	D	125	54	198	252	234	18			
	11	Jhapa	B	300	364	464	828	729	63	2	1	
	12	Morang	B	300	237	497	734	673	61	6		13
	13	Morang (CRC)					77	77				
	14	Sunsari	B	1600	422	981	1403	1403				
	15	Udayapur	E	50	81	56	137	129	8			
Province 2	1	Saptari	D	125	105	182	287	271	16		1	
	2	Siraha	D	150	154	174	328	305	23			1
	3	Dhanusha										
	4	Mahottari	B	135	267	154	421	381	40	1		
	5	Sarlahi	D	100	No Inmates And Detainees							
	6	Rautahat	B	100	92	78	170	161	9			
	7	Bara										
	8	Parsa	B	700	607	605	1212	1110	102	1	1	
Province 3	1	Dolakha	NO GRADE	17	35	54	89	89				
	2	Sindhupalchok										
	3	Rasuwa	E	25	25	80	105	99	6			
	4	Dhading	B	150	143	71	214	196	18	1	1	
	5	Nuwakot	D	80	38	111	149	133	16		1	
	6	Kathmandu (Center)	A	1500	736	824	1560	1560				
	7	Kathmandu (Bhadra)	A	500	228	425	653	653				
	8	Kathmandu (Dillibazar)	A	300	266	319	585	585				
	9	Kathmandu (Women)	D	300	168	168	336		336	5	5	
	10	Bhaktapur (CRC)	C	150	38	100	138			132	6	
	11	Lalitpur	A	600	325	475	800	800				
	12	Kavrepalanchok	D	61	134	114	248	248				
	13	Ramechhap	D	200	26	245	271	265	6			
	14	Sindhuli	D	35	23	72	95	89	6			
	15	Makwanpur	B	1200	304	511	815	815				
	16	Chitwan	E	255	288	309	597	541	56	5		

	Number	District	Category	Capacity	Numbers In Jail					Dependent		Death
					Detainees	Convicts	Total	Male	Female	Boys	Girls	In Prison
Province 4	1	Gorakha	E	55	31	69	100	92	8			
	2	Manang	No Grade			9	9	9				
	3	Mustang	E	25	7		7	6	1			
	4	Myagdi	D	32	21	61	82	78	4			
	5	Kaski	D	100	162	519	681	627	54			
	6	Kaski (CRC)					53	53				
	7	Lamjung	E	25		75	75	69	6			
	8	Tanahu	D	25	40	68	108	108				
	9	Nawalparasi-East										
	10	Syangja	E	50	41	65	106	100	6			
	11	Parbat	E	60	24	54	78	74	4			
	12	Baglung	E	25	12	70	82	70	12	1	1	
Province 5	1	Rukum-East										
	2	Rolpa	D	50	15	55	70	70		1		
	3	Pyuthan	D	25	34	43	77	77		2		
	4	Gulmi	D	25	7	52	59	52	7		1	
	5	Arghakhanchi	E	25	11	22	33	32	1			
	6	Palpa	C	300	58	228	286	218	68	3		
	7	Nawalparasi-West	E	130	200	179	379	317	62	2	2	
	8	Rupendehi	C	100	330	104	434	434				
	9	Kapilbastu	D	300	91	225	316	315	1			
	10	Dang (Ghorahi)	C	50	77	132	209	209				
	11	Dang (Tulsipur)	C	450		266	266	243	23	1	2	
	12	Banke	C	300	288	357	645	586	59	2		1
	13	Bardiya	C	125	80	181	261	247	14		1	
Province 6	1	Dolpa	E	25	3	9	12	12				
	2	Mugu	D	15	Prison Building In Construction Process							
	3	Humla	D	25	Prison Building In Construction Process							
	4	Jumla	D	180	7	40	47	43	4			
	5	Kalikot	D	25	11	340	351	348	3	1		
	6	Dailekh	D	80	19	103	122	113	9	2		
	7	Jajarkot	D	10	16	38	54	54				
	8	Rukum-West	D	25	15	68	83	75	8	2		
	9	Salyan	D	20	39	39	78	69	9	1		
	10	Surkhet	E	25	23	152	175	158	17		1	
Province 7	1	Bajura	E	25	11	23	34	34				
	2	Bajhang	E	25	9	42	51	51				
	3	Darchula	D	40	9	37	46	45	1			
	4	Baitadi	B	25	8	27	35	35				
	5	Dadeldhura	B	25	8	27	35	35				
	6	Doti	B	30	4	30	34	30	4	1		
	7	Achham	E	80	11	24	35	28	7	2		
	8	Kailali	D	125	102	265	367	339	28	2		
	9	Kanchanpur	C	95	47	203	250	231	19	4		
Total				**12559**	**7258**	**12126**	**19514**	**18166**	**1290**	**55**	**19**	**15**

Annex 3

Views of Political Parties on Human Rights Situation in 2017

CPN-UML

In perspective of human rights, the year 2017 was not that satisfactory. In some situation, significant achievement was gained however in other instances, the human rights situation was very challenging.

1. Along with the endorsement of Nepal Constitution in 2015 September, the base is established to institutionalize democratic good governance, political stability, sustainable peace and economic prosperity in the country. The process of building economic, social and cultural transformation and lawful society has begun along with the end of all kinds of discrimination and promoting equality, human respect, identity and opportunity ensured by the constitution. By the implementation of constitution, a historical opportunity to guarantee fundamental rights is created for Nepalese citizen.
2. During the process of implementing constitution, last year, historical election of local level, provincial and HoR were held. In overall, the election was held in a peaceful environment, apart from incidents on abuse by state authority and some violent incidents. The exuberant participation of people in the election process along with governing bodies getting their representatives through people's verdict are some significant achievement of this year. The local levels were vacant for a long period and this election had added excitement among citizens and for the first time in our history, all seven provinces exuberantly waited for new government in their local bodies. By gaining almost 2/3 majority in House of Representative by the left alliance has raised the opportunity to end the long instability, political turmoil and foreign intervention in the country. We believe that holding all three levels election, as a base for the implementation of constitution, through people's verdict along with ending long run transitional period are the major achievement of this year.
3. Nepal is a state party of 39 human rights related international treaties along with 7 conventions. After the approval of conventions, new constitution, laws, policies and action plans are formulated to localize it. The implementation of fourth Human Rights Action Plan, provision of human rights cells in Nepal Police and security units on the issues of women and children, their rights, privacy, child bench, compensation against torture, acts against gender violence, untouchability , inclusion and provision on the issues of social justice and equal participation are some positive aspect.

4. Candidates were targeted with bombs during the election process. In Dolakha, Bajura including other districts, the opposition's cadres were killed by terrorizing people with a series of explosions affecting the whole election process. The state itself violated election code of conduct in many instances. Incidents like ministers participation in election assembly mishandling state's fund, change in minister cabinet targeting election, transferring of staffs, depriving staffs from their right to vote have definitely dis respected the political rights as well as the deprivation of citizen's right.
5. Freedom of doing business/profession, freedom of commuting, affiliating with organization, participating peacefully in assembly and demonstration, freedom of speech and "Mechi Mahakali Campaign" of Nepal Communist Party (UML) were seriously obstructed in province number 2. On March 6 in Rajbiraj, the state opened fire killing five civilians during the assembly of CPN UML. The government failed to protect the right to perform peaceful political activities. The behavior of some of the party was very undemocratic and anarchy.
6. The victims of armed conflict are still waiting for justice despite of the formation of TRC and CIEDP. Even after their formation three years ago, conflict victims are still waiting for justice and reparation.
7. More than fifty thousand civil organizations are working on social, cultural transformation, economic prosperity, civil empowerment for protection of people's right and promotion in the country. However, their roles are being shrunk. The central government itself is not clear on policies and law to manage these civil organizations.
8. The multi dynamic poverty index has shown that in Nepal, more than 26% people are in poverty. Especially, in province number 2 and 6 , the poverty level is high. According to the world starvation index analysis, Nepal is in 44rth place. The right to food is a basic fundamental rights of people provisioned by the constitution, however, huge part of the population are still deprived from this right. The poverty level is high among Dalit, marginalized and backward community along with some parts of far-western and Karnali region. The state's role could not be effective to address these issues.
9. The issues of earthquake victims are not being properly addressed by the state. Victims are still compelled to live under the tent even after three years of its devastating impact. The reconstruction work could not be expiated due to the continuous intervention in National Reconstruction Authority. The issue of flood victims in Terai are still the same. The state seems insensitive on serious issues when its citizens are dying due to diarrhea, viral fever and other natural calamities. The issue of landless people remains same.
10. The constitution of Nepal has ensured the basic rights of its citizens for free and compulsory education up to elementary and secondary level. Apart from that, there is special provision in constitution for Dalit and differently abled people.

    Despite of all these provisions, still many children are out of the access to schools and dropping rate from schools are getting higher making this issue more critical.
11. The achievement gained in mother and infant mortality rate is positive. However, due to the shortage in free medicine, question on its quality, lack of management in government hospital has severely affected the health

services. The health organizations and hospitals in rural part of the country are facing shortage of health professionals.

12. The continuity of youth going for foreign employment is increasing day by day due to the unemployment and insecurity in the country. No significant step has been taken for the security, respect and rights of such youths. Their contribution on remittance has hugely supported the economy of the country, but no step is taken for the security of their life, their family and children after their return. The minimum wages of peasant is not determined. The inequality rate is increasing due to the imbalance between employer and laborer.
13. Constitutionally, the women rights provision is positive. Provisions such as women participation in politics, equality in property, especial provision in service entry, service security are implemented. However, the situation of women violence is critical. Women are becoming more victims in incidents of human rights violation. They are mostly the victims of physical and mental exploitation, cultural exploitation, trafficking, Chaupadi, sexual exploitation, sexual violence, violence at work place and abortion resulting their poor health, increase in mother mortality rate, decrease in literacy, dropping off from school, education and employment opportunity. Such situation shows that their rights are not guaranteed in terms of social justice and equality rights.
14. Study shows that 33.9% of children are in child labor and about 6, 20,000 children are doing very risky labor work. Majority of such children are still involved in domestic, entertainment and industrial sector as a laborer, especially in urban and Terai-Madhes region. In Himali and Pahadi region, they are working as a porter.
15. The constitution has ensured the rights of the citizens stating that no citizens will be discriminated based on caste. However, the discrimination on Dalit community and social discrimination still prevails in the society. The human development index of Dalit community is only 0.434. The constitution has special provision for the rights and social justice of Dalit. In representation system, there is a special provision for Dalit community for their participation in local level and proportionate polling system however, there are lot to do for the self-dignity of this community, social equality and prestige.
16. There is a special provision regarding the fundamental rights of person with disability as per equality and indiscrimination principle. However, their issues are not being addressed by the state through right oriented concept. There is lack of physical infrastructure, resources and special education and facilities for this community.
17. The prevailing corruption is a big challenge which is obstructing the rule of law in the country.
18. There is a continuity of giving political shelter to the criminals and those involved in human rights violation. Difficulties on implementing court verdict, lack of implementation of NHRC recommendations still prevails. The government has failed to implement the recommendations on investigation and compensation against the complaint received on human rights violation and atrocities. In order to respect human rights, state must address all these issues and play an important role to implement it.
19. Human rights is equally linked with human responsibility and dignity as well. All state bodies and person must accept the principle of human rights practically. There is an important role

of civil organization to protect and promote human rights. This is why, the government must create a favorable environment for state, civil organizations and private sectors in order to face the above mentions challenges.

Pradeep Gyawali
Secretary, Central Secretariat

Nepali Congress

Nepali Congress heartily praises the continuous effort and contribution of Informal Sector Service Centre (INSEC) in protection and promotion of Human Rights by publishing "Human Rights Year Book" with the accumulation the overall human rights situation of the country since 1992. This publication will definitely play positive role on minimizing the incident of Human Rights violation.

The human rights situation of 2017 is not significantly positive as compared to 2016. Along with beginning of the year, the country was heading towards reconstructed local level election as per the new constitution and series of explosion, arson attack and election related violence were operated by those political parties boycotting the election whereas CPN UML including other parties were active on attacking, abducting, depriving of being candidate, threat, beating, torture to candidates, local leaders and cadres Nepali congress.

Activities like detonating bomb near the election assembly of President of Nepali Congress and Prime Minister She Bahadur Deuba, attack on the vehicles of Party's central officials and members and attempted killing was rampant during the election period.

On 28 November, a bomb was detonated near the election assembly of Nepali Congress in Tulsipur of Dang which was being addressed by Prime Minister Sher Bahadur Deuba. In an explosion temporary policeman Binod Chaudhary died along with serious injuries to seven other people. Similarly, a cooker bomb was detonated targeting the vehicle of Nepali Congress leader Ram Chandra Paudel at Bhanu Municipality in Tanahu. The vehicle of Nepali Congress general secretary Dr Shahanka Koirala was set on fire and destroyed during the election assembly in Nawalparasi constituency number 1. Similarly,the vehicle of Ram Sharan Mahat, HoR candidate for constituency number 1 of Nuwakot was attacked with pressure cooker bomb on November 10. In the incident, Upendra Mishra, Bhesh Kumar Tamang, Sabin Lama, Ramesh Rai including cadres of Nepali congress were injured. Similarly, in Solukhumbu HoR candidate Bal Bahadur KC and Prakash Singh Karki, a provincial candidate of the same constituency number 1 were attacked by hurling stones by the cadres of left alliance leaving more than half dozens of cadres injured. Nepali Congress Party member and candidate Gagan Thapa for the constituency number 4 in Kathmandu was targeted with bomb in Chapali of Budanilkantha leaving him injured along with 10 others. A bomb was planted in the house of Nepali Congress HoR candidate Bhimsen Das Shrestha in Thamle with the objective of terrorizing locals. In a similar incident, the house of Pradeep Paudel, candidate of Nepali Congress was attacked with bomb. Nepali Congress HoR candidate Uddhav Thapa's vehicle was damaged after bomb was exploded. Another bomb was attacked in the vehicle of Nepali congress HoR candidate for constituency number 2, Nawalpur, Bishnu Kurar Karki by a violent group of left alliance cadres. The same group controlled the vehicle of Nepali Congress local leader Raj Kumar Dhungana and other five cadres and attempted to attack them when they were on the way for election campaign in ward number 2, at Cimsakhugadhi in Okhaldhunga. On

November 29, Nepali Congress candidate Narayan Bahadur Karki for constituency number 2 was critically injured in a bomb attack in Udayapur. In a same incident Neera Katuwal, Dhanamaya Dhaulakoti, Rajan Karki including 3 others were injured. The vehicle of HoR candidate Dr Narayan Khadka of the same constituency was attacked with bomb on November 28.The house of Krishna Prasad Sitaula, HoR candidate for constituency number 3 of Jhapa, was targeted with bomb.

During the local level, HoR and provincial election period, Nepali Congress cadres and leaders were targeted by CPN UML throughout the nation. In Budhiganga Municipality-1 of Bajura more than 4 dozens of UML cadres attacked cadres of Nepali Congress with sharp weapons on November 23. Among them, Krishna Bahadur Thapa, Amma Thapa, lalit Thapa, Gopal Thapa, Gore Sanail and Lal Nepali including others were seriously injured. In Dhading, party president of village committee Santosh Bastakoti was attacked with Khukuri while he was sleeping. The cadres of UML operated violent activities in local level election by depriving right to vote of citizens. Activities such as such as capturing booth and attempted abduction continued. In Sulipipalchaur High School polling center at Jayaprithvi Municipality ward 7 in Bajhang, Baidhyanath Secondary School polling center in Acham and Chandrodaya, primary school polling center in Sanphebagar, the UML cadres captured the booth and casted monopoly vote.

It is the fundamental rights of people to cast their vote in a peaceful environment. In 2017, terrorizing locals and even government bodies continued in the name of left alliance through out the election process.

Despite of all these activities, the country is heading towards new chapter and the achievement gained must be taken positively. In order to minimize human rights violation incidents in 2018, governmental bodies, NHRC, rights organizations, civil society and all concerned authority must be alert and responsible.

Krishna Prasad Paudel
Chief Secretary

CPN Maoist Center

We are happy that INSEC is going to publish "Nepal Human Rights Year Book" this year by giving continuity to the previous year.

Our party believes that the present situation is the continuous phases in development of human rights from the beginning of the peace process, endorsement of constitution till its implementation and we adopt this norms.

Constitution is the formal document of human rights. Along with the announcement of federal democratic Nepal, the Nepalese society has gone through transformation. The constitution has adopted the concept and maintained competitive multiparty democratic governance, civil freedom, fundamental rights, human rights, voting rights, periodic election, and press freedom along with free and fair trial.

The year 2017 became meaningful year in context of implementation of constitution after its endorsement. Local level, federal and parliamentarian election was held in this year. The exuberant participation of people in the election, holding of election within the time frame and Nepali citizens being aware on civil and political rights is the symbol of concern. The election has further guaranteed the human rights of its people. The proportionate representation and inclusion has become the part of democracy.

There are many indexes to measure human rights situation. Among them, right to express, freedom of assembly, press freedom, election and fun-

damental rights like food rights, clothes, shelter, situation of corruption, transparency are some of the important indexes. By looking at these indexes, there is no situation of being satisfied or even dissatisfied.

There were no significant improvement in reduction of corruption and issues of transparency remained same as in the last year. However, there were some improvement in right to speech and freedom of assembly. The judiciary could not be free from politics and the situation of prison could not be improved despite of few exception. The voices of marginalized still could not be the major agenda of the state.

This year is supposed to be the year of justice reconciliation. But, the commissions formed for the transitional justice could not expedite the progress resulting the criticism of both the commission and their credibility.

It is disappointing that even this year, the victims of earthquake could not get shelter. They were compelled to live under the tent in this winter too. More than four dozens of people lost their lives in deprivation of food, shelter and clothes during this period. Similarly, dozens of people lost their lives due to *sitlahar* in Terai. There were no significant development on guaranteeing Economic, Social and Cultural rights of citizens and without ensuring ESC rights, it is impossible to guarantee Human Rights. This year no appropriate laws on fundamental rights of people were formulated as provisioned by the constitution. Nepal has shown its commitment in an international level on various conventions including Universal Declaration on Human Rights (UDHR) which is a cornerstone in human rights sector. But, the issue of Human Rights is not only to guarantee personnel freedom or security, but it is also the issue of national security, freedom and prosperity. The human rights issue of a person remains incomplete without the prosperity, security and freedom of community and overall nation. So in this context, it is essential to establish human rights in form of rights of person, community and nation and we would like to draw attention of INSEC to initiate this issue from its part.

Evaluating the year 2017 in human rights perspective, the year is taken as the beginning of implementation of constitution and the year initiated to establish the people's right achieved through their long run struggle and sacrifice. So, this year is taken as a year with a hope on ensuring human rights. Due to some political reasons, human rights sectors were affected this year and the situation is not completely satisfactory.

The politics of the country is a main base for guarantying human rights to its people. The human rights of the country will progress only when politics completely adopts the main stream of democracy. We believe that Nepal will significantly develop in human right sector in coming days.

Pralhad Budathoki
General Secretary, Central Office

RJP Nepal

It is praise worthy that INSEC is publicizing Human Rights Year Book annually and we are happy that this year too it is giving continuity to this. We would like to thank INSEC for including RJP view on human rights situation of the country in this book.

"Human Rights" is a right to life, freedom, equality and discipline of a person provided by the constitution and other laws. The National Human Rights Commission was established in Nepal as a constitutional body. As per the section 2(F) of the commission's act 2068, the promotion and protection of human right is also one of the fundamental norms of

democratic governance system. Rastriya Janta Party Nepal (RJP) is always aware on human rights and it has given high priority to the human rights of the people because the promotion and protection of human rights paves the way forward to peace and development.

Nepal has shown its commitment on human rights in an international level by being a state party on various 39 international treaties and conventions regarding human rights, humanitarian law and international labor organization. At the same time, rights of senior citizens have been provisioned in constitution and law. It is important to inform all party about the rights provided in these international and national documents. However, in this context, the human rights situation is not that satisfactory in our country. Political instability, economic failure, lack of awareness, abuse of authority and ill-practices are some of the reason behind it.

The transition period of Nepal is being developed as a favorable environment for promoting impunity and against human rights. The recently endorsed constitution has also provision for the protection and promotion of human rights however, this is not enforced practically. There has been no reduction in incidents of violence, killings, loot, rape and social and political discrimination. The enforcing body itself is active on violating human rights. State terror is prevailing. Innocent unarmed citizens are being victims of state and everywhere there is a terrorizing situation and in this situation, Human Rights Commission is seems to be paralyzed. In this context, it is easy to speculate the human rights situation.

If we look back the past, state has gravely violated human rights motivated by political prejudice in the name of controlling political leaders and their cadres. The leaders and cadres of opposition party were arrested, alleged and beaten by state party. The government failed to control criminals and have failed to establish legal state. Incidents of human rights violation increased due to the social and political discrimination. The Human Rights Commission has failed to publicize any of these investigative report.

In fact, the year 2017 was not satisfactory in human rights point of view. There was no positive achievement gained on human rights sector. The government must compulsorily enforce to publicize the report of NHRC or any other investigating commission. All party must show equally responsibility for developing awareness on protection and promotion of human rights and this is today's necessity.

The human rights situation will never improve unless the state is sensitive towards the sovereignty rights of its people. Unless and until, there is no faith on state's law, there is no possibility of improvement in human rights sector. Rastriya Janta Party (RJP) Nepal appeals that state and people involved in politics and human rights sector to be aware on protection and promotion of Human Rights.

Kaushalendra Mishra
General Secretary

Annex 4

Views of Institutions on Human Rights Situation in 2017

National Human Rights Commission

Every year Informal Sector Service Center (INSEC) is publicizing Human Rights Year Book by highlighting the incidents of Human Rights violations and atrocities through it by making concerned stakeholders responsible on their role. This year too, the book is going to be publish with the documentation of incidents of human rights violation by state and non-state actor. I would like to extend my best wishes for its success and continuity.

No civilized state can be imagined without the development of human rights culture. It is important that the stakeholders must be alert and active regarding this issue. The state plays a vital role and has liability for the promotion and protection of human rights. The state cannot step back from the commitment that it makes. It is the role of NHRC and human rights organizations to make state responsible by watching whether it is full filling its commitment made or not within its liability.

Nepal has ratified many international human rights treaties ad conventions. The constitution and laws have given especial priority to the issues of human rights. The national Human Rights Action plan has been made and the task is being carried out by making subjective mechanism for its proper implementation. The formulation of Acts of various Commissions related with Human Rights also passes positive message to those community. Constitutionally, the election of local level, provincial and HoR were held on stipulated time.

Despite all above mentioned positive efforts, holistically Human Rights situation is not satisfactory. There is no law for implementation of Fundamental Rights. Due to the lack of amendment of existing laws as per the direction of Supreme Court and lack of skilled manpower, the issues of victims could not be addressed through transitional mechanism. Though the decision was made to extend the time period of TRC and CIEDP through the ordinance, yet there is no strong bases to assure that victim's issues will be addressed. The prevailing of issues relating to foreign employment, Chhaupadi, untouchability, domestic violence and caste based discrimination are still creating hindrances on assuring the presence of Human Rights in the country. On the other hand delay from the government on submitting report to Human Right treaty committee bodies is giving negative message about the government in an international arena.

Being a national entity on Human Rights, the commission carries out its activity on protection of human rights based on the provision defined by constitution of Nepal, Acts and strategic plan. The Commission is giving priority

to its motto on" Home for everyone- Human rights inside home: base of peace and development" while carrying out its activities. In this financial year, 210 cases of Human Rights violations are registered in the commission. Likewise, 350 cases relating to human rights issues were monitored. The commission has investigated on 220 complaints made and of which 210 were decided. Total of 369 tasks were carried out on promotion of Human Rights. In this period NHRC brought 15 publication, 37 press releases, 13 press notes along with 2 press confrence. Commission has participated as an expert/resource person on 404 programs organized by different organizations. On the same note, commission is giving continuity on its publication and producing short feature films etc.

In order to help government and concerned stakeholder on formulating laws, commission is carrying out the task of revising laws from the perspective of human rights and forwarding it to concerned agencies. The act of signing an agreement on MoU regarding migrant worker by Human Rights Commission of Nepal and Qatar can be taken as a remarkable achievement. The Commission is doing collaboration and coordination among national and international stakeholders to develop human rights culture.

In spite of above mentioned achievements commission is not free of challenges. Impunity has become one of the big challenges in present context. There is continuity in politicalizing crime and criminalizing politics. Commission is compelled to carry out its activities despite of non-implementation of the recommendation provided by the commission, lack of support from the government, absence of laws, delay on renovation of commission's building after the devastating Earthquake etc. Commission is always pushing government and concerned stakeholders to address the above mentioned issues. Regardless of various challenges facing by the commission, it is trying to address the voice of people from all geography, area, language, culture, class and community.

Lastly, best wishes for the success of Year Book and wishes for the remarkable organizational role for the protection and promotion of human rights. Greetings !

Mohana Ansari
Member/Spokesperson, NHRC

Ministry of Home Affairs

The Human Rights situation of the country in 2017 is satisfactory as compared to previous year. This year some incidents, in context of election related violence were reported however there were no significant incidents reported on Human Rights violations. As per the provision in constitution, local level election act, provincial assembly election act, federal election act, National Assembly Election act and manuals were formulated to hold election in stipulated time and all three levels of election were held in a peaceful and fearless environment. This has provided an opportunity to its citizen to fully entertain their political rights.

The commission is formed to investigate and publicize the fact related to incidents during election. It has already started its work on it. Madhes Commission is formed to investigate the incident of Madhes movement and the commission has already submitted its comprehensive report.

By holding all three levels of election in a peaceful and fearless manner by ending long transition along with state's policy on sustainable peace, stability and inclusion, the year 2017 became an important and successful year in view of human rights promotion.

Ishwor Raj Pandey
Assistant-secretary

Ministry of Foreign Affairs

We are pleased to learn that Informal Sector Service Centre (INSEC) is publishing the "Nepal Human Rights Year Book" for the year 2017.

The Constitution of Nepal has laid down a comprehensive set of fundamental human rights. As a State party to twenty-four international human rights related instruments including seven out of nine core Conventions and an active member of the United Nations, Nepal remains unequivocal in its commitment towards the protection and promotion of human rights. This commitment is reflected in the wide range of domestic legislative, institutional, policy and administrative measures that the country has taken in this regard over the years.

The Rt. Hon'ble Prime Minister in his address to the seventy second session of the UN General Assembly emphatically stated that "All human rights are universal, indivisible, interdependent and interrelated and should be accorded equal emphasis including the right to development. The Constitution of Nepal accommodates aspirations of all of its citizens. It guarantees a comprehensive set of internationally recognized human rights and fundamental freedoms. We are fully committed to the promotion and protection of those rights and their full enjoyment by our people."

Despite being a least developed country and concomitant constraints attended to it, Nepal remains steadfast in its reporting obligations to the treaty bodies under various international conventions to which Nepal is a party. Nepal transmitted its reports under the International Convention on the Elimination of All Forms of Racial Discrimination and Convention on the Elimination of All Forms of Discrimination Against Women in 2017. Nepal's periodic report under the Convention on the Rights of Persons with Disabilities is being considered by the Committee in February this year. Nepal's commitment to human rights and the international community's recognition to it is reflected in Nepal's election to the United Nations Human Rights Council for the term 2018-2020.

Having been elected to the Governing Board of the International Labour Organisation (ILO) and assuming the Chair of the Colombo Process Nepal strives to the protection and promotion of universally-recognized human rights as well as applicable labour rights of migrant workers. Ministry of Foreign Affairs and the Nepali Diplomatic Missions abroad continue to provide consular and legal services to the migrant workers and facilitate the safe repatriation of trafficked, exploited, sick, or stranded Nepali citizens.

The Ministry of Foreign Affairs remains constructively engaged with the international human rights mechanisms, and continues to implement the Fourth National Action Plan on Human Rights and the recommendations made by the National Human Rights Commission falling under its purview.

Finally, the Ministry wishes every success to INSEC on the publication of Human Rights Year Book 2018.

National Women Commission

The National Women Rights Commission was established on March 8, 2002 by the executive decision of the then government with the objective of protecting women's right and maintaining gender justice. In 2006, the women rights commission act was made and has been performing its responsibilities and activities under this jurisdiction provided by this act. National Women's Commission has been working relentlessly for the promo-

tion and protection of women's rights, to integrate women in mainstream of development activities and to maintain gender justice with overall development of women.

The constitution of Nepal has provided the especial responsibility and liability to the commission on gender equality, women empowerment and study of women related legal provision, investigation and promoting women rights against women violence or social ill practices. The commission has been working on promoting women rights and operating campaigns raising awareness against women violence. The commission is engaged on promoting women rights by actively participating in policies making issues. For this, the commission is doing constant monitoring, gender studies along with recommending.

In all three levels of election, the commission had conducted a gender monitoring through various organizations. During the first and second phase of local level election, the commission had monitored 442 polling stations in 38 districts. The first phase of election in 2017, May 14, was monitored through 292 people from 46 organizations in province 3,4 and 6 of 32 districts. Similarly in second phase of local level election in 2017, June 28 Nepal Women Commission and 60 monitors from 6 districts had conducted gender monitoring in provinces 1,5 and 7.

The data of registration of 356 complaints on domestic violence and 69 complaints of women violence in one year shows the terrible situation of women violence. Women are neither safe on their home nor outside. They are compelled to resist violence in their home due to the economic dependency. On the closing day of 16 days campaign against gender violence in 2017 and on the occasion of human rights day, a help line " call 1145" is in operation to assist women from violence. We appeal citizens and stakeholder organizations to use this service to minimize the gender based violence.

The constitution has ensured the provision to establish offices in all seven provinces especially after the country headed towards the democratic federal state. Now, the responsibility and working area of the commission is becoming comprehensive and it has become a symbol of faith to ensure gender justice and women rights.

Tulsi Ram Sedhai
Secretary

Nepal Dalit Commission

The country is affected due to the ill practices such as untouchability and caste based discrimination which prevailing since long. The National Dalit Commission, since its establishment is working to end caste based discrimination through various research, investigation and monitoring program with the objective of increasing the active participation of socially, economically, politically, educationally most backward Dalit community in the mainstream of national development by preserving and augmenting their fundamental rights provisioned in the prevalent law and constitution. At the same time, it is providing recommendation to the government in formulation of the necessary policies to empower Dalit community.

The age-old ill-practice of caste discrimination and untouchability prevailing in the society has adversely affected religion, structure and cultural faith in the society leading towards crime in many instances. It is very important to end such ill practices so as to create society free of discrimination. The International Convention on the Elimination of All Forms of Racial Discrimination, 1965 has adopted the concept that all caste are equal before

the law. Nepal is a state party of this convention since 1971.

The preamble of Nepal's Constitution 2072 has determined to end all kinds of caste based untouchability. Similarly, Article 16 of the constitution has provisioned for right to dignified life, equality (article 18), right to freedom (article 17), right against untouchability and discrimination (article 24), rights of Dalit (article 40) and provision of National Dalit Commission (article 255). In context of state equally behaving its citizens, there are still incidents relating to untouchability and discrimination. From 16th July 2016 to 15th July 2017, 56 complaints of which 6 were of caste based discrimination and untouchability of which 2 were decided and 9 remains pending.

Ram Bahadur Bishwokarma
Administrative Officer

Nepal Army

1. Nepal army is always committed on protecting the basic human rights accepted worldwide by realizing the issue of practical guarantee of sovereignty rested with the Nepali people.
2. Guided by the Military Act, 2063. Article 20, and the objective of developing Nepal Army into professional army through professional training and education, Nepal army personnel are being trained on International Human Rights and Humanitarian Law in all trainings.
3. In order to manage armed conflict, national and international laws regarding war is formulated worldwide. Nepal army will always support transitional justice mechanism formed or to be formed to address the issue of serious human rights violation as per the provision in Comprehensive Peace Accord (CPA) 2063.
4. Nepal Army played an important role on a success of local level, HoR and provincial elections for the establishment of federal state equally focusing Human Rights and Humanitarian laws.
5. Lastly, Nepal Army expresses its good wishes to INSEC for the publication of "Human Rights Year Book-2017".

Rajesh Bhattarai
Brigadier General

Nepal Police

We are glad to know that INSEC, which is working for human rights and social justice, is giving its continuity on publishing the Nepal Human Rights Year Book. The human rights situation of the country is determined by how its citizen are being aware. The execution or implementation of law is only possible when citizens are ready to fully respect laws and state agents are attentive on protection of citizen's right.

We believe that our intimacy with citizens will be added by communicating through this book on how Nepal Police is working for the protection and promotion of Human Rights is more important rather than saying how the human rights situation was in 2017.

In 2017, local level election were held in three phases along with provincial and parliamentarian elections in two phases. Our major challenge of this year was to hold election in a peaceful environment and by analyzing overall election situation, despite of few minor incident, we are in a conclusion that the overall process went peacefully. Even in such situation, Nepal Police always gave special attetion on following issues on protection and promotion of human rights while delivering service and law enforcement.

1. Training: Nepal police is working by focusing on both proactive and reactive approach. By realizing that ca-

pable human resource is the first condition for delivering good governance by protecting and promoting human rights, Nepal police is providing training to its staff by identifying possible human rights violation sector while delivering service and implementing law. Similarly, staffs are provided with training in order to avoid excessive force during mob control. It has provided training and orientation to more than 7,000 staffs on "principle of using force and use of weapons", mob control and management, custody management and citizen friendly service with the objectives of minimizing excessive use of force.

2. Coordination: Nepal Police is continuously and jointly working with various organizations in order to stop possible human rights violation by its staff. Especially, organizing interaction programs with various organizations and implementing constructive recommendations, providing training to staffs in coordination with various organizations etc. It has also implemented the directives received from NHRC along with providing training in coordination with NHRC, international stakeholders and Kathmandu School of Law. The Kathmandu School of Law has provided various training to 35 senior police officers on good governance and protection and promotion of human rights from the last 2 years and sent them to Denmark for study tour along with operating project in their offices for improving the situation of Human rights. Through this program, junior police officials, staffs and constables were provided training. In this context, this year was productive in view of producing manpower.
3. Management of physical resources and use of scientific resources and technologies in crime investigation: The use of capable manpower and adoption of scientific resources is essential for ensuring human rights. Nepal police established citizen's-friendly offices, installation of CCTV in custody rooms, modern room with device for interview, trained police (woman) for investigation along with establishment of buildings and use of polygraph technology in crime investigation.
4. Effectiveness in crime investigation: At present, 3 years Crime Action Plan (CPA) is in operation to prepare capable manpower by making investigating system in full implementation. This has improved the investigation part of police and has protected rights of victim. This year, police was successful on arresting huge numbers of convicts absconding since long time. It was also successful on arresting gold, drug dealers and smugglers, women traffickers, along with controlling contraband trafficking of animals.
5. Prevention of crime: Nepal Police is equally operating awareness raising program to mass citizens. Nepal police has successfully launched "Service with a smile" program and is now operating "police my friend" under the same program.
6. Specialized unit and investigation (Mechanism): Nepal Police had established Human rights cell in Police Headquarter as a specialized unit in 2003 which is now as a human rights branch and it is operating in all provincial offices.

Nepal Police is sincere on right to information of citizens, adopting zero tolerance on misbehavior, torture and other human rights violation issues. It also has provision of lodging complaints against such activities through verbal or written complaints. A mechanism has been established in center so that public can lodge complaint at human rights branch and even in investigation branch in direct su-

pervision of police IGP. Committee will be formed through center as per the nature of the incident. The concerned offices can also investigate and take action against the guilty officers or staffs.

In overall, Nepal Police is active on protection and promotion of human rights by delivering justice to the victims through investigation, training, awareness and various activities and it will continue this.

Nepal Police appreciates the cooperation and continuous efforts undertaken by INSEC to protect and promote human rights even during very challenging and critical situation. It expects continuous cooperation and feedbacks from every individual and agency to make Nepal Police more effective and efficient. Nepal Police is committed to protect human rights and would like to send best wishes to INSEC for the successful publication of its "Nepal Human Rights Year book-2018".

Bam Bahadur Bhandari
AIG, Crime Investigation Department

Armed Police Force

1. The sovereignty principal of Human Rights is the protection of fundamental freedom along with ensuring and protecting political, cultural and economic rights. The APF would like to wish Informal Sector Service Centre (INSEC) for the success on the publication of "Human Rights Year Book, 2018". The organization also believes that it will be able to continue its contribution on protection and promotion of Human Rights in coming days.
2. APF has been protecting the human rights of Nepalese as per the constitutional provision along with the state obligation that comes under signatory state of various treaties and convention of Human Rights and humanitarian laws. The organization is always committed to protect the fundamental rights of its people provisioned by the constitution and bears a sensitive responsibility by implementing law in the society and equally serving people with its professionalism. It has been continuously working to minimize crime and human trafficking in bordering part of the country along with maintaining peace by protecting human rights of people.
3. Trainings related to human rights is provided to the employees of lower ranks of APF, workshops for government, civil societies and representatives of political parties of grassroots level regarding APF's role in the protection and promotion of Human Rights are conducted. APF's employees are made to participate in advanced training related to human rights and humanitarian laws, training manuals and curriculum are revised as per the need of time, knowledge of gender based discrimination are provided to the APF's employees and trainers are produced through trainings of trainers. In coordination with various organizations "Taught course on IHL and IHL and Human Rights and Democratic Polishing training has been operated and till now 7,361 armed police staffs have received this training.
4. Human freedom, values and norms will be secured and ensured only if internal security mechanism is improved. The human dignity ultimately will comprise in natural rights. The first obligation to protect and defend human right indeed goes to employees working in the security agencies as well as the institution which is committed to protect the human rights and International humanitarian law simultaneously fulfilling the responsibilities provided by the state. The organizations has formed gender cells

within the organization to receive complaints of women armed police staffs for their protection, promotion, empowerment and development.

5. With the objective of motivating on protection human rights and its promotion, the armed police force has been distributing hand books to Nepal government staffs and in this context, " Hand book on use of force and Human Rights Information 2073" has been published in support from Kathmandu School of Law.
6. At last, the organization is always committed to protect and promote human rights of the people as per "Armed Police Act 2058". We believe that the publication of "Human Rights Year Book, 2018" will definitely assist in the protection and promotion of Human rights in the country.

Babu Ram Pandey
Armed police
Deputy Inspector General of Police

Federation of Nepali Journalists

There is always a binding relationship between democracy and press-freedom. There can be a press freedom in democratic governance and the democracy institutionally develops when there is a press freedom. But, it is not necessary that press freedom is ensured in democracy as it depends on government, political parties, their behavior and character. In our context, the democracy is established and the phase of political transition is going to an end. The press freedom is provisioned by constitution and law but it is not completely practiced in reality. If we see the year 2017, the issues of press freedom, journalists, media and their security remains the same. According to the monitoring unit of FNJ, in 2017, there were 71 incidents relating to press freedom which includes disappearance (1), arrest (10), misbehavior (11), threat (12), online block (1), obstruction in radio broadcasting(7), padlocking in FNJ(7), attack on journalist(18) , media personnel (1), police control (3), allegation (1).

Federation of Nepali Journalist Association (FNJ) is an umbrella organization of journalists. More than 13,000 journalists are affiliated to this. The federation is continuously raising issues of professional and physical security of journalists, press and freedom of speech with higher importance. However, attempt to physical attack, threat, media obstruction are still increasing and the federation is always retaliating to it. The federation has been constantly raising voices against state's intervention on press rights.

All three levels of elections were held in the country and based on the mass-media policy (2073), policies and laws are being formulated as per federal structure and the information ministry is taking initiation for this. The Mistry of Federal Affairs and Local Development is active on making drafts and issuing manuals. But, looking at the preliminary activities, they do not seem to be media-friendly and willing to give more power to the federation as per democratic system and FNJ is alert on this issue. At the same it urges everyone to give hand by supporting the federation.

Govinda Acharya
Chairperson

Annex 5

Name of Contributors in Course of Preparation of Year Book 2018

CONTRIBUTORS TO CHAPTERS

Chapter 1

Situation of Human Rights in 2017: Overall Assessment
Expectation of Political Stability
Writer: Bijay Raj Gautam
Executive Director

Reflection of Human Rights in 2017
Compilation: Bimal Chandra Sharma

Chapter 2

State and Human Rights

2.1 Judiciary
Writer: Tejman Shrestha

2.2 Executive
Writer: Yagya Prasad Adhikari

2.3 Legislature
Writer: Prof. Dr. Ram Kumar Dahal

Chapter 3

3.1 Socio-economic and Cultural Status of Majhi community of Paanchthar
Writer: Mangal Begha

3.2 Musahar of Mahottari: Measured in the Perspective of Socio-economic and Cultural Rights
Writer: Ajay Kumar Shah

3.3 Earthquake in Rasuwa: Painful Displacement and Rehabilitation
Writer: Hem Nath Khatiwada

3.4 Epicentre Gorkha: Sluggish post-quake reconstruction
Writer: Hariram Upreti

3.5 Flood survivors of Bardia Rehabilitation Neglected
Writer: Man Bahadur Chaudhary

3.6 Malnutrition in Kalikot: Impact on Children
Writer: Kali Bahadur Malla

3.7 Child marriage: a case of Baitadi District
Writer: Nari Datta Badhu

DISTRICT REPRESENTATIVES

Province 1

1.1	Taplejung	- Dev Raj Gurung
1.2	Sankhuwasabha	- Baburam Bastola
1.3	Solukhumbu	- Pasang Bamjan Tamang
1.4	Okhaldhunga	- Shiva Prasad Dhungana
1.5	Khotang	- Sunita Magar
1.6	Bhojpur	- Kiran Rai
1.7	Dhankuta	- Santosh Ruchal
1.8	Tehrathum	- Bhagishwor Limbu
1.9	Panchthar	- Mangal Begha
1.10	Ilam	- Kokila Dhakal
1.11	Jhapa	- Arjun Kumar Basnet
1.12	Morang	- Indira Bhattarai
1.13	Sunsari	- Shekhar Dhakal
1.14	Udaypur	- Bharat Khadka

Province 2

2.1	Saptari	- Manohar Kumar Pokharel
2.2	Siraha	- Durga Pariyar
2.3	Dhanusha	- Binod Kumar Rabidas
2.4	Mahottari	- Ajay Sah
2.5	Sarlahi	- Santosh Singh
2.6	Rautahat	- Bipeen Gautam
2.7	Bara	- Laxmi Sah Sonar
2.8	Parsa	- Krishna Chandra Lamichhane

Province 3

3.1	Dolakha	- Uddhav Pokhrel
3.2	Sindhupalchok	- Natibabu Dhital
3.3	Rasuwa	- Hemnath Khatiwada
3.4	Dhading	- Sitaram Adhikari
3.5	Nuwakot	- Nawadip Shrestha
3.6	Kathmandu	- Subhash Shah
3.7	Bhaktapur	- Sabina KC
3.8	Lalitpur	- Keshav Raj Bhatta
3.9	Kavrepalanchok	- Bhoj Raj Timilsina
3.10	Ramechhap	- Nava Raj Pathik
3.11	Sindhuli	- Bimala Pandey
3.12	Makawanpur	- Pratap Bista
3.13	Chitwan	- Dipendra Adhikari

Province 4

4.1	Gorkha	- Hari Ram Upretitarai
4.2	Manang	- Suresh Kumar Thapa
4.3	Mustang	-
4.4	Myagdi	- Amrit Kumar Paudel
4.5	Kaski	- Sangita Ranabhat
4.6	Lamjung	- Dal Bahadur Majkoti
4.7	Tanahun	- Prakash Chandra Bhattarai
4.8	Nawalparasi East	- Narayan Parajuli
4.9	Syangja	- Himlal Parajuli
4.10	Parvat	- Kishor Sapkota
4.11	Baglung	- Sirjana Panta

Province 5

5.1	Rukum East	- Adarsh KC
5.2	Rolpa	- Madhav Kumar Oli
5.3	Pyuthan	- Rabindra Pandey
5.4	Gulmi	- Toplal Aryal
5.5	Arghakhanchi	- Narayan Prasad Bhusal
5.6	Palpa	- Yagyamurti Timilsina
5.7	Nawalparasi West	- Narayan Parajuli
5.8	Rupandehi	- Reema BC
5.9	Kapilbastu	- Nandaram Poudel
5.10	Dang	- Jay Narayan Pun
5.11	Banke	- Binod Pandey
5.12	Bardiya	- Man Bahadur Chaudhary

Province 6

6.1	Dolpa	- Bishnu Prasad Devkota
6.2	Mugu	- Jivan Sejuwal
6.3	Humla	- Nanda Singh
6.4	Jumla	- Man Datta Rawal
6.5	Kalikot	- Kali Bahadur Malla
6.6	Dailekh	- Amar Sunar
6.7	Jajarkot	- Dinesh Kumar Shrestha
6.8	Rukum West	- Adarsh KC
6.9	Salyan	- Meena Budhathoki
6.10	Surkhet	- Durga Thapa

Province 7

7.1	Bajura	- Padam Bahadur Singh
7.2	Bajhang	-
7.3	Darchula	- Narendra Singh Karki
7.4	Baitadi	- Nari Dutta Badu
7.5	Dadeldhura	- Bhupendra Bista
7.6	Doti	- Dirgha Bahadur Khatri
77	Achham	- Shiva Raj Dhungana
7.8	Kailali	- Rabina Chaudhari
7.9	Kanchanpur	- Komal Niranjan Bhat

Resource Centre
INSEC Library

Photo Source
District Representatives, INSEC

BEST DISTRICT REPRESENTATIVES

As per the decision to award "best district representative" of the year from each province, following district representatives have been selected. The "best district representative" will be falicitated with letter of appreciation along with Rs. 7,000 as cash prize.

Best Representatives

Indira Bhattarai, Morang, Province 1

Manohar Pokharel, Saptari, Province 2

Sitaram Adhikari, Dhading, Province 3

Hari Ram Upreti, Gorkha, Province 4

Toplal Aryal, Gulmi, Province 5

Nanda Singh, Humla, Province 6

Narendra Singh Karki, Darchula, Province 7

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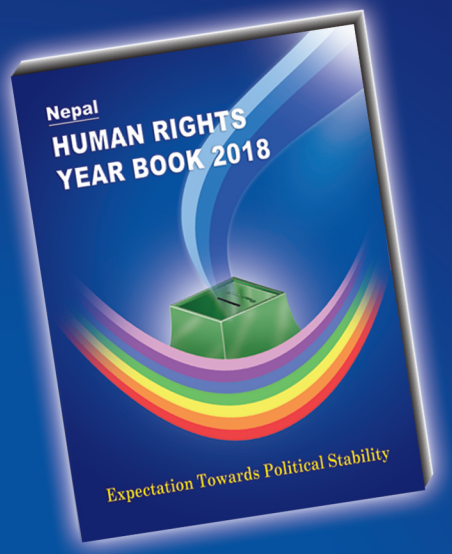

All the three tier elections provisioned by the Constitution were held and results have already been announced. The exuberant participation of people in these elections have not only highlighted their belief and faith towards democracy, but also their willingness towards change and prosperity. These elections are expected to pave the way forward ending long transition in the country.

The country could not accelerate towards development after a protracted political transition. Meanwhile, the political leadership hide their weaknesses by pointing out "transition" and people were compelled to live with it. The citizens are hopeful to the new government on ending transition and leading country towards prosperity.

For Human Rights & Social Justice
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ISBN 978-9937-8964-9-8
9 789937 896498